

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

February 16, 2011

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Anne O’Connor, Chair
Stephen Rolle, Clerk
Satya Mitra
Andrew Truman

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Luba Zhaurova, Division of Planning & Regulatory Services
Kathleen Donovan, Department of Inspectional Services
Christopher Gagne, Department of Public Works & Parks
Michael Traynor, Law Department
Jennifer Beaton, Law Department

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Anne O’Connor called the meeting to order at 5:35 PM.

APPROVAL OF THE MINUTES

The approval of minutes was held to the next meeting.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,
WITHDRAWALS**

- 1. 74– 82 Wauwinet Road – Definitive Site Plan (PB-2011-079):** Ms. Zhaurova informed the Board that the petitioner’s representative submitted a request to continue (Exhibit E) because on February 14, 2011, the Director of Code Enforcement has determined that the Wauwinet Road is not adequate for the proposed development. She stated that prior to the Planning Board’s consideration of the Definitive Site Plan Approval, the applicant is required to file for the approval of the way pursuant to G. L. c. 41, §81G and that staff is recommending continuation of the meeting and extension of the Board Decision Deadline to April 13, 2011, to allow the applicant sufficient time to apply for the 81-G Street Opening and to hear both matters simultaneously. Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to approve the petitioner’s request to continue the meeting to April 13, 2011.

Exhibit A: Definitive Site Plan Application; received December 29, 2010; prepared by Joseph Record.

- Exhibit B: Definitive Site Plan; dated December 23, 2010, prepared by J.M. Grenier Associates, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Anne O'Connor; re: 74-82 Wauwinet Road; dated February 4, 2011, revised February 14, 2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Anne O'Connor; re: 74-82 Wauwinet Road; dated February 9, 2011.
- Exhibit E: Letter requesting a continuance from John M. Grenier, P.E. of J.M. Grenier Associates, Inc. to the Planning Board; dated February 16, 2011.
- Exhibit F: Letter of opposition from Jane Cronin, an abutter; dated February 7, 2011; received February 11, 2011.

2. 15 Hillside Street – Definitive Subdivision Plan (PB-2011-001): Ms. Zhaurova stated that staff is recommending Leave to Withdraw Without Prejudice because during its review, the Law Department has determined that instead of Definitive Frontage Subdivision, a Subdivision Approval Not Required Plan is required, because the petitioner is proposing an interior lot line change. She stated that the petitioner is also requesting a fee waiver of \$150 which staff. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the petitioner's request to Leave to Withdraw Without Prejudice and to approve the requested fee waiver of \$150.

- Exhibit A: Definitive Subdivision (Frontage Subdivision) Application; received January 11, 2011; prepared by Casimir Zdanowicz.
- Exhibit B: Definitive Subdivision (Frontage Subdivision) Plan; dated January 1, 2011; prepared by HS&T Group, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 15 Hillside Street Definitive Subdivision (Frontage Subdivision); dated February 4, 2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Anne O'Connor; re: 15 Hillside Street; dated February 9, 2011.
- Exhibit E: Letter requesting a Leave to Withdraw Without Prejudice, from Crystal Carr of HS&T, representative of the petitioner, to the Planning Board; dated February 7, 2011.

UNFINISHED BUSINESS

Public Meeting

3. 195 Vernon Street – Definitive Site Plan (PB-2010-077A): Nick Anatanavic of Coyle Engineering, representative for AT O'Rourke, the applicant, stated that he submitted revised plans addressing most of the staff's comments. Ms. Zhaurova stated that on February 8, 2011, the applicant submitted revised plans addressing most of the DPRS & DPW&P staff comments and incorporating several other new features to address direct abutters' concerns, such as 2 speed humps and a fence in the rear of 7 Svea Street property. She stated that DPRS staff recommends approval of the Definitive Site Plan - 195 Vernon Street & 7 Svea Street with the following conditions of

approval: 1) That the applicant submits 6 copies of final revised plans incorporating missing/corrected annotations as stated in staff's memo to the Board (Exhibit C); 2) That prior to issuance of the occupancy permit, the owner records a form of reciprocal easement/covenant running with the land allowing for the 7 Svea Street parcel's parking area and the drainage structure location on the 195 Vernon Street parcel, in order to assure that the property would function as reviewed, approved and developed.

Elizabeth O'Connor of 191 Vernon Street, an abutter, stated that she spoke with Mr. O'Rourke who agreed to install a 6-ft fence along his property line abutting 191 Vernon Street. She stated that after thinking about it, she would rather prefer to substitute the fence with dense plantings of at least 6-8 ft tall evergreen trees along her property line which, in her opinion, would provide a better screen. She stated that she will work with the owner on identifying specific cultivar species. Mr. Anatanavic stated that because of the amount of snow on the ground, he could not ascertain whether or not two trees mentioned by Ms. O'Connor at the previous meeting are on his client property or not. He stated that his client's intent is to invite an arborist to the site when the snow melts to assess whether or not the trees can be preserved during the construction period.

Chair O'Connor asked if Mr. Anatanavic had an objection to the proposal to substitute the fence with a row of evergreen trees. Mr. Anatanavic stated no. Chair O'Connor stated that she was in favor of this proposal.

Mr. Truman asked if the entrance to the site from Vernon Street will be one or two-way. Mr. Anatanavic stated that his client is proposing to keep the entrance two-way. Mr. Rolle was in favor of the layout stating that because entrance to the site is narrow and angled, it will slow-down the traffic to the site and will diminish through-traffic.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions of approval:

- That the applicant submits 6 copies of final revised plans with the following changes:
 - Rename the title on the title page and all title block to remove reference to "The More than One Building on a Lot" petition.
 - Label the exterior materials and elevations at appropriate scale, of the proposed and existing building that will remain.
 - Provide landscaping for the 5-ft buffer along Svea Street that includes trees every 20-25 ft.
 - Remove proposed snow storage area that is in the 5-ft buffer along Svea Street.
 - The trees along 191 and 193 Vernon Street property line be evergreen species.
- That prior to issuance of the occupancy permit, the owner records a form of reciprocal easement/covenant running with the land allowing for the 7 Svea Street parcel's parking area and the drainage structure location on the 195 Vernon Street parcel, in order to assure that the property would function as reviewed, approved and developed.

Exhibit A: 195 Vernon St / 7 Svea St – Definitive Site Plan Application; received December 29, 2010; prepared by AT O'Rourke LLC DBA Michael O'Rourke.

- Exhibit B 195 Vernon St / 7 Svea St – Definitive Plan – More Than One Building on a Lot Plan & Definitive Site Plan; dated November 10, 2010; revised February 4, 2011; prepared by Coyle Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 195 Vernon Street & 7 Svea Street - Definitive Site Plan; dated December 30, 2010; last updated February 11, 2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 195 Vernon Street & 7 Svea Street - Definitive Site Plan; dated December 30, 2010; revised February 11, 2011.

NEW BUSINESS

Public Hearing

- 4. 130 & 0 Goddard Memorial Drive - Zoning Map Amendment (ZA-2011-001):** Nickolas Moudios, Esq., representative for the Aikolai USA, Inc., petitioner, stated that the petitioner is seeking to amend the Zoning Map by extending the A-1 zone line easterly from its current location to include the entire parcels (MBL: 56-010-0000Q) and (MBL: 56-010-0000S), currently zoned RS-7. Mr. Moudios stated that most of the Airport zoning district tracks the rear lot lines of most of the properties abutting Goddard Memorial Drive, but that the zoning line appears to be drawn arbitrarily straight along the petitioner's lot line and 120 Goddard Memorial Drive parcel.

Mr. Fontane stated that he believes the proposed rezoning would facilitate additional development without impinging on the nearest residential use, more than 300ft away. He recommended approval of the petition for the following reasons:

- The proposed change is consistent with existing abutting manufacturing & business uses.
- The development of additional manufacturing uses, or an increase in the intensity of the existing uses, would be sufficiently buffered from the residential uses to the south and south-east.
- The change would facilitate additional economic development.

Mr. Mitra asked when the petitioner is planning to expand his operations. Mr. Moudios responded that he cannot answer this question with certainty.

Chair O'Connor stated that she was in favor of the proposed zone change because it did not appear to impinge on the residential properties nearby. Mr. Rolle concurred.

Mr. Fontane stated that 130 Swan Avenue property is owned by the City of Worcester.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to recommend voted 4-0 to recommend approval of the zone change petition for the following reasons:

- The proposed change is consistent with existing abutting manufacturing & business uses.
- The development of additional manufacturing uses, or an increase in the intensity of the existing uses, would be sufficiently buffered from the residential uses to the south and south-east.

- The change would facilitate additional economic development.

Exhibit A: 130 Goddard Memorial Drive - Zoning Map Amendment filed by Nickolas Moudios, Esq.

Exhibit A: Proposed 130 Goddard Memorial Drive Zoning Map Amendment Map; produced by the Division of Planning and Regulatory Services.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 130 & 0 Goddard Memorial Drive - Zone Change; dated February 9, 2011.

Public Meeting

5. 461 Southwest Cutoff (aka 2 Latti Farm Road in Millbury) – Amendment to Definitive Site Plan (PB-2011-002): Attorney Lawrence Brodeur, representative for the Herb Chambers Latti Farm, applicant, stated that the parcel is spanning Worcester and Millbury land. He stated that half an acre of the parcel is located in Worcester and that the petitioner is proposing to construct a 5,300 SF showroom building for FIAT automobiles. Also present was Dennis Rice, engineer and architect. Mr. Rice presented drainage to the Board and stated that the applicant will be heard by the Millbury Planning Board for an amendment to the Definitive Site Plan. He stated that the parcel meets parking requirements for both municipalities. Mr. Gagne stated that DPW&P is satisfied with drainage shown on revised plans submitted to the DPW&P.

Mr. Fontane stated that DPRS staff is recommending an approval of the Amendment to Definitive Site Plan with a condition that six final revised plans are submitted to the Division of Planning & Regulatory Services with the following changes prior to a release of the decision:

- Provide a north arrow on Sheet 2 of the plan set.
- Label Foxboro Street as “Private”.
- Provide a landscape table for the proposed plantings.
- The planting should be drought and Asian Longhorned Beetle resistant species.

Roy Soderman of 479 Southwest Cutoff, an abutter and owner of Roy’s Marina, asked if the applicant is proposing changes to Foxboro Street. Mr. Rice responded no saying that all utilities on site will be connected to Latti Farm Road.

Mr. Mitra asked how many cars will be parked on the Worcester portion of the parcel. Mr. Brodeur said 29 parking spaces. Mr. Rice stated that a total of 140 parking spaces will be provided for the site.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the Amendment to Definitive Site Plan with the following conditions of approval: That six final revised plans are submitted to the Division of Planning & Regulatory Services with the following changes prior to a release of the decision:

- Provide a north arrow on Sheet 2 of the plan set.
- Label Foxboro Street as “Private”.
- Provide a landscape table for the proposed plantings.

- The planting should be drought and Asian Longhorned Beetle resistant species.

- Exhibit A: Amendment - Definitive Site Plan Application; received January 13, 2011; prepared by Atty. Lawrence Brodeur.
- Exhibit B: Amendment – Definitive Site Plan; dated January 13, 2011, prepared by Cullinan Engineering.
- Exhibit C: Definitive Site Plan, dated October 26, 1995, prepared by Hannigan Engineering.
- Exhibit D: Rendering; dated January 5, 2011; prepared by Regent Associates, Inc. Architects.
- Exhibit E: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Anne O’Connor; re: 461 Southwest Cutoff; dated February 7, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to Anne O’Connor; re: 461 Southwest Cutoff; dated February 9, 2011.

OTHER BUSINESS

- 6. 185 College Street / Ellie Way Subdivision – Extension of Work Completion Date:** Upon a recommendation by the DPW&P, and upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to extend work completion date for 185 College Street / Ellie Way Subdivision to September 30, 2011.

7. ANR Plans:

- **AN-2011-004**, Garrison Avenue: Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to endorse ANR Plan AN-2011-004.
- **AN-2011-005**, Whittier Street: Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to endorse ANR Plan AN-2011-005.
- **AN-2011-006**, 18 Alpine St / 15 Hillside St: Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to endorse ANR Plan AN-2011-006.
- **AN-2011-007**, Flower Hill Drive: The Board did not vote on this petition because staff located a Comprehensive Permit granted to the adjacent 3 Flower Hill Drive in 1986 and the Law Department requested time to research whether or not this permitting history might affect how the Board should review the Subdivision Approval Not Required plan.
- **AN-2011-008**, Progressive Street: Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to endorse ANR Plan AN-2011-008.
- **AN-2011-009**, Meadowbrook Road: Upon a motion by Mr. Mitra and seconded by Mr. Truman, the Board voted 4-0 to endorse ANR Plan AN-2011-009.

8. Board Elections – Chair & Clerk:

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to re-elect Anne O’Connor as the Board’s Chair.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to re-elect Mr. Rolle as the Board's Clerk.

- 9. Signing of Registry of Deeds ANR signature form:** The Board signed the Worcester District Registry of Deeds form to ensure that the Registry has the most recent record of the Board members and their appointment expiration dates for plans recording.

ADJOURNMENT: Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to adjourn the meeting at 6:35 pm.