

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

**MAY 3, 2006**

**WORCESTER CITY HALL, COUNCIL CHAMBER, 455 MAIN STREET**

**Planning Board Members Present:** John Shea, Chair  
Scott Cashman, Vice-Chair  
Anne O'Connor, Clerk  
Samuel Rosario  
Margaret Guzman

**Staff Present:** Michael Traynor, Law Department  
Carrie Holtan, Law department  
Joel Fontane, Division of Planning & Regulatory Services  
Robin Bartness, Division of Planning & Regulatory Services  
Ruth Gentile, Division of Planning & Regulatory Services  
Edgar Luna, Division of Planning & Regulatory Services  
Jody Kennedy-Valade, Division of Code Enforcement  
K. Russell Adams, Department of Public Works  
Christopher Gagne, Department of Public Works

**REGULAR MEETING (5:30 PM)**

**CALL TO ORDER**

Chair John Shea called the meeting to order at 5:37 PM.

**APPROVAL OF THE MINUTES**

Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the April 19, 2006 minutes.

**UNFINISHED BUSINESS**

- 1. 697 Burncoat Street (PB-06-14) – Definitive Subdivision Plan:** Hossein Haghanizadeh, representative for the applicant, presented the plan. Robin Bartness, Chief Planner, informed the Board that revised plans were needed to address the items listed in her memorandum dated May 2, 2006. Russell Adams, Assistant Civil Engineer, informed the Board that revised drainage calculations were needed. Carrie Holtan, Assistant City Solicitor, informed the Board that clarification of ownership of the property was needed. The applicant requested a continuation until June 7, 2006 and an extension of the constructive grant deadline to June 14, 2006. Upon a motion by Margaret Guzman and

seconded by Scott Cashman, the Board voted 5-0 to continue the hearing to June 7, 2006 and to extend the deadline for the constructive grant to June 14, 2006. The representative for the petitioner was advised to provide the following information items by May 31, 2006:

- **Submit revised drainage calculations to DPW and Division of Planning and Regulatory Services.**
- **Submit revised plans to the Division of Planning and Regulatory Services addressing all items listed in Ms. Bartness' memorandum dated May 2, 2006.**
- **Submit a letter to the Division of Planning and Regulatory Services clarifying ownership.**

2. **697 Burncoat Street (PB-06-13) – Definitive Site Plan:** Hossein Haghanizadeh, representative for the applicant, presented the plan. Ms. Bartness informed the Board that revised plans were needed to address the items listed in her memorandum dated May 2, 2006. Mr. Adams informed the Board that revised drainage calculations were needed. Ms. Holtan informed the Board that clarification of ownership of the property was needed. The applicant requested a continuation until June 7, 2006 and an extension of the constructive grant deadline to June 14, 2006. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to continue the hearing to June 7, 2006 and to extend the deadline for the constructive grant to June 14, 2006. The representative for the petitioner was advised to provide the following information items by May 31, 2006:

- **Submit revised drainage calculations to DPW and Division of Planning and Regulatory Services.**
- **Submit revised plans to the Division of Planning and Regulatory Services addressing all items listed in Ms. Bartness' memorandum dated May 2, 2006.**
- **Submit a letter to the Division of Planning and Regulatory Services clarifying ownership.**

3. **Olean Street/Cataract Street (PB-06-36) – Definitive Site Plan:** Piseth Toch, representative for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 4-0 (Anne O'Connor abstained), to approve the Definitive Site Plan with the following conditions.

- **Add note to the plan indicating that parking is not allowed in the 20-foot front yard setback.**
- **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.

## NEW BUSINESS

### PUBLIC HEARINGS

4. **185 College Street (PB-06-40) – Definitive Subdivision Plan:** Anne O’Connor read the notice for the hearing. Joe Boynton and Kevin Quinn, representatives for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- Increase 5-foot utility easement to 20 feet.
- Provide a 25-foot access and drainage easement for detention
- Label sidewalk on the site plan.
- Label total subdivision area on the cover sheet.
- Indicate on the plan that the existing garage and its foundation will be removed.
- Indicate the species and size of the proposed trees on the Subdivision Plan.
- Correct symbols in the legend for catch basins.
- Show all utilities on the plan.
- Label title reference, date of deed, and Book and Page number on the cover sheet.
- Add the following statement to the plan: “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”.
- Provide 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 the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve a waiver of Section X.F.1, Sidewalks, of the City of Worcester Subdivision Regulations requiring sidewalks on both sides of the street because steep grades at the entrance to the site do not allow for a sidewalk to be constructed at this location. The applicant will instead install sidewalk on one side of the street only for the first 300 feet of roadway and all proposed lots will be served by sidewalk.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve a waiver of Section IX.C.6, Street Lines at Intersection, of the City of Worcester Subdivision Regulations requiring property at intersections to be rounded or cut back thirty feet. The street itself is designed with the appropriate rounding; only the property line is not rounded.

Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve a waiver of Section IX.C.5.b, Alignment, of the City of Worcester Subdivision Regulations requiring horizontal curves to have a radius of no less than 275'. The proposed "Ellie Way" has a horizontal curve of 225' radius to maintain the existing culvert and sanitary sewer within the center of the roadway.

## **PUBLIC MEETINGS**

5. **216-226 Grafton Street (PB-06-41) – Definitive Site Plan:** Samuel DeSimone, Robert Michaud and Mathew Smith, representatives for the applicant, presented the plan. At the request from the representatives of the applicant, and upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to waive 2 interior landscaping trees. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Site Plan approval with the following conditions:

- **Label the floor area ratio and total square footage of ground area coverage (buildings and pavement), on the plan.**
- **Label the 10-foot escape lane for the drive-through in the plan.**
- **Label the 120-foot length required drive-through (beginning and end) in the plan.**
- **Should the City of Worcester elect to make the following improvements, the applicant agrees to contribute up to \$75,000.00 for said improvements at the Cutler Street/Grafton Street intersection:**
  - Replace controller units**
  - Improve pavement markings**
  - Upgrade lenses to LED standards**

- 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.
6. **124-136 Grand Street – Parking Plan:** Ronald Mendez, representative for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the Definitive Parking Plan with the following conditions:
- Add a note to the plan summarizing the zoning classification requirements and the minimum yard setback dimensions.
  - Label dimensions of the parking lot in the plan.
  - Label size and lighting and signs, if any in the plan.
  - Label dimensions of streets and roadways in the plan.
  - Label dimensions of entrances in the plan.
  - 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.
7. **Bullard Avenue, Lots 328 and 330 (PB-06-43) – Definitive Site Plan:** Piseth Toch and Hossein Haghanizadeh, representatives for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:
- Install a six-foot solid board fence on top of the retaining wall wherever the wall is taller than 4-feet.
  - Show existing lot lines for abutting properties with owner's names.

- The contours need to be legible and labeled at two-foot intervals in the plan.
- Amend the zoning information box to read “Proposed Single-Family Detached Dwellings Information on the plan”.
- In addition to listing the zoning requirements, also provide what is proposed for the site.
- Indicate total floor area in the plan.
- Show minimum yard dimensions.
- Review all measurements and make corrections where needed.
- Add note to the plan indicating that no parking shall be permitted within the front yard setback.
- 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.

8. **Bullard Avenue, Lot 336 (PB-06-44) – Definitive Site Plan:** Piseth Toch and Hossein Haghanizadeh, representatives for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- Change the label on the plan to reflect Lot 336 Bullard Avenue or 30 Bullard Avenue.
- Show existing lot lines for abutting properties with owner’s names.
- Clarify why 44 Bullard Avenue is indicated as being adjacent to this lot when 40 Bullard Avenue separates 30 and 44 Bullard Avenue.
- Amend the zoning information box to read “Proposed Single-Family Detached Dwellings Information on the plan.
- In addition to listing the zoning requirements, also provide what is proposed for the site.
- Indicate total floor area in the plan.
- Correct dimensions for all setbacks on the Site Plan.
- 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.**
9. **280 Mill Street (PB-06-45) – Parking Plan:** Hossein Haghanizadeh, representative for the applicant, presented the plan. The applicant representative requested a continuation until May 17, 2006 to submit revised plans. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to May 17, 2006.
10. **1160 West Boylston (PB-06-46) – Parking Plan Amendment:** Applicant Brendan O'Connor and Jeffrey Howland, representative for the applicant, presented the plan. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to May 17, 2006, so that applicant has time to submit revised plans addressing the issues listed in the Board's memorandum dated May 2, 2006.
11. **26 Milton Street (PB-06-47) – Definitive Site Plan:** Jeffrey Howland, representative for the applicant, presented the plan. Margaret Guzman made a motion to approve the Definitive Site Plan with the condition that the applicant would not be required to pave the road from the southerly end of the property to the northerly end of the property where the gravel road meets the paved road. The motion failed for lack of second. Upon a motion by Scott Cashman and seconded by Anne O'Connor, the Board voted 4-1 (Margaret Guzman voting against) to approve the Definitive Site Plan with the following conditions:
- **Applicant must pave the road to a two-inch binder, from the southerly end of the property to the northerly end of the property where the gravel road meets the paved road.**
  - **Add note to the plan indicating that snow will be removed from site.**
  - **Label plan as a "Definitive Site Plan".**
  - **Label dimensions of the property on layout plan.**
  - **Label total height of the structure in feet.**
  - **Applicant must provide drainage calculations to the Department of Public Works.**
  - **A combination of plant materials, trees and shrubs, should be incorporated along Milton Street, including the area south of the driveway, and in front of the ramp.**
  - **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.**

**12. 1219 Main Street (PB-06-48) – Parking Plan:** Brian Beaton, representative for the applicant, requested a continuation until June 7, 2006, and an extension of the constructive grant deadline to June 7, 2006. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to June 7, 2006 and to extend the deadline for the constructive grant to June 7, 2006.

### **OTHER BUSINESS**

**Flexible Parking Overlay District (FPOD) Amendments:** Joel Fontane, Director of Planning and Regulatory Services presented a plan to address parking along Shrewsbury Street. Among other things, this plan calls for an amendment to the Flexible Parking Overlay District. The Board discussed the proposed amendment in detail. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to continue discussions of the amendments to May 17, 2006.

**Parsons Hill Drive Phase I:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to approve the recommended bond release of Fourteen thousand dollars.

**Parsons Hill Drive Phase II:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the recommended bond release of Eighty Two thousand dollars.

**Parsons Hill Drive Phase III:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the recommended bond release of Eighty Three thousand dollars.

**Parsons Hill Drive Phase IV:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the recommended bond release of Thirty Three thousand dollars.

Samuel Rosario left the City Council Chamber at 8:00 PM

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

1. **ANR-6294:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve ANR Plan #6294 Maranda Street.



2. **ANR-6296:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan #6296 Cataract Street.
3. **ANR-6297:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR Plan #6297 Houghton Street.
4. **ANR-6298:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 3-1 (John Shea voting against), to endorse ANR Plan #6298 Greenwood Street/Weden Lane.
5. **ANR-6299:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR Plan #6299 16 Dallas Street.
6. **ANR-6300:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6300 Progressive Street.
7. **ANR-6301:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR #6301 Scenic Drive.

## **ADJOURNMENT**

Chair John Shea adjourned the meeting at 8:45 PM.