

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

**February 20, 2008
WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM**

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

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Judy Stolberg, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Michael Traynor, Law Department
Chris Gagne, Department of Public Works
Jody Kennedy-Valade, Department of Code Enforcement

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Shea called the meeting to order at 5:45 PM.

APPROVAL OF MINUTES

Upon a motion by Scott Cashman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve the minutes of the February 6, 2008 meeting.

UNFINISHED BUSINESS

- 1. 687 Millbury Street (PB-08-01) – Amendment to Definitive Site Plan Approval:** Huy Nguyen, who is seeking to amend a previously approved site plan by modifying the parking layout and making changes to the parking lot and landscaping for a building with five apartments and five commercial retail store fronts, requested a continuance to March 5, 2008. Upon a motion by Nicole Xifaras Parella and seconded by Margaret Guzman, the Board voted 5-0 to continue the Amendment to Definitive Site Plan Approval to March 5, 2008 for plan revisions.

NEW BUSINESS

- 2. Rustic Drive Extension (PB-08-05) – Amendment to Definitive Subdivision Plan:** Nicole Xifaras Parella recused herself. The applicant was not present, however, Ms. Bold informed the Board that the applicant, Samrae Realty Trust, is seeking to modify the Definitive Subdivision Plan by extending the completion date of the subdivision infrastructure. Upon a motion by Scott Cashman and seconded by Anne O'Connor, the Board voted 4-0 to close the

hearing. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve a waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations that the subdivision be completed within three years and to approve the Amendment to Definitive Subdivision Plan to extend the sunset date for completion of all infrastructure to February 20, 2009 and the work completion date to August 1, 2008.

3. **Papagni Estates II (PB-08-06) – Amendment to Definitive Subdivision Plan:** Stephen Campbell, applicant, informed the Board that he is seeking to modify the Definitive Subdivision Plan by extending the completion date of the subdivision infrastructure. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 approve a waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations that the subdivision be completed within three years and to approve the Amendment to Definitive Subdivision Plan to extend the sunset date for completion of all infrastructure to February 20, 2009 and the work completion date to August 1, 2008.
4. **1-7 Piedmont Street (PB-08-04) – Definitive Site Plan Approval:** Attorney Joe Boynton and Steven Patton, representatives for Worcester Common Ground, stated that the Board had previously approved this Definitive Site Plan to construct a building containing twelve one-bedroom dwelling units and 4 retail shops. Mr. Boynton said the applicant had been unable to commence construction and the approval had expired. He indicated that the plan before the Board was the same plan that had been approved previously. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 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 & 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.**

Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to waive the filing fee with the exception of \$100.00 as requested by the applicant.

5. **76 Sagamore Road (PB-08-07) – Amendment to Definitive Site Plan Approval:** Linda Reid, applicant, said she is seeking to amend a Definitive Site Plan to construct a two-family dwelling on Lot 2 with the existing three-family dwelling remaining on Lot 1 by moving the new dwelling back from the front yard setback on Lot 2. She stated that the dwelling would be moved back four feet to accommodate the front porch. Ms. Reid indicated that the Zoning Board of Appeals had approved a Variance for 25 feet of relief from the frontage requirement, Variance for 3 feet, 9 inches from the side yard setback requirement and Variance for 976 square feet of relief from the gross dimensional requirement with the conditions that the foundation must be completed within seven months from the date the Board files its decision with the City Clerk and occupancy must occur within twelve months.

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the Amendment to Definitive Site Plan with the following conditions:

- **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.**

6. 766 Main Street (PB-08-08) – Amendment to Parking Plan Approval: The YMCA of Greater Worcester is seeking to amend a Parking Plan for a previously approved 161-space parking lot because of the discovery of a 7-foot right of way that was unknown at the time of previous applications. To incorporate the right of way, the applicant proposes decreasing the landscaping buffer on the southeastern portion of the lot. City Councilor Barbara Haller indicated her support for the proposed amendment. Ms. Bold advised the Board that the applicant is also seeking from the Zoning Board of Appeals an amendment to the previously approved Special Permit for expansion or change of a pre-existing nonconforming use/structure and is seeking a Special Permit to modify parking/loading requirements because of the proposed decrease in the landscape buffer. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to approve the Amendment to Parking Plan with the following conditions:

- **Label the number of compact and standard spaces in the parking summary.**
- **Final approved Amendment to Parking Plan should include a reference to the Amendment to Special Permit and new Special Permit currently waiting action by the Zoning Board of Appeals.**
- **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 & Regulatory Services Division prior to release of the decision.**

7. 135 Goddard Memorial Drive (PB-08-09) – Parking Plan Approval: Dennis Rice, representative for the applicant, presented the plan to modify the existing 411-space parking lot by modifying the existing driveway and bringing the lot more into compliance with the Zoning Ordinance. Ms. Bold enumerated labeling issues which needed to be addressed on the final plan. Mr. Cashman said he thought approving the parking plan conditioned upon a revised plan was too discretionary. Chair Shea said, given the location of the lot, he could

support conditioning the approval subject to a revised plan to be submitted to the Planning and Regulatory Services Division. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to approve the Parking Plan with the following conditions:

- **Label percentage of the lot covered by principal and accessory buildings.**
- **Label circulation of parking area.**
- **Label height and materials of existing fence.**
- **Indicate location of existing vegetation and/or tree line.**
- **Indicate type of trees and caliper size to be planted (should be 3" caliper).**
- **Show areas outside of parking buffer areas where snow will be stored or provide a note on the plan that excess snow will be removed from the site.**
- **Label number of and dimension of loading spaces.**
- **Label total number of off-street parking spaces required for the use.**
- **Provide a parking summary indicating the total number of handicap accessible parking spaces (including number of van-accessible spaces) as well as the number of standard and compact spaces.**
- **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 Division prior to release of the decision.**

As part of the same motion, the Board also voted 5-0 to waive the interior trees requirement of the Zoning Ordinance.

- 8. 470 Pleasant Street (PB-08-10) – Parking Plan Approval:** John Shea recused himself and Scott Cashman assumed the Chair. Attorney Todd Rodman, representative for the applicant, presented the plan to demolish the existing building and replace it with a new 10,885 square foot building and a 47-space parking lot. Ms. Bold told the Board there were some labeling issues to be addressed. One of the issues dealt with screening the transformer on the eastern point of the site. Mr. Rodman indicated that the applicant proposes to screen the transformer as shown on the utility plan with landscaping. Mr. Gagne said there were two comments relative to using City of Worcester standard materials. City Councilor Barbara Haller, Steven Patton and Marjorie Ostrow supported the project saying it would add to the aesthetics of the neighborhood. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Amendment to Definitive Site Plan with the following conditions:

- **Applicant must utilize DR18 PVC pipe for the catch basin connections.**

- **Applicant must submit a detail of the gas trap for the proposed parking area under the building.**
- **Label landscaped areas.**
- **Label all existing trees to remain on the planting plan.**
- **Label type of plantings to be used to screen the transformer.**
- **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.**

OTHER BUSINESS

Hickory Drive – Make Public Private Portion: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to recommend it be assigned a Priority 1 designation based on the recommendation of the Department of Public Works.

Aurilla Street – Remove Portion From Official Map: Because this is a private street, a hearing must be held by the Planning Board. It will be scheduled for the March 19, 2008 meeting.

Ellis Estates – Default: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to find Northeast Financial Management in default of the Subdivision Performance Agreement and to demand that the developer cure such default within ten days of receipt of the notice of said default; if there is failure to cure the default, the Law Department is authorized and requested to initiate proceedings to take possession of the surety so the Department of Public Works can complete the required work.

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR 6618:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-1 (John Shea voted no) to deny endorsement of ANR # 6618, Luther Avenue because it was determined that the way did not have sufficient grades and adequate construction to provide for the needs of vehicular traffic.
2. **ANR 6619:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR # 6619 Montvale/Salisbury/Park Avenue.
3. **ANR 6620:** Upon a motion by Nicole Xifaras Parella and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR #6620 Grand Street.

4. **ANR 6621:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR #6621 1143-1147 Main Street.

ADJOURNMENT

Chair Shea adjourned the meeting at 6:45 PM.