

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

**January 9, 2008
WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM**

Planning Board Members Present: Scott Cashman, Vice Chair
Anne O'Connor, Clerk
Margaret Guzman
Nicole Xifaras Parella

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Ruth Gentile, Division of Planning & Regulatory Services
Judy Stolberg, Division of Planning & Regulatory Services
Michael Traynor, Law Department
K. Russell Adams, Department of Public Works
Jody Kennedy-Valade, Department of Code Enforcement

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Vice Chair Cashman called the meeting to order at 5:30 PM.

APPROVAL OF MINUTES

Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the minutes of the December 19, 2007 meeting.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **25 Tobias Boland Way (PB-07-142) – Amendment to Definitive Site Plan:** Attorney Mark Donahue requested the site plan approval be continued to January 23, 2008 in order to revise the plan. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to continue the item to January 23, 2008.

UNFINISHED BUSINESS

2. **76, 78, 82, May Street, 0 Park Avenue, 394 Park Avenue, 402 Park Avenue, 123 Winfield Street (PB-07-135) – Definitive Site Plan:** Attorney Mark Donahue, representative for the applicant, informed the Board that the definitive site plan for the construction of a CVS Pharmacy will be revised to show a concrete raised island configured to allow right turn exit only onto Park Avenue, a condition of the Special Permit granted by the Zoning Board of Appeals. He stated the concrete raised island resulted from a meeting with staff at the Department of Public Works. Additionally, he said, they met with Ali Khorasani regarding the crash rate at the intersection of May Street and Park Avenue, to see if mitigation measures were necessary as a condition of approval. However, Mr. Adams

reported to the Board that, while the Department of Public Works recognized potential problems, it was not considered prudent at this time to impose any conditions to improve the intersection for this particular project. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the site plan with the following conditions:

- **A concrete raised island configured to allow right turn exit only onto Park Avenue, a condition of the Special Permit granted by the Zoning Board of Appeals, be shown on the plan.**
 - **Proposed six inch fire service must be connected into a water main not a hydrant connection.**
 - **Provide City of Worcester standard catch basin and manhole details.**
 - **Plan set must be labeled “Definitive Site Plan”.**
 - **A north arrow must be put on Sheet L-1.**
 - **Height of retaining walls must be labeled on the plan and retaining walls over 4 feet require a fence.**
 - **Total square footage of ground area coverage of proposed building must be labeled on the plan.**
 - **Construction materials of streets, driveways and parking spaces must be labeled on the plan.**
 - **The symbol “AC” in the plant list must be defined on the plan.**
 - **The zumi crabapples (MZ) that are street trees must be at least 3” calipers.**
 - **Correct the number of plantings labeled “TO” or correct the number of symbols on the plan.**
 - **Label screening material for dumpsters on the front of the enclosures.**
 - **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to the 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 fences, 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 Division prior to release of the decision.**
3. **128 Alvarado Avenue (PB-07-136) – Preliminary Subdivision Plan:** Anne O'Connor recused herself. There were only three members present to consider the matter and a majority vote of the Board is required for approval, meaning that all three members present would have to vote in the affirmative. Vice Chair Cashman informed Hossein Haghanizadeh of this and Mr. Haghanizadeh indicated he would like to request a continuance to have four sitting members present. Mr. Cashman apologized to those in attendance because there was not a quorum to hear this item on December 19, 2007 and they had been assured by him that it would be heard at this meeting. He indicated that the Chair had a conflict and was unable to attend the meeting thus leaving the Board with only three members to vote on the preliminary subdivision plan. He further explained that it has been the practice of the Board

to grant a continuance to the applicant, if he or she requested one, under these circumstances. Neighbors were upset at the prospect of another continuance. Upon a motion by Nicole Xifaras Parella and seconded by Margaret Guzman, the Board voted 3-0 to continue the preliminary subdivision plan to January 23, 2008.

NEW BUSINESS

4. **8-10 Westland Street (PB-07-141) – Definitive Subdivision Plan:** James Soffan informed the Board that he is subdividing the lot with an existing two-family side by side dwelling in order to sell the parcels separately. He indicated that Variances for 8 feet of relief from the side yard setback requirement for Lots 1 and 2, 24.97 feet and 17.03 feet of relief for Lots 1 and 2, respectively, from the frontage requirement, 1,343 square feet of relief from the gross dimensional requirement for Lot 1 as well as a Special Permit for expansion or change of a pre-existing nonconforming use/structure were approved on June 11, 2007 by the Zoning Board of Appeals. Mr. Traynor advised the Board that if the applicant had the required frontage, the lots could be divided by means of an Approval Not Required plan. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, it was voted 4-0 to approve the Definitive Subdivision plan with the following conditions:

- **The relief granted by the Zoning Board of Appeals and date of approval must be noted on the plan.**

Upon a motion by Anne O'Connor and seconded by Margaret Guzman, it was voted 4-0 to waive the frontage requirement and all Subdivision Regulations with the exception of those for an Approval Not Required plan.

5. **100 Wall Street (PB-07-143) – Definitive Site Plan Approval:** Charles Scott, representative for the applicant, Kitner Construction, said that the applicant is requesting Definitive Site Plan Approval for the construction of a 90-unit multi-family dwelling atop a two deck garage. Mr. Scott stated that the intention of the applicant is to construct a building that can achieve the highest practical LEED (Leadership in Energy & Environmental Design) certification available. He indicated that there would be 182 parking spaces, 164 in the garage and 18 outside. He said all dimensional requirements of the Zoning Ordinance will be met. Mr. Adams informed the applicant that the Traffic Engineering Division of the Department of Public Works wanted a limited traffic study to determine where trip generations would travel and how the development will fit in the neighborhood. He urged the applicant to contact Ali Khorasani in the Traffic Division relative to the scope of the requested study. Ruth Gentile summarized her memo dated December 28, 2007 which contained some labeling issues, provision of three loading spaces, percentage of compact spaces exceeding 25% and open space. Ms. Valade agreed that three loading spaces are required. Barbara and Leo Ouellette and Lynn Ritacco were concerned about the loss of the view they have of the City. Nasser Nasif was concerned about the height of the building. Mr. Fontane said that his office had expressed concerns about the height of the building and its impact on the neighborhood. He also said the applicant had moved the footprint of the building as close to Wall Street as possible to lessen the impact on the homes behind the building. Mr. Scott said the view of the City presently is a panoramic view and it would not be totally blocked by the proposed building. Patricia Derosier, owner of land next to the

proposed site, was concerned about the traffic from the project. James Borbone, representative from the Fraternal Order of Eagles, said the organization's location on the down side of the hill causes worry that drainage from the site could be a problem. Mr. Scott assured the Board that the site will be sloped to cause water to drain back into the street drain. Mr. Cashman opined that the project would be a significant improvement for the site which has been unused and subjected to vandalism for so many years. Ms. Guzman stated the project would rid the neighborhood of an eyesore and turn it into something positive. Ms. Parella said she appreciated the fact that green building techniques would be employed. Mr. Fontane asked if the applicant planned on seeking the LEED certification. David Morin, representative of Kitner Construction, Inc., responded affirmatively. Because of the request for a limited traffic study and some revisions necessary to the plan, a continuance was necessary. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to continue the definitive site plan approval to February 6, 2008.

OTHER BUSINESS

Cambridge Street and Southbridge Streets – Alteration of Street Layout: Upon a motion by Margaret Guzman and seconded by Nicole Parella, the Board voted 4-0 to recommend approval of the proposed alterations in the vicinity of the intersection in these two streets and that the petition be assigned a Priority 1 designation based on the recommendation of the Department of Public Works.

Election of Officers: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to elect John Shea to serve as Chair, Scott Cashman to serve as Vice Chair and Anne O'Connor to serve as Clerk.

Amend Minutes – December 5, 2008: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to amend the minutes from the December 5, 2007 meeting to read as follows:

Amesbury Street – Remove Portion From Official Map: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to recommend approval of the petition since the portion to be removed is a paper street.

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR 6606:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR #6606, Sophia Drive.
2. **ANR 6607:** Upon a motion by Margaret Guzman and seconded by Nicole Parella, the Board voted 4-0 to endorse ANR # 6607, Penobscot Street.
3. **ANR 6608:** Upon a motion by Margaret Guzman and seconded by Nicole Parella, the Board voted 4-0 to endorse ANR # 6608 10 Webster Place.
4. **ANR 6609:** Upon a motion by Margaret Guzman and seconded by Nicole Parella, the Board voted 4-0 to endorse ANR # 6609 Harrington Way.

ADJOURNMENT

Vice Chair Cashman adjourned the meeting at 7:10 PM.