

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

July 17, 2019

ESTHER HOWLAND CHAMBERS

Planning Board Members Present: John Vigliotti, Chair
Paul DePalo, Clerk
Eleanor Gilmore

Planning Board Members Absent: Albert LaValley, Vice Chair
Satya B. Mitra

Staff Present: Stephen S. Rolle, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Timothy Gilbert, Division of Planning & Regulatory Services
Jody Kennedy Valade, Department of Inspectional Services
Alexandra Kalkounis, Law Department

Approval of Minutes – 5/15/19, 6/5/19 & 6/26/19

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to approve the minutes of May 15, 2019, June 5, 2019 and June 26, 2019.

Requests for Continuances, Extensions, Postponements, and Withdrawals

1. 67 West Boylston Street (PB-2019-038):

a. Public Meeting – Definitive Site Plan

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Definitive Site Plan to the August 7, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to August 29, 2019.

2. 128, 130, 132, 134 & 136 Alvarado Avenue (PB-2019-039):

a. Public Meeting – Definitive Site Plan Amendment

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to postpone the Definitive Site Plan application to the August 7, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to August 29, 2019.

3. 128-136 Alvarado Avenue (Developer’s Street) (AN-2019-031)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to allow for Leave to Withdraw without Prejudice for the ANR plan.

4. 20 Valley View Lane (Public) (AN-2019-038)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to allow for Leave to Withdraw without Prejudice for the ANR plan.

5. 128 Alvarado Avenue Subdivision – Request to Extend Work Completion Date and Amend Performance Agreement (PB-2016-054)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to Extend the Work Completion Date and Amend Performance Agreement request to the August 29, 2019 Planning Board meeting.

6. 70 (aka 76, 76B & 78), 80, 86, 88 (aka 88A & 88B) Webster Street & 91 (aka 75 & 6 & 6A Jacques Street) Webster Street (ZA-2019-006)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to postpone the Zoning Map Amendment to the August 7, 2019 Planning Board meeting.

New Business

7. 249, 261, & 265 Lake Avenue (PB-2019-040)

a. Public Hearing – Definitive Frontage Subdivision

Zac Couture of HS&T Group appeared upon behalf of the applicant, Cherele Gentile, Trustee of Manor Real Estate Trust.

The applicant seeks to demolish the existing site improvements and reconfigure the existing lot lines at 249, 261 and 265 Lake Avenue in order to create four lots for use as four single-family detached dwellings. Mr. Couture stated that the applicant had received Conservation Commission approval Monday to start the demolition of the existing building on the site.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to close the Public Hearing.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to approve the following waivers:

- A waiver from all requirements of the Subdivision Regulations, with the exception of those that apply to an Approval Not Required (ANR) plan;
- A waiver of Sections IX and X of the Subdivision Regulations, because no new street is being constructed and no improvements to the existing way is required;
- A waiver of the minimum frontage requirements for each lot otherwise mandated by the Worcester Zoning Ordinance.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to approve the Definitive Frontage Subdivision with conditions outlined in staff's memo.

List of Exhibits

Exhibit A: Frontage Subdivision Application; received May 23, 2019; prepared by HS&T Group, Inc.

Exhibit B: Frontage Subdivision Plan; dated May 23, 2019; prepared by HS&T Group, Inc.

8. 76-78 Toronita Avenue (PB-2019-042)

a. Public Hearing – Definitive Frontage Subdivision

Attorney Donald O'Neil appeared upon behalf of the applicant, Derek J. Dufresne.

The applicant seeks to divide the existing residential lot (presently a two-family dwelling) into two (i.e. a single-family semi-detached dwelling). Mr. O'Neil stated that the applicant has received relief from the Zoning Board of Appeals for the frontage.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to close the Public Hearing.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to approve the following requested waivers;

- A waiver from all requirements of the Subdivision Regulations, with the exception of those that apply to an Approval Not Required (ANR) plan;
- A waiver of Sections IX and X of the Subdivision Regulations, because no new street is being constructed and no improvements to the existing way is required; &
- A waiver of the minimum frontage requirements for each lot otherwise mandated by the Worcester Zoning Ordinance.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to approve the Definitive Frontage Subdivision with conditions outlined in staff's memo.

List of Exhibits

Exhibit A: Frontage Subdivision Application; received May 23, 2019; prepared by B&R Survey, Inc.

Exhibit B: Definitive Frontage Subdivision Plan; dated May 23, 2019; prepared by B&R Survey, Inc.

9. Village at (aka 1-24) Burncoat Heights - Subdivision (fka 604 Burncoat Street) (PB-2019-046)

- a. Public Hearing – Definitive Subdivision Amendment
- b. Request to Extend Work Completion Date and Amend Performance Agreement

Attorney Mark Bornstein appeared upon behalf of the applicant, Burncoat Heights Trust.

Attorney Borenstein stated that, to date, the road has been constructed to binder course with most drainage improvements and underground utilities installed. Nine (9) residential structures (18 dwelling units) have been constructed, while three (3) structures (six dwelling units) remain to be completed.

The current subdivision approval is valid through July 17, 2019 (aka the sunset date), after which the subdivision approval will automatically expire. The required remaining improvements have and will not be completed by the current sunset date. Therefore, the applicant is subsequently requesting that the Planning Board vote to:

- 1. Amend the subdivision approval to waive the provisions of Section VI(I)(2) of the Worcester Subdivision Regulations to establish a new sunset date of July 17, 2020; and
- 2. Amend the performance agreement to extend the work completion date of to September 3, 2019.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo the Board voted 3-0 to close the Public Hearing.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore the Board voted 3-0 to approve the following;

- 1. Amend the subdivision approval to waive the provisions of Section VI(I)(2) of the Worcester Subdivision Regulations to establish a new sunset date of July 17, 2020; and
- 2. Amend the performance agreement to extend the work completion date of to September 3, 2019.

List of Exhibits

Exhibit A: Definitive Subdivision Plan Application; received July 1, 2019; prepared by Bowditch & Dewey, LLP.

Exhibit B: Village at Burncoat Heights Plan; dated April 19, 2019; prepared by CFS Engineering.

Exhibit C: Village at Burncoat Heights Plan; dated June 13, 2013; prepared by Tauper Land Survey, Inc.

Other Business

10. Street Petition(s)

- a) Request to Convert Delmont Avenue to Public (ST-2019-007)

Mr. Lyford stated that DPW recommends a Priority #1.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to approve the street petition.

- b) Request to Convert Poniken Road to Public (ST-2019-008)

Mr. Lyford stated that DPW recommends a Priority #1.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to approve the street petition.

- c) Request to Convert Crane Street to Public (ST-2019-009)

Mr. Lyford stated that DPW recommends a Priority #1.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to approve the street petition.

- d) Request to Convert Forsberg Street to Public (ST-2019-010)

Mr. Lyford stated that DPW recommends a Priority #1.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to approve the street petition.

- e) Request to Convert Hacker Court to Public (ST-2019-011)

Mr. Lyford stated that DPW recommends a Priority #1.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to approve the street petition.

11. Approval Not Required (ANR) Plan(s)

- a) 2 Meridale Road (Private) and 4 Aldena Road (Private) (AN-2019-037)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to endorse the ANR.

- b) 56 Millbrook Street (Public) and 46, 48 & 58 Byron Street (Public) (AN-2019-039)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 3-0 to endorse the ANR.

12. Communication(s)

- a. Environmental Notification Form (ENF) for Auburn Water District Interconnection. No comment.

13. Discussion of Board Policies and Procedures

- a. Proposed changes to Stormwater Requirements within the Planning Board's Rules and Regulations

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 3-0 to have staff advertise the proposed changes to Stormwater Requirements.

14. Signing of Decisions (from prior meetings)

Adjournment

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore the Board voted 4-0 to adjourn the meeting at 6:09 p.m.