

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

NOVEMBER 16, 2011

WORCESTER CITY HALL – LEVI LINCOLN ROOM

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

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Deborah Steele, Division of Planning & Regulatory Services
Kathleen Donovan, Department of Inspectional Services
K. Russell Adams, 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 p.m.

APPROVAL OF THE MINUTES

Upon a motion by Andrew Truman and seconded by Stephen Rolle the Board voted 3-0 to approve the minutes of July 6, 2011 and October 26, 2011.

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

Unfinished Business

Public Meeting

1. 14 Marshfield Street – Definitive Site Plan (PB-2011-045)

Hossein Haghanizadeh representing HS&T group appeared on behalf of the petition.

The petitioner is seeking to construct a 2,500 SF commercial use building with six (6) associated off-street parking spaces and other site improvements, on a site with 15% or more slope in an MG-0.5 and RL-7 zoning district. Due to the steepness of the site in the rear, the petitioner is proposing to construct a retaining wall, set back 8-ft from the lot line, which is the required side-yard setback for the structure. All development is proposed in the MG-0.5 portion of the site.

Mr. Haghanizadeh stated that the request is for the construction of a garage which is 50' x 50', (total of 2,500 square feet). He further indicated that the project is located on the northerly side of Marshfield Street. Mr. Haghanizadeh stated the applicant has provided ample parking and the drainage system has been reviewed by DPW.

Mr. Haghanizadeh stated they have already received approval from the Conservation Commission and reiterated that the only reason they are in front of Planning Board is because a portion of the site is located on slope with more than 15 percent grade which is a trigger for site plan review. The total lot size is approximately 14,000 square feet.

Mr. Adams from DPW stated he had received the drainage calculations from the engineer but they still have questions about how the existing conditions and proposed conditions were actually modeled in the hydraulic calculations. He further stated that DPW would like the opportunity to meet with the engineer and review the comments with the applicant and requested the item be continued until discussions are finalized. Mr. Adams stated that the site appears to show a 70 percent increase in impervious area with no proposed detention system.

Mr. Fontane stated DPRS staff recommends modifications to several annotations comments and had a question with regard to the parking spaces and the way they were angled to face abutting residential property and whether or not the applicant considered installation of a fence or additional shrubby to provide more effective screening.

Ms. O'Connor asked if Mr. Fontane was referencing the westerly border of the site.

Mr. Haghanizadeh stated that the reason is there a wall that is pretty high and no reason to put fence on top as wall is high enough you wouldn't even see the parking.

Mr. Fontane asked what the height of the wall is.

Mr. Haghanizadeh stated the wall height is eleven feet.

Mr. Fontane stated that retaining walls 4' and higher require a fence.

Mr. Haghanizadeh stated that would be fine and will include a four foot fence but as far the screening goes it will not serve that purpose because wall is eleven feet high.

Mr. Fontane stated he agreed in that case but he wanted to make sure staff wasn't referring to parking on site.

Mr. Haghanizadeh showed where the parking would be located on the plan.

Ms. O'Connor asked if that was comment #4 in DPRS memo.

Mr. Haghanizadeh stated there was a note on plan for the fence and over four feet requires fence so they have on plan.

Mr. Fontane stated that initial plan didn't show that.

Ms. O'Connor asked if what was being shown was a more recent plan than the plan the Board had which was dated September 20, 2011.

Mr. Haghanizadeh stated that the plan being shown tonight was last revised on November 8, 2011.

Mr. Adams stated they could not recommend approval as presented until they meet with applicant.

Mr. Haghanizadeh stated DPW requested hydraulic calculations for Conservation Commission and DPW reviewed it and he was at Conservation Commission past Monday as it was approved but Mr. Haghanizadeh stated they would review with Mr. Adams.

Ms. O'Connor stated if the item is continued that the applicant should make the revisions.

Mr. Fontane stated with respect to the landscaping comment staff recommends the need to add additional landscaping to buffer abutting residential properties.

Kendra Van Dam stated she was concerned about traffic flow as street is private currently and wanted to know if street would remain as is.

Mr. Haghanizadeh stated that the proposed business is just for storage of equipment and they only need six parking spaces and there will be no improvements to the street.

Upon a motion by Stephen Rolle and seconded by Andrew Truman the Board voted 3-0 to continue the item until the December 14, 2011 Planning Board meeting.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received 9/22/2011; prepared by Robert & Constance Bartelson.
- Exhibit B: Definitive Site Plan; dated 8/11/2011; revised 9/20/2011, prepared by HS&T Group, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 14 Marshfield Street; dated 10/21/2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 14 Marshfield St. dated October 20, 2011
- Exhibit E: Hydrology & Stormwater Manager Report; prepared by HS&T Group; dated October 27, 2011; received November 4, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 14 Marshfield St dated November 16, 2011.

New Business

Public Hearing

2. Jasmeen Place Subdivision (fka 231 Clark Street) - Amendment to Definitive Subdivision Plan (PB-2011-051)

The applicant proposes to eliminate the sidewalk on the northern side of Naumaan Lane, between stations 3+50 and 4+50, along #8 and #10 Naumann Lane (aka Lots 20 & 22), near the cul-de-sac, on property located off of Naumaan Lane.

The portion of the sidewalk proposed to be eliminated is in close proximity to a 30-ft buffer of a wetland located at 8 & 10 Naumaan Lane. The reason for the requested amendment, as stated by the applicant, is to eliminate the need for a 6-ft tall retaining wall along the street that is required if the sidewalk is constructed as originally approved.

Farooq Ansari appeared on behalf of the application. Mr. Ansari stated the site closely abuts the wetlands and the original plan had shown a retaining wall to be built between the roadway and the wetland area and that was causing a lot of problems because by building the retaining wall the sidewalk sloping was just not working out so they are asking the Planning Board to allow the applicant to eliminate that portion of the sidewalk to provide nine extra feet to grade the slope down to where the wetlands are.

Ms. O'Connor stated they had viewed the site and it seems to make sense and doesn't look like an area people would be walking by.

Katie Donovan from Inspectional Services stated she had no comments.

Russ Adams from DPW stated he had no comments.

Mr. Fontane stated that DPRS recommends approval of the Amendment to Definitive Subdivision for the discontinuance of the sidewalk on the northerly side between the stations 3+50 and 4+50 and along #8 and #10 Naumann (aka Lots 20 & 22). Mr. Fontane stated that DPRS recommends two conditions:

- Provide two copies of to-scale full set final revised plans incorporating the changes, per staff's comments, to the Division of Planning & Regulatory Services.
- That petition submits a Request for Determination of Applicability to the Conservation Commission to determine if an amendment to a Notice of Intent might be required as a request of the proposal.

Ms. O'Connor asked if there was an order through Conservation Commission.

Ms. Donovan stated there was.

The Law Department had no comments.

Mr. Rolle stated normally he would be apprehensive to eliminate a sidewalk in a subdivision but in this case it makes sense as the area is in a cul de sac and there is not going to be a lot of traffic.

Ms. O'Connor stated she is usually not in favor of eliminating sidewalks but agreed that after viewing the site it does make sense.

Mr. Truman asked if any accessible crossing needed to be provided. Mr. Truman asked what provisions there will be to get people across the sidewalk.

Mr. Adams suggested they provide a handicap ramp in two locations.

Ms. O'Connor stated they make that a condition.

Upon a motion by Mr. Rolle and seconded by Mr. Truman the Planning Board voted 3-0 to approve the Amendment to Definitive Subdivision for discontinuance of a portion of a sidewalk on the northern side of Naumaan Lane, between stations 3+50 and 4+50, along #8 and #10 Naumann lane (aka Lots 20 x 22), near the cul-de-sac with the following conditions:

- Provide two copies of to-scale full set final revised plans incorporating the changes, per staff's comments, to the Division of Planning & Regulatory Services.
- That petition submits a Request for Determination of Applicability to the Conservation Commission to determine if an amendment to a Notice of Intent might be required as a request of the proposal
- That ADA curb ramps be provided at the termination of the sidewalk and on the opposite side.

List of Exhibits.

Exhibit A: Definitive Subdivision Application; received 10/17/2011; prepared by Farooq Ansari of Ansari Builders, Inc.

Exhibit B: Definitive Subdivision Plan; dated 10/12/2011; prepared by HS&T Group, Inc.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Amendment to Jasmeen Place Definitive Subdivision at 281 Clark Street; dated 11/10/11.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: Jasmeen Place dated November 16, 2011

Public Meeting

3. 0 Providence Street (aka 1001 Millbury Street) (MBL 10-038-014-1) - Amendment to Definitive Site Plan (PB-2011-049)

Alexander Tzakimas from SITEC Environmental, Inc the consulting engineer appeared on behalf of the Millbury Saving Bank, petitioner.

Mr. Tzakimas stated that Millbury Street Savings Bank is requesting the following changes to the approved Definitive Site Plan:

Mr. Tzakimas showed a plan that had been presented to the Planning Board previously and changes being requested now are as follows:

- Reduce the number of light poles from 18 to 10.
- Reduce the number of off-street parking spaces from 16 to 15.
- Re-design and relocate the free-standing sign from Millbury Street to Providence Street (the sign face appears to be reduced from the originally proposed 120 SF to ~25 SF). The proposed sign's dimensions comply with the current sign ordinance.
- Extend the drive-through island and canopy northerly.

- Amend the proposed landscaping by re-locating a tree from the western portion of the site (fronting on Providence Street) to the southern portion of the site (fronting on Millbury Street) to accommodate the re-location of the freestanding sign.

Mr. Tzakimas stated that two additional trees, more than required on the plan will be provided.

Russ Adams from DPW stated he had no comments

Katie Donovan from Inspectional Services stated she had no comments.

Mr. Fontane stated that DPRS recommends approval as recommended in the DPRS memo provided that:

- Proposed landscaping (noting how the existing vegetation is to be retained and used) including the type, location and quantity of all plant materials, location and height of fences or screen plantings and type or kind of building materials or plantings to be used for fencing and screening.
- Add an additional crabapple tree to the Plant List table (Landscaping Table) and show on the plan.
- Indicate the placement of the five proposed Dark American Arborvitae.
- That two revised copies to scale of the revised plans be submitted to the DPRS.

Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 3-0 to approve the changes to the definitive site plan with the following conditions:

- Add additional crabapple tree to the Plant List table (Landscaping Table) and show on the plan.
- Indicate the placement of the five proposed Dark American Arborvitae.
- Applicant submits two full revised plans that addresses DPRS memo of November 10, 2011.

Exhibit A: Site Plan Amendment Application; received October 13, 2011 prepared by Gateway M LLC.

Exhibit B: Site Plan Amendment Plan; dated 11/5/2010; prepared by SITEC Environmental, Inc.

Exhibit C: Site Plan Amendment Plan; last revised 10/12/2011; prepared by SITEC Environmental, Inc.

Exhibit D: Rendering of the proposed freestanding sign; prepared by Sunshine Sign; last revised 8/25/2011.

Exhibit E: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 0 Providence Street (aka 1001 Millbury Street, MBL 10-038-014-1) - Amendment to Definitive Site Plan; dated 11/10/11.

Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 0 Providence Street (aka 1001 Millbury Street) dated November 16, 2011

4. 2 Granite Street (aka 38 Winthrop Street) (MBL 35-010-00002) - Amendment to the Parking Plan Approval (PB-2011-050):

Maurice Boisvert from Y.O.U. (Youth Opportunities Upheld, Inc.) and Thaddeus Szkoda the engineer for the project appeared on behalf of the application.

Mr. Boisvert stated the Robert & Joy Wetzel Children Center is located on site and that last year they admitted 800 patients to the facility but unfortunately they had to turn away 500 patients as they were full. They have now reconfigured the facility with a modular to allow for the ability to serve more clients in the coming year and they have taken the opportunity to modify the parking lot to give the location better coverage for parking.

The applicant is requesting the following amendment to the Parking Plan:

- Add a 1,584 SF (gross) Modular Office building (1,109 SF net) to the north of the existing Group Residence building;
- Remove a basketball court;
- Provide additional 14 off-street parking spaces (where the basketball court was previously located) with slight modifications to pre-existing parking spaces (shifting the originally proposed 2 handicap parking spaces northerly and providing a driving aisle easterly of the parking area) for a total of 54 off-street parking spaces on site.

Russ Adams from DPW stated he had no comments.

Katie Donovan from Inspectional Services stated she had no comments.

Mr. Fontane stated that DPRS recommends approval with the following two conditions:

- Label methods and location of erosion and sedimentation control devices for controlling erosion and sedimentation during the construction process as well as after.
- The area labeled “proposed additional parking area shown within dashed lines” does not include all the new parking spaces and new area to be modified, as compared to the 1997 approved plan so that would be need to be modified to show the additional parking
- That six copies of revised plans be submitted to DPRS with the changes.

Mr. Szkoda stated he had revised the plans and is ready to submit to DPRS.

Ms. O’Connor stated that the Board had not seen the new revised plans so they will have to approve the other plans subject to condition that revised plans be submitted but that will just be a formality.

John Nordquist stated he owned the property abutting the Y.O.U. property and that when building was put up a large dumpster was placed next to the front door and he has been problems with where the dumpster has been placed.

Mr. Nordquist stated he had spoken to Mr. Boisvert several times about the dumpster but hasn’t received a satisfactory response.

Mr. Nordquist stated he would prefer zero growth of the Y.O.U. property.

Ms. O’Connor asked Mr. Fontane asked what the zoning was for property.

Mr. Fontane stated it was RG-5.

Ms. O'Connor asked if any permit that needed to be obtained.

Mr. Fontane stated that location was a legally permitted use.

Ms. Donovan stated that the property was Dover protected and the Department of Inspectional Services has issued a permit for the modular on the property as the property already had the required parking to increase the size of the structure to add the modular. Ms. Donovan stated Y.O.U. Inc wanted to add additional parking therefore needed to come back before Planning Board for amendment to the parking plan that was approved in 1997 but Y.O.U. Inc already had required parking for expansion.

Mr. Nordquist stated he thought originally the site needed a variance and he didn't oppose the application at that time.

Ms. O'Connor stated that Planning Board cannot do anything about the zoning but can ask about the applicant about the dumpster.

Mr. O'Connor stated that application is to amend parking plan and Board has no authority relative to a modular being placed on the property and that the property is protected under Dover amendment.

Mr. Fontane stated that Board could ask the applicant if the dumpster could be moved to location on site that would be more appropriate.

Mr. Szkoda stated that there are residents to the south and to west is Girls Inc and all other sides is public roads and only one side of site is residential abutters.

Ms. O'Connor asked what type of enclosure is around dumpster.

Mr. Szkoda stated there is screen fencing.

Ms. O'Connor asked if screened or solid board.

Mr. Szkoda stated it is Cape Cod fence. Solid wood fence which acts as a screen for the dumpster but they could add additional screening if that would be helpful.

Mr. Nordquist stated he wants the dumpster placed on the opposite of property as currently it is thirty feet from his house and his tenants complain.

Mr. Rolle asked about the current screening of the dumpster.

Mr. Nordquist stated that the current screening does no good.

Ms. O'Connor asked if there was a property fence around property as well as the dumpster.

Mr. Nordquist stated there was.

Mr. Adams suggested a screened dumpster to the north side of the proposed parking spaces.

Mr. Fontane stated there would still sufficient parking to do that.

Ms. O'Connor stated the Planning Board has always had the policy not to place a dumpster next to a residential property if at all possible.

Mr. Szkoda stated that they used that area for play area and they need that space to conduct basketball games and it would be a problem to have dumpster where they will be holding the games.

Ms. O'Connor asked if they had other solution.

Mr. Szkoda stated that maybe they could install a row or arbor vitae which could grow to twenty five feet and would be a better screening device.

Ms. O'Connor asked about westerly side of the site for dumpster.

Mr. Adams suggested maybe they could extend the driveway to put the dumpster away from the abutter.

Mr. Szkoda stated that that southerly side is where kitchen is so doesn't make sense to have dumpster on opposite side of site.

Mr. Truman asked if it was possible to put a roof on top of dumpster and just put screen on top and have more scheduled dumpster pick up service.

Mr. Szkoda stated they could do that and the arbor vitae screening could help.

Mr. Rolle stated he be more comfortable with the proposed screening.

Mr. Szkoda stated they had just put modular on site and they need to complete work on a timely basis and they have short time to do the work so they need to do the work in the next two weeks.

Mr. Nordquist stated he is unhappy with modular being on site and they should place a smaller one on the site.

Mr. Truman stated that original plans show the dumpster at the current location.

Ms. O'Connor asked if they knew the dumpster truck schedule.

Mr. Szkoda stated he did not know but they could make arrangements with the trucking company as far as the hours when dumpster is emptied.

Mr. Boisvert stated they will work on schedule and they can work on screening and covering the dumpster.

Mr. Rolle stated the dumpster was on the original plan and that any effort to move it may cause other problems so he would be more amenable to screening.

Mr. Truman stated the applicant should look at five foot turn around for the last parking space otherwise people will wind up driving on the lawn.

Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 3-0 to approve Amendment to Parking Plan with following conditions:

- Label methods and location of erosion and sedimentation control devices for controlling erosion and sedimentation during the construction process as well as after.
- The area labeled "proposed additional parking area shown within dashed lines" does not include all the new parking spaces and new area to be modified, as compared to the 1997 approved plan so that would be need to be modified to show the additional parking
- Revised screening around the dumpster which would be arbor vitae screening along the forty five section southwest corner, forty five feet from east and thirty feet to the north. Six feet on time of planting.
- That a roof be installed on top of the dumpster.
- That the dumpster be emptied between the hours of 8:00 a.m. and 5:00 p.m.

That six copies of revised plans be submitted to DPRS showing the proposed changes.

- Exhibit A: Parking Plan Application; received September 13th, 2011; prepared by YOU, INC.
- Exhibit B: Parking Plan; revised October 12th, 2011; prepared by Thaddeus Szkoda, PE.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 2 Granite Street (aka 38 Winthrop St) Amendment to Parking Plan; dated 11/10/2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 2 Granite Street (aka 28 Winthrop St) dated November 16, 2011

Other Business

5. Breck Street - To Make Public (ST-2011-031):

Mr. Adams stated this is petition to make Breck Street a public street and DPW recommends a priority #1 for that street to be converted to a public street.

Upon motion by Andrew Truman and seconded by Stephen Rolle the Board voted 3-0 to approve DPW's recommendation for a priority #1.

6. Pine Hill Road - To Make Public (ST-2011-032)

Mr. Adams stated this is petition to make Pine Hill Road a public street and DPW recommends a priority #1 for that street to be converted to a public street.

Upon a motion by Andrew Truman and seconded by Stephen Rolle the Board voted 3-0 to approve DPW's recommendation for a priority #1.

7. Pocasset Street - To Make Public (ST-2011-033)

Mr. Adams stated this is petition to make Pocasset Street a public street and DPW recommends a priority #1 for that street to be converted to a public street.

Upon a motion by Andrew Truman and seconded by Stephen Rolle the Board voted 3-0 to approve DPW's recommendation for a priority #1.

8. Buckley Road - To Make Public (ST-2011-034)

Mr. Adams stated this is petition to make Buckley Road a public street and DPW recommends a priority #1 for that street to be converted to a public street.

Upon a motion by Andrew Truman and seconded by Stephen Rolle the Board voted 3-0 to approve DPW's recommendation for a priority #1.

9. Jasmeen Place Definitive Subdivision – Request for a Work Completion Date Extension

Upon a motion by Andrew Truman and seconded by Stephen Rolle the Board voted 3-0 to extend the work completion date to June 1, 2012.

10. CMPRC Appointments

Upon a motion by Ms. O'Connor and seconded by Mr. Truman the Board voted 3-0 to appoint Satya Mitra to the Central Massachusetts Regional Planning Commission as a delegate to the Planning Board.

Upon a motion by Mr. Rolle and seconded by Ms. O'Connor the Board voted 3-0 to appoint Abigail McCabe to the Central Massachusetts Regional Planning Commission as a delegate to the Planning Board.

11. ANR plans .

AN-2011-044, 7 Tyson Road: Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board 3-0 voted to endorse AN-2011-044.

AN-2011-045, 3 Belcourt Rd/Taconic Road: Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 3-0 to endorse AN-2011-045.

AN-2011-046, Foster, Front St, Franklin St: Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 3-0 to endorse AN-2011-046

AN-2011-047, 51 Bullard Street: Upon a motion by Mr. Rolle and seconded by Mr. Truman the Board voted 3-0 to endorse AN-2011-047

ADJOURNMENT: Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 3-0 to adjourn the meeting at 6:45 p.m.