

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

MARCH 15, 2006

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM

Planning Board Members Present: John Shea, Chair
Scott Cashman, Vice-Chair
Anne O'Connor, Clerk
Samuel Rosario
Margaret Guzman

Staff Present: Michael Traynor, Law Department
Carrie Holtan, Law Department
Joel Fontane, Division of Planning & Regulatory Services
Robin Bartness, Division of Planning & Regulatory Services
Ruth Gentile, Division of Planning & Regulatory Services
Edgar Luna, Division of Planning & Regulatory Services
Jody Kennedy-Valade, Division of Code Enforcement
K. Russell Adams, Department of Public Works

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair John Shea called the meeting to order at 5:35 PM.

APPROVAL OF THE MINUTES

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the amended February 15, 2006 minutes.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the March 1, 2006 minutes.

UNFINISHED BUSINESS

1. **130 Goddard Memorial Drive (PB-06-02) – Site Plan:** The petitioner was not present. Chief Planner Bartness informed the Board that the petitioner had not yet submitted revised plans. Consequently, she recommended continuation of the Site Plan to April 5, 2006. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the Site Plan to April 5, 2006.

2. **47 Fourth Street (PB-06-03) – Site Plan:** The petitioner was not present. Chief Planner Bartness informed the Board that the petitioner had not yet submitted revised plans. Consequently, she recommended continuation of the Site Plan to April 5, 2006. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the Site Plan to April 5, 2006.
3. **47 Fourth Street (PB-06-04) – Special Permit:** The petitioner was not present. Chief Planner Bartness informed the Board that the petitioner had not yet submitted revised plans. Consequently, she recommended continuation of the Special Permit to April 5, 2006. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the Special Permit to April 5, 2006.

NEW BUSINESS

PUBLIC HEARINGS

4. **1511 Main Street (PB-06-25) – Special Permit:** The reading of the notice for this hearing was waived by the Board and the petitioner's representative. Patricia Gates and Jeffrey Howland, representatives for the applicant, presented the project. Michelle Buck, Town Planner for Leicester, expressed that the Board of Selectman and the Planning Board of Leicester are in support of the project. Cynthia Taberner, Chair of STOP, expressed her support for the project. Upon a motion Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to close the hearing.

Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the following Waivers for the Special Permit:

1. Reduction of the AROD parking requirement (1.5 space per dwelling unit) by one (1) space (based on 109 dwelling units) from 164 spaces to 163 spaces (5 additional spaces for the Land Trust are shown on plan, but do not count toward parking requirement).
2. Waive Article IV, Table 4.2, Dimensional Requirement for 25' front yard setback.
3. Waive Article IV, Table 4.2, Dimensional Requirement for 35' maximum height.
4. Waive Article IV, Table 4.2, Dimensional Requirement for lot area requirement of 7,000 square foot per dwelling unit.
5. Waive Article IV, Table 4.2, Dimensional Requirement for frontage requirement of 65 feet per dwelling unit.
6. Waive Article IV, Table 4.2, Dimensional Requirement for 20' side yard setback.
7. Waive landscaping requirements of Article V (3) (A) and Article IV, table 4.4(5) along the existing retaining wall along Main Street, all side lot lines and as they relate to off-street parking for the rear parking lot.
8. Waive 5' setback requirement of Table 4.4(5) for the front and rear parking lots.

Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to approve the Special Permit with the following findings and conditions:

- **The proposed use is in harmony with the general purpose and intent of the City of Worcester Zoning Ordinance.**
- **The specific site is an appropriate location for the proposed use.**
- **The proposed use as developed will not adversely affect the neighborhood.**
- **There will be no nuisance or serious hazard to vehicles or pedestrians.**
- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use.**
- **Provide final construction documents for the design of the pump station, subject to approval by the Department of Public Works.**
- **Upon completion of the bridge, the sewer pump station and sewer line and site improvements at the rear of the building, the exit/entrance from Meridale Road shall be gated, and shall be for emergency access only.**
- **During construction, the applicant shall use the McCarthy Street Bridge in Leicester for access to the site. The applicant shall not use vehicles that exceed the weight limits of the McCarthy Street Bridge during construction of the bridge, the sewer pump station, sewer line and rear parking area. The weight limits are as follows:**

2 axels: 14 tons; 3 axels: 23 tons: 5 Axels: 35 tons

- **Upon completion of the project bridge, the applicant agrees to use this bridge to bring in construction materials whenever possible.**
- **No construction vehicles shall use the McCarthy Street Bridge in Leicester during school bus hours when school is in session. School bus hours are 7:00 a.m. to 8:30 a.m. and 2:00 p.m. to 3:30 p.m.**
- **The undeveloped northeasterly portion of the property between the parking area, the sewer pump station and the paved loading access ramp, including the Kettle Brook, shall be designated no build areas, and to the extent possible, after construction shall be left in their natural state.**

Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to waive the Special Permit fee because the Special Permit and Site Plan were reviewed as one project and that two \$5,000 application fees, totaling \$10,000, would be duplicative and excessive for this project.

5. **Woodcliff Avenue (Dupuis Avenue Northerly) – Put Back on Official Map:** Chief Planner Bartness informed the Board that Stephen Madaus, representative for Arthur Caissie, applicant, submitted a letter dated March 15, 2006 requesting leave to withdraw without prejudice. Upon a motion by Scott Cashman and seconded by Samuel Rosario, the Board voted 5-0 to approve the request of the applicant for leave to withdraw without prejudice.

PUBLIC MEETINGS

6. **Lot 1, Welcome Street (PB-06-16) – Site Plan:** Jeffrey Howland, representative for the applicant, presented the project. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-1 (Sam Rosario voting against) to approve the Site Plan with the following conditions:
 - **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
 - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

7. **345 Shrewsbury Street (PB-06-17) – Site Plan:** Chief Planner Bartness informed the Board that Jeffrey Howland, representative for the applicant, submitted a letter on behalf of the applicant requesting leave to withdraw without prejudice due to a finding that the site did not meet the 15-percent slope threshold required for site plan review.. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the request of the applicant for leave to withdraw without prejudice

8. **47 Mason Street (PB-06-18) – Site Plan:** Jeffrey Howland, representative for the applicant, presented the plan. Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 5-0 to approve the Site Plan with the following conditions:
 - **Add a zoning analysis table including requirements and what is proposed.**
 - **Add note that indicates no parking is permitted in the 15-foot front yard setback.**
 - **Label height in stories and feet, total floor area and number of bedrooms for each unit.**
 - **Label exterior materials of each unit.**
 - **Label dimensions and construction materials of driveways.**
 - **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
 - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

- **Six copies of revised plan must be submitted to the Division of Planning and Regulatory Services prior to release of the decision.**
9. **653 Main Street (PB-06-19) – Site Plan:** Jeffrey Howland and Dean Harris, representatives for the applicant, presented the plan. Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 5-0 to approve the Site Plan with the following conditions:

- **Indicate owner’s name on title block.**
 - **Indicate address of project on title block.**
 - **Relocate Zoning Analysis to Layout Plan.**
 - **Correct Zoning Analysis to read:**
 - (4) Relief of Floor to Area Ratio.**
 - (5) Relief from Off-Street Parking Requirements.**
- The Zoning Board of Appeals has granted the following Special Permits for the project:**
1. **Expansion or Change of Non-Conforming Use with the following condition:**

No more than 129 parking spaces (subject to appropriations in letter from the Department of Public Works dated January 21, 2005) provided they are in accordance with the site plan submitted on file with the City of Worcester and in compliance with all governmental codes.
- **Label total floor area of building and number of dwelling unit.**
 - **Label dimensions of building and parking structure**
 - **Label construction materials used for garage.**
 - **One (1) additional handicap parking space is required and it must be a van space with an eight (8) foot access aisle.**
 - **Indicate which ramps are for up or down.**
 - **Provide landscaping table with species and size of trees provided along Madison Street. A recommended species list is provided in the Article V, Section 5 of the Zoning Ordinance.**
 - **Landscaping screening shall consist of a combination of plant materials, trees and shrubs. The plan only indicates trees in a mulched area.**
 - **Shrubs shall be no higher than four (4) feet.**
 - **Trees shall have trunks at least 3 to 3 ½ inches in diameter when measured six (6) inches above the ground**
 - **Applicant must provide a copy of lease for accessory parking.**
 - **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
 - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout**

construction by the applicant to the satisfaction of the Director of Code Enforcement.

- **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.**

10. **11 Denmark Street (PB-06-20) – Site Plan:** Shelly Hammond, representative for the applicant, presented the plan. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board vote 5-0 to approve the Site Plan with the following conditions:

- **Correct owner's name on Environmental Impact Statement and Plan**
- **Correct owner's address on plan and application.**
- **Label height of structures in stories and feet, total floor area of each unit, and number of bedrooms for each unit on plan.**
- **Label width of driveways.**
- **Add note to plan indicating no parking is permitted in the 15-foot front yard setback or right-of-way.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.**

11. **38 Aetna Street (PB-06-21) – Site Plan:** James Vevone and Jeffrey Howland, representatives for the applicant, presented the plan. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to approve the Site Plan with the following conditions:

- **Correct the scale on the plan which is 1"=10'.**
- **Correct the Title block to read, "Two-Family Detached Dwelling".**
- **Include a table with a summary of the zoning classification, zoning requirements, what is being provided and what zoning relief has been requested from the Zoning Board of Appeals.**
- **Correct note #9 on site plan to reflect the correct variances requested.**
- **Add note to plan indicating that no parking is permitted in the 15-foot front yard setback.**
- **Indicate height in stories and feet of building.**
- **Indicate number of bedrooms.**

- **Indicate exterior materials.**
- **Indicate total floor area of structure and lot on layout plan.**
- **Indicate dimensions and construction materials of driveway.**
- **Indicate height and type of fence.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan must be submitted to the Division of Planning and Regulatory Services prior to release of the decision.**

12. **691 Grafton Street (PB-06-19) – Amendment to Site Plan:** Kevin Quinn, representative for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the Amendment to Site Plan with the following conditions:

- **Install signs for “Residents Only” parking near the handicapped parking spaces behind the building.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.**

13. **273-275 Mill Street (PB-05-23) – Site Plan:** Joel Green, representative for the applicant, presented the project. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board vote 4-0 (Chair Shea abstained) to approve the Site Plan with the following conditions:

- **Submit drainage calculations to the Department of Public Works.**
- **Indicate construction materials for all driveways, entrances, curbs, curb cuts, parking spaces, access aisles, and sidewalk.**

- Entrance and exit signs in the right of way must be reviewed and approved by the Department of Public Works prior to installation.
- Indicate the location of any free-standing sign, which must be setback five feet from all property lines.
- Provide trees along Mill Street every 20-25 feet on center. Shrubs, no higher than 4 feet, must be planted in the screening area along Mill Street to provide a mature appearance within 3 years.
- Install a 6-foot screening fence along the northwest property lines.
- All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- Subject to Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.
- Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.

14. **102 Shore Drive (PB-06-24) – Site Plan:** Patricia Gates and Mathew Smith, representatives for the applicant, presented the project. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the Site Plan with the following conditions:

- Lights adjacent to residential property to the north shall be shielded and directed downward.
- Add deciduous trees on the northerly side of the property to buffer residential property to the north.
- Provide crosswalk striping across the driveway area to facilitate access to the existing crosswalk which traverses Shore Drive.
- Provide appropriate lighting for the driveway area and the crosswalk area for Shore Drive. The lighting shall be approved by the Department of Public Works and be provided until at least 11:00 pm each evening.
- Install a ramp or other graded pedestrian pathway along the Applicant's property and /or the land of YMCA to facilitate pedestrian access to the YMCA facility.
- Add pedestrian signage within the right of way of Shore Drive as appropriate and as allowed by the Department of Public Works and the Massachusetts Highway Department.
- Prior to occupancy, the tree overhang west of the proposed driveway shall be cut back and maintained so as to maximize visibility along the roadway.
- Show the railroad location and its proximity to the site.
- Show lot lines for abutting properties.

- **Label compact spaces.**
- **The free-standing sign must be setback five feet.**
- **Amend the lighting symbols on Sheet 7, Lighting Plan. The symbol for “B” on the plan should match the symbol “B” in the table.**
- **All parking buffers shall be appropriately landscaped with a combination of plant materials, trees and shrubs.**
- **Trees shall have trunks at least 3 to 3 ½” in diameter (measured 6” above the ground).**
- **Correct Note 1 on Sheet 3 under the Zoning Analysis. It should read, “One (1) interior parking tree is required for every 10 interior parking spaces. 38 interior parking spaces/10 = 4 interior trees required.”**
- **Indicate snow storage areas on plan or add note that snow will be moved off-site.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.**

Ms. Gates submitted a letter requesting that the Board waive \$4,804 of the \$5,000 Site Plan application fee due to late notice of an error in a fee schedule provided by the City of Worcester to the applicant. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 3-2 (Margaret Guzman and John Shea voted against), to waive the fee because it was the City’s past clerical error and that all applicants should be notified of the correct fee schedule.

15. **1511 Main Street (PB-06-26) – Site Plan:** Patricia Gates and Jeffrey Howland, representatives for the applicant, presented the project. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the Site Plan with the following conditions:

- **Provide access and utility easements for the proposed infrastructure to be maintained by the City of Worcester.**
- **Indicate on the plan that snow will be removed from the property.**
- **Indicate on the plan the correct dimension for the proposed side yard setback (6 feet).**
- **On sheet #5, label the width of the main access point and construction materials of the driveways, parking spaces, sidewalks, trail, steps to trail and bridge.**

- Indicate on the plan the location and total area of usable open space.
- All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- Subject to Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.
- Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.

16. **82 Dorchester Street (PB-06-27) – Site Plan:** James Vevone and Jeffrey Howland, representatives for the applicant, presented the plan. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the Site Plan with the following conditions:

- The proposed sanitary connection will require “long connection” approval from the Department of Public Works.
- Add a table with a summary of the zoning classification, zoning requirements, what is being provided and what zoning relief has been requested from the Zoning Board of Appeals.
- Add a note to the plan indicating that no parking is permitted in the 15-foot front yard setback.
- Indicate height in stories and feet of building.
- Indicate number of bedrooms.
- Indicate exterior materials.
- Indicate the total floor area of the structure and lot on the layout plan.
- Indicate dimensions and construction materials of driveway and sidewalk.
- Show height and type of fence. All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- Subject to Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.
- Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services prior to the release of the decision.

OTHER BUSINESS

APPROVAL NOT REQUIRED (ANR) PLANS:

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-1 (Samuel Rosario voted against and Scott Cashman abstained), to endorse ANR Plan #6262, Passway Three.

Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6263, 3 & 5 Fairbanks Street.

Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6264, 37 June St. Terrace/428 Mill Street.

Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 (Samuel Rosario abstained) to endorse ANR Plan #6265 Rowena Street.

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to deny ANR Plan #6266 Orono Street because the plan failed to show sufficient width, suitable grades, and adequate construction for the proposed use.

Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6268 Reed Street.

Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR #6269 Oakview Street.

Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR #6270 Triverton Parkway.

ADJOURNMENT

Chair John Shea adjourned the meeting at 8:20 PM.