

**MINUTES OF THE PROCEEDINGS OF THE  
PLANNING BOARD OF THE CITY OF WORCESTER**

**October 3, 2018**

**LEVI LINCOLN CHAMBERS**

**Planning Board Members Present:** Andrew Truman, Chair  
John Vigliotti, Vice Chair  
Satya Mitra  
Albert LaValley

**Absent Members:** Paul DePalo

**Staff Present:** Stephen Rolle, Division of Planning & Regulatory Services  
Domenica Tatasciore, Division of Planning & Regulatory Services  
Nick Lyford, Department of Public Works  
Jennifer Beaton, Law Department  
Alexandra Kalkounis, Law Department  
Jodi Kennedy Valade, Department of Inspectional Services

**Call to Order** – 5:30 pm

**Approval of Minutes**

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti the Board voted 4-0 to approve the minutes of September 12, 2018.

**Requests for Continuances, Extensions of Time, Postponements, Withdrawals**

**1. Country Club Acres (fka Paradise Point & 190 Mountain Street East) - Special Permit Amendment for a Continuing Care Retirement Community (PB-2018-042)**

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to continue the Special Permit Amendment for a Continuing Care Retirement Community to the November 14, 2018 Planning Board meeting and to extend the decision deadline to December 30, 2018.

**2. Lots 66L, 66R, 67L & 67R Honeysuckle Road – Definitive Site Plan (PB-2018-024)**

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the Definitive Site Plan application to the November 14, 2018 meeting to extend the decision deadline to December 30, 2018.

**3. Malden Woods – Definitive Subdivision Plan Amendment (PB-2018-026)**

**4. Malden Woods – Definitive Site Plan (PB-2018-026)**

Items #3, #4 were taken contemporaneously.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the Definitive Subdivision Plan Amendment and the Definitive Site Plan to the November 14, 2018 Planning Board meeting and to extend the decision deadline to December 30, 2018.

5. **225 Shrewsbury Street – Special Permit for CCOD (PB-2018-056)**
6. **225 Shrewsbury Street – Definitive Site Plan (PB-2018-056)**

Items #5, #6 were taken contemporaneously.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the Special Permit for CCOD and the Definitive Site Plan to the October 24, 2018 Planning Board meeting and to extend the decision deadline to November 30, 2018.

7. **30 & 32 (aka Lot 2) Chiltern Hill Drive – Definitive Site Plan (PB-2018-032)**
8. **30 & 32 (aka Lot 3) Chiltern Hill Drive – Definitive Site Plan (PB-2018-033)**
9. **30 & 32 (aka Lot 4) Chiltern Hill Drive – Definitive Site Plan (PB-2018-034)**
10. **30 & 32 Chiltern Hill Drive (public) & Aylesbury Road (public) (AN-2018-024)**

Items #7, #8, #9, #10 were taken contemporaneously.

Upon a motion by Mr. Vigliotti and seconded by Mr. LaValley the Board voted 4-0 to postpone the Definitive Site Plan applications and the ANR to the November 14, 2018 Planning Board meeting and to extended the decision deadline to December 30, 2018.

11. **57 Highland Street, 33 & 35 Wachusett Street – Parking Plan (PB-2018-046)**

Upon a motion by Mr. LaValley and second by Mr. Vigliotti the Board voted 4-0 to postpone the Parking Plan application to the October 24, 2018 Planning Board meeting and to extend the decision deadline to November 30, 2018.

## **New Business**

### **Public Hearing**

12. **Zoning Map Amendment – 37 Fruit Street (aka 59 William St.) (ZM-2018-005)**

Amendment to rezone 37 Fruit Street which is currently split-zoned between RL-7 (residence, Limited) and BO-1.0 (Business, Office) to be included entirely within the BO-1.0 (Business, Office) zoning district.

Attorney Mark Donahue appeared upon behalf of the applicant, Hampton Properties, LLC. Hampton Properties, LLC seeks to amend the City of Worcester Zoning Map by rezoning 37 Fruit Street (aka 59 William Street) which is split-zoned and located partially within the RL-7 (Residence, Limited) and the BO-1.0 (Business, Office) zoning districts to be included entirely within the BO-1.0 (Business, Office) zoning district.

Mr. Rolle stated that the City's 1973 zoning map, the subject property appears to have been split-zoned between RL-7 and BO-1, although it appears that the zoning district boundary may have been located somewhat to the west of the present day location. The next iteration of the City's zoning map from 1987 shows that the property had been rezoned to be wholly within the IN-1 (Educational Institutions) zoning district. The 1991 zoning map shows a reversion back from the IN-1 to the RL-7/BO-1 zoning districts, along the same boundaries as the 1973 map. Today's zoning map maintains a boundary line between these districts, although it appears to be located further east today than the 1973/1991 boundary lines.

Mr. Rolle stated that the Board should consider whether the existing zoning district boundary hampers or limits use of the subject properties, the extent of the proposed extension into the neighboring residential district, and whether the proposed zoning change is consistent and compatible with other uses in the area.

Abutter Cigan Kunigunde spoke in support of the zone change.

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti the Board voted 4-0 support the Zoning Map Amendment going to City Council.

*List of Exhibits:*

Exhibit A: Petition – Hampton Properties; referred to Planning Board on August 21, 2018.

Exhibit B: GIS Map – RL-7 to BO-1; dated September 21, 2018; prepared by DPRS Staff.

**13. 649 Plantation Street - Special Permit for Water Resource Protection Overlay District (PB-2018-060)**

**14. 649 Plantation Street – Definitive Site Plan (PB-2018-060)**

Items #13, #14 were taken contemporaneously.

Attorney Marshall Gould, representing FML Wealth, LLC appeared upon behalf of the applications. The applicant seeks to construct a ~3,740 SF, 2-story, addition to the existing structure, and to convert the structure to a 5-unit multi-family low-rise dwelling, consisting of a mix of 3 and 2-bedrooms.

Peter Engel from Bertin Engineering gave an overview of the plan.

Mr. LaValley asked the applicant to review the driveway entrance/exits. Mr. Engel stated that they plan to use the existing curb cuts and are not expecting a high volume of traffic.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to close the public hearing on the Special Permit.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the waiver request to not label abutters to abutters within 300 feet on the Special Permit application.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Special Permit with conditions outlined in staff's memo.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 4-0 to approve the waiver request to not label abutters to abutters within 300 feet on the Definitive Site Plan application

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Definitive Site Plan with conditions outlined in staff's memo.

*List of Exhibits:*

Exhibit A: Special Permit Application; received August 30, 2018; prepared by FML Wealth, LLC.

Exhibit B: Definitive Site Plan; dated August 30, 2018; prepared by Bertin Engineering.

Exhibit C: Multi-Family Dwelling Addition Plans; dated August 30, 2018; prepared by Bertin Engineering.

Exhibit D: Stormwater Drainage Analysis; dated August 30, 2018; prepared by Bertin Engineering.

Exhibit E: Construction Storm Water Pollution Prevention Plan; dated August 30, 2018; prepared by Bertin Engineering.

**15. 26 & 26A Solferino Street – Definitive Frontage Subdivision (PB-2016-061)**

Zac Couture from H.S. &T. appeared upon behalf of the applicant. Mr. Couture stated that the applicant seeks to divide the property into two lots, which each existing structure to be located on its own lot and the item has received a variance from the Zoning Board of Appeals for the frontage.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 4-0 to approve the waivers from all requirements of the Subdivision Regulations, with the exception of those that apply to an Approval Not Required (ANR) plan; from Sections IX and X of the Subdivision Regulations, as no new street is being constructed and no improvements to the existing way is required; from the minimum frontage requirement for 26A (aka Lot 2) Solferino Street, otherwise mandated by the Worcester Zoning Ordinance; and from labeling all abutters and abutters thereto within 300 ft. on the plan or provide additional references to abutters on the plan.

Upon a motion Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Definitive Frontage Subdivision with conditions outlined in staff's memo.

*List of Exhibits:*

Exhibit A: Definitive Frontage Subdivision Plan Application; received August 30, 2018; prepared by Jason Roszkiewicz.

Exhibit B: Definitive Frontage Subdivision Plan; dated August 30, 2018; prepared by HS&T Group, Inc.

**16. Allen Court – Private Street Removal from Official Map (ST-2018-008)**

Mr. Lyford stated that DPW would recommend that Allen Court be removed from the Official Map but would remain the water easement for the site.

Margaret Wong asked what this would mean to neighbors in the area. Mr. Rolle stated that it still remains a private way but by removing it from the official map it allows the city to look at programming it in different way to make it more inviting for pedestrians and maybe some decorative lighting. He stated that people who abut the property still have the right to pass through.

Roberta Brien from Worcester Business Development Corporation stated the reason they brought this forward is that the property owners who are trying to use Allen Court would like to clean it up and would like to build a dumpster shed which is not allowed currently and if this change was made they could build it and also would allow for the building of a handicapped ramp for the Worcester Pop Up.

Jo Hart suggested a historic marker for location.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to remove Allen Court from the Official Map.

**Public Meeting**

**17. 25 Southgate Street – Definitive Site Plan (PB-2018-062)**

James Tetrault from Thompson Liston Associates appeared upon behalf of the applicant, Chacharone Properties, LLC. The applicant has applied for Definitive Site Plan Approval for the construction of a 27,600 SF freezer refrigeration and storage facility to the southwest of the existing manufacturing building.

Ms. Tatatsciore stated that the applicant received approval for a Variance by the Zoning Board of Appeals for the rear yard set-back.

Upon Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the waiver request from labeling abutters and abutters thereto within 300 feet on the plan.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Definitive Site Plan with conditions outlined in staff's memo.

*List of Exhibits:*

Exhibit A: Definitive Site Plan Application & Project Impact Statement; received August 30, 2018; prepared by the applicant.

Exhibit B: Site Plan; dated July 31, 2018 and revised through to September 19, 2018; prepared by Thompson-Liston Associates, Inc.

Exhibit C: Drainage Report; dated August 27, 2018; prepared by Thompson-Liston Associates, Inc.

**18. 85 Prescott Street, 100 & 106 Grove Street – Parking Plan Amendment (PB-2018-063)**

Patrick Doherty from Mid-Point Engineering appeared upon behalf of the applicant, Grove Street Family Properties, LLC. Mr. Doherty stated that the applicant seeks to amend the 2017 Parking Plan approval that was granted to construct a 184 space parking lot. The applicant now seeks to demolish a portion of the building located at 106 Grove Street and replace with 16 additional parking spaces.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the waiver from showing abutters to abutters within 300 feet on the plan.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Parking Plan Amendment with conditions outlined in staff’s memo as well as DPW memo.

*List of Exhibits:*

Exhibit A: Parking Plan Amendment Application; received August 30, 2018; prepared by Patrick Doherty of Grove Street Family Properties, LLC.

Exhibit B: Parking Lot Improvement Project; dated June 26, 2017 and revised through to August 2, 2018; prepared by MidPoint Engineering + Consultants.

**19. 29 Genesee Street and 29, 33, 39 & 49 James Street – Definitive Site Plan (PB-2018-064)**

Patrick Doherty from Mid-Point Engineering appeared upon behalf of the applicant, Galaxy Development, LLC. Mr. Doherty stated that the applicant has applied for Definitive Site Plan Approval for the construction of a retail use with 23,730 SF multi-tenant commercial building with associated parking. Mr. Doherty gave an overview of the plan and stated that they have gone before the Zoning Board of Appeals and the Conservation Commission and have received their approvals.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the waiver from labeling abutters and abutters thereto within 300 feet on the plan.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Definitive Site Plan with conditions outlined in staff’s memo.

*List of Exhibits:*

Exhibit A: Definitive Site Plan Application; received July 25, 2018; prepared by the applicant.

Exhibit B: Plan of Land; dated August 1, 2018 and revised through to August 28, 2018; prepared MidPoint Engineering.

Exhibit C: Traffic Impact and Access Study; dated July 2018; prepared by Green International Affiliates, Inc.

Exhibit D: Stormwater Management Report; dated August 1, 2018; prepared MidPoint Engineering.

**Other Business**

**20. Lachapelle Street Definitive Subdivision – Release from Subdivision Performance Agreement Secured by Lender**

Mr. Lyford stated that all construction has been completed to the satisfaction of DPW so they would recommend a full release of the \$65,000 bond.

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to release the Subdivision Performance Agreement Secured by the Lender.

**21. Ellie Way (aka 185 College Street) Definitive Subdivision – Release from Subdivision Performance Agreement No. 4 Secured by Letter of Credit**

Mr. Lyford stated that all construction has been completed to the satisfaction of DPW so they would recommend full release of the \$55,000 bond.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 4-0 to release the Subdivision Performance Agreement Secured by the Lender.

**22. Approval Not Required Plans (ANR)**

- a. 11 Morningside Road (public) (AN-2018-049)

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to endorse the ANR.

- b. 417, 421 & 423 Cambridge Street (public) (AN-2018-050)

Upon a motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 4-0 to endorse the ANR.

**23. Communication**

**24. Signing of Decisions from prior meetings**

**Adjournment**

Upon a motion the Board voted 4-0 to adjourn the meeting at 6:55 p.m.