

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

**APRIL 5, 2006  
CITY HALL, ROOM 310, 455 MAIN STREET**

**Planning Board Members Present:** Anne O'Connor, Acting Chair  
Samuel Rosario  
Margaret Guzman

**Staff Present:** Michael Traynor, Law Department  
Joel Fontane, Division of Planning & Regulatory Services  
Robin Bartness, Division of Planning & Regulatory Services  
Ruth Gentile, Division of Planning & Regulatory Services  
Judith Stolberg, 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**

Acting Chair O'Connor 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 3-0 to approve the March 15, 2006 minutes.

**UNFINISHED BUSINESS**

1. **Zoning Map Amendment – 166 Stafford Street/172 Stafford Street (Extend BL-1.0 zoning district across Stafford Street):** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the hearing to June 7, 2006.
2. **25 Eskow Road – Parking Plan Approval – Parking Plan:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the request of the applicant for leave to withdraw.
3. **130 Goddard Memorial Drive (PB-06-02) – Definitive Site Plan:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive 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.**
4. **47 Fourth Street (PB-06-03) – Definitive Site Plan:** 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 19, 2006. Charles Scott, representative for the applicant, also requested a continuation until April 19, 2006 and extension of the constructive grant deadline until May 3, 2006. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 3-0 to approve the request to continue the Definitive Site Plan to April 19, 2006 and extend the deadline for constructive grant to May 3, 2006.
  5. **47 Fourth Street (PB-06-04) – Special Permit:** Chief Planner Bartness informed the Board that the petitioner had not yet submitted revised plans. She recommended continuation of the hearing to April 19, 2006. Charles Scott, representative for the applicant, also requested a continuation until April 19, 2006. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 3-0 to continue the Special Permit hearing to April 19, 2006.
  6. **697 Burncoat Street (PB-06-13) – Definitive Site Plan:** 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 19, 2006. In a letter submitted to the Board, Benjamin Clark, representative for the applicant, also requested a continuation until April 19, 2006 and extension of the constructive grant deadline until May 3, 2006. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the Site Plan to April 19, 2006 and extend the deadline for constructive grant to May 3, 2006.
  7. **697 Burncoat Street (PB-06-14) – Definitive Subdivision Plan:** 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 19, 2006. In a letter submitted to the Board, Benjamin Clark, representative for the applicant, also requested a continuation until April 19, 2006 and extension of the constructive grant deadline until May 3, 2006. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the Site Plan to April 19, 2006 and extend the deadline for constructive grant to May 3, 2006.

## NEW BUSINESS

### PUBLIC HEARINGS

8. **22 Onset Street (PB-06-29) – Definitive Subdivision Plan:** The hearing was not opened. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the item until April 19, 2006 at the request of the applicant.
  
9. **27 Acton Street (PB-06-32) - Definitive Subdivision Plan:** Samuel Rosario read the hearing notice. Josh Reinke and Hussein Haghazadeh presented the plan. Chief Planner Bartness informed the Board that variances from frontage and side yard setback requirements had previously been approved by the Zoning Board of Appeals for a duplex and an ANR plan had been signed by the Planning Board. However, the ANR plan could not be filed because it did not meet frontage requirements. Subsequently, the owner and previous applicant sold half of the duplex and half of the lot to the current applicants but when the deed was filed, it reflected the entire parcel because the ANR plan could not be filed. The subdivision plan is to correct the mistake so that the parcels may be recorded properly. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive Subdivision Plan with the following conditions:
  - **Remove note “Planning Board endorsement is not a determination as to conformance with the zoning bylaw.” because this note is for ANR plans.**
  - **Complete information regarding the variances approved on April 28, 2003 for 10 feet of frontage relief and 8 feet of side yard setback relief. Include the date, book and page, what relief was granted and the conditions of approval, if any.**
  - **Six copies of the revised plan must be submitted prior to release of the decision.**
  - **Endorsement of the Definitive Plan is contingent upon the following:**
    - **Notice from the City Clerk of “No Appeal” from the action of the Board in approving this subdivision or if an appeal is taken, notice of the court either sustaining the approval or dismissing the appeal.**

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to waive the Definitive Subdivision Regulations with the exception of those requirements for an Approval Not Required plan.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to waive the \$1,100.00 application fee and instead the applicant will pay the \$35.00 fee for an Approval Not Required plan.

10. **47 Fourth Street (PB-06-37) – Definitive Plan-More than One Building On A Lot Plan:** Samuel Rosario read the hearing notice. Charles Scott, representative for the

applicant, presented the plan. Chief Planner Bartness informed the Board that the following comments need to be addressed on the plan:

- **Change title to Definitive Plan – More Than One Building On A Lot.**
- **Change the words “Cluster Subdivision” to “Cluster Group of Single-Family Dwellings” in the project title.**
- **Label dimensions of all streets and any sidewalks.**
- **Label area of wetlands and area to be dedicated to recreation (requirement of Cluster Zoning).**
- **Label location of all permanent monuments.**
- **Outline existing wooded areas, wetlands, etc. within or adjacent to the property.**
- **Label open areas suitable for recreation purposes (requirement of Cluster Zoning).**
- **Label locations of street trees and provide a table with species and caliper.**
- **Provide a grading and drainage plan.**
- **Provide suitable space for the signature of a Board member.**
- **Provide a locus map.**
- **Label date of deed and Book and Page number in the legend.**

Russ Adams advised the applicant that Notes 6 & 7 should be removed from the plan and that the entry drive will remain private and there cannot be a conveyance to the City as a public street. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the hearing to April 19, 2006 so the applicant can make necessary revisions to the plan.

11. **Zoning Map Amendment – 10 Nebraska Street (MG-2.0 to BG-2.0):** Samuel Rosario read the hearing notice. Mark Donahue, representing Richard H. Adams, owner and petitioner, made the presentation and advised that townhouses are planned for the site should the zoning designation be approved by the City Council. Paul and Jim Ricciardi, Ricciardi Brothers, Inc., were opposed because they maintained the noise of heavy equipment used in their business that abuts the property in question, would be obtrusive to the residents of the townhouses and would result in complaints. They stated such complaints would negatively impact their business. Stephen Charamella, representative for the applicant, said the design of the structures would have noise mitigation features. Mr. Donahue stated that any purchasers will know that the business was there prior to purchase. Division Director Fontane advised the Board the zone change would be compatible with the desired redevelopment of the area. Lisa Ecklebecher, resident at the Biscuit Lofts project located nearby, said she knew of no objections from fellow residents. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to recommend approval of the zone change because it would be compatible with the desired redevelopment of the area.

## PUBLIC MEETINGS

12. **28 Beechmont Street (PB-06-28) – Definitive Site Plan:** Josh Reinke, representative for the applicant, presented the project. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive Site Plan with the following conditions:

- **Label plan Definitive Site Plan in the title block.**
- **Show existing lot lines for abutting properties.**
- **Provide details and dimensions of proposed retaining walls.**
- **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 Planning and Regulatory Services Office prior to release of the decision.**

13. **39 Upland Street/Bisland Road (PB-06-30) – Definitive Site Plan:** Assistant City Solicitor Traynor advised the applicant that the site plan approval cannot be considered because the actual lots have not been created yet. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the request of the applicant for leave to withdraw.

14. **Bisland Road (PB-06-31) – 81-G Street Opening:** Joseph Allen and Josh Reinke, representatives for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the street opening with the following conditions:

- **Label the length of Bisland Road.**
- **Show lot lines within 40 feet of the sidelines of the street on both sides of Bisland Street.**
- **Show sidewalks on both sides of the street.**
- **Road pavement to consist of 2.5 inch binder course and 1.5 inch top course.**
- **Provide suitable space to record the action and conditions of the Board and the signatures of the members of the Board and the signatures of the members of the Board and any revision date in a title block as specified in Form C in the Appendix.**
- **Indicate a statement on the plan that the applicant will provide, at no cost to the City, all facilities shown on the plan including but not limited to**

roadways, curbs, bounds, drainage systems, sanitary sewer systems, utilities, street lights and earthworks, except as otherwise noted.

- **Submit properly executed easements to the City of Worcester in all ways shown on the Definitive Plan for all purposes for which ways are commonly used in the City and properly executed easements to the City of Worcester in and over all lands not included within the ways which are shown on the plan to be devoted to drainage or other common use. Wherever a drainage easement is shown, there shall also be an easement to discharge and dispose of said drainage whether within or without the subdivision. A sum of money sufficient to pay recording fees shall accompany the easements. Said easements to be duly recorded prior to start of construction.**
- **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.**

15. **1168 Main Street (PB-06-33) – Parking Plan:** Kevin Quinn, representative for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the Parking Plan with the following conditions:

- **Add note to close second curb-cut near intersection of Main Street and Arbor Vitae.**
- **Add a six-foot stockade fence on top of retaining wall. At end of retaining wall, the fence will jut to rear property line behind shrubs and not to extend to the edge of lot so as to provide driveway visibility for properties on Arbor Vitae.**
- **Label plan "Parking Plan" instead of "Site Plan".**
- **Correct scale to read 1"=10' instead of 1"=20'.**
- **Indicate in the zoning analysis what is provided on the plan.**
- **Label lot lines of adjacent properties with owner's names.**
- **Show minimum yard dimensions for the rear yard setback.**
- **Label height in stories and feet of existing buildings.**
- **Label floor area ratio.**
- **Label total square footage of ground area coverage.**
- **Indicate dimensions of access aisles.**

- **A lighting plan must be provided. It is recommended that any parking lot lights be directed downward and that spillage on the adjacent residential property to the north is limited to no more than .5 to 1 foot candle.**
- **Indicate the location of any free-standing signs**
- **Additional trees must be provided along Main Street planted every 20-25 feet on center with calipers at least 3-3.5' in diameter.**
- **Shrubs may be no taller than 4 feet high along a sidewalk edge.**
- **Indicate height of existing fence.**
- **One interior tree is required.**
- **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. **573 Burncoat Street (PB-06-34) – Definitive Site Plan:** Josh Reinke, representative for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board vote 3-0 to approve the Definitive Site Plan with the following conditions:

- **Show and label the railroad and its proximity to the site.**
- **Show and label the pond to the east of the site.**
- **Label the height in stories in addition to the height in feet.**
- **Provide an elevation showing the duplex on Lot 4L and 4R as compared to the duplex on Lot 3R and 3L.**
- **Label the minimum yard dimensions.**
- **Add a note to the plan stating that no parking is permitted in the driveway of Lot 4R.**
- **Label the location, dimensions and construction materials of the curb and sidewalks, if any.**
- **Label location and total area of all useable open space.**
- **Eliminate the three concrete areas in front of each of the three larger duplexes and replace with a grass area.**
- **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.**

17. **Wyola Drive/Brookline Street (PB-06-35) – Definitive Site Plan:** Josh Reinke, representative for the applicant, presented the plan. The site plan was filed in conjunction with the Avery Estates Definitive Subdivision. Chief Planner Bartness informed the Board that there are many unresolved issues relating to ownership, drainage and easements with the subdivision plan and these issues would affect the approval of the site plan as well. She recommended a continuance to resolve the issues. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the Definitive Site Plan to April 19, 2006.

18. **Olean Street/Cataract Street (PB-06-35) – Definitive Site Plan:** Chief Planner Bartness informed the Board that this item had been advertised incorrectly due to an error on the application. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to continue the Definitive Site Plan to May 3, 2006 and requested staff advertise it correctly and renotify abutters.

19. **Worcester Center Boulevard – Discontinue and Remove from Official Map:** Assistant City Solicitor Traynor informed the Board that this request is for land to be used for park purposes in conjunction with the Korean War Memorial. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the amended discontinuance of a portion of Worcester Center Boulevard (now known as Foster Street) and the alteration to the Official Map by the removal of the same, as shown on the plan entitled, “Plan of Land in Worcester, Massachusetts (Worcester County)”, prepared by The BSC Group, Inc., dated June 9, 2005, revised April 5, 2006.

20. **Wyman Street – Discontinue and Remove from Official Map:** Matthew Killeen, representative for Sion Mills Limited, owner of the property presented the petition. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to approve the discontinuance of a portion of Wyman Street situated between Tainter Street and Hollis Street and the alteration to the Official Map by the removal of the same.

## **OTHER BUSINESS**

### **STREETS TO MAKE PUBLIC:**

1. **Cascade Road:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1.



2. **Dupuis Avenue:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1.
3. **Lake View Street:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1.
4. **Laureldale Road:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 5.
5. **Woodcliffe Road:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 2.

**APPROVAL NOT REQUIRED (ANR) PLANS:**

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR Plan #6259 Progressive Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR Plan #6271 Bird Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR Plan #6272 Hillcroft Avenue.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR Plan #6273 Seneca Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR Plan #6274 Orono Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR Plan #6275 Orton Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6276 Walworth Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6277 Garden Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6278 1350 Pleasant Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6279 Hemans Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6280 Randall Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6281 Wilbur Street.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6283 Upland Street/Arboretum.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6285 Sunderland Road/Niles Road.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6286 Madison/Washington Streets.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR #6287 3 Malden Street.

### **ADJOURNMENT**

Acting Chair O'Connor adjourned the meeting at 8:15 PM.