

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

NOVEMBER 1, 2006

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
Robin Bartness, Division of Planning & Regulatory Services
Judith Stolberg, Division of Planning & Regulatory Service
Carrie Holtan, Law Department
K. Russell Adams, Department of Public Works
Jody Kennedy-Valade, Code Department

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Shea called the meeting to order at 5:40 PM.

APPROVAL OF THE MINUTES

Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 (John Shea abstained) to approve the October 18, 2006 Planning Board minutes.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **1119-1121 Grafton Street (PB-06-137) – Definitive Site Plan:** Ms. Bartness informed the Board that the applicant had submitted a letter requesting Leave to Withdraw. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to grant Leave to Withdraw.
2. **Zoning Ordinance Amendment – Article IV, Section 7(1)G, Drive –Through Service:** Ms. Bartness informed the Board that the petitioner had submitted a letter requesting Leave to Withdraw. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to grant the petitioner Leave to Withdraw without prejudice.

3. **16 Emile Street/70 Bedford Avenue (PB-06-120) – Definitive Plan - More Than One Building on a Lot:** The Board took up the Special Permit (PB-06-122) and the Definitive Site Plan (PB-06-121) contemporaneously. Ms. Bartness informed the Board that the applicant had submitted a letter requesting Leave to Withdraw for all three items. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to close the Special Permit and Definitive Plan - More Than One Building on a Lot hearings. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to grant Leave to Withdraw without prejudice.
4. **16 Emile Street/70 Bedford Avenue (PB-06-122) – Special Permit (Cluster):** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to grant Leave to Withdraw without prejudice.
5. **16 Emile Street/70 Bedford Avenue (PB-06-121) – Definitive Site Plan:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to grant Leave to Withdraw.
6. **452 Lake Avenue (PB-06-130) – Definitive Site Plan:** Donald Bray, representative for the applicant, presented the revised plan. Ms. Bartness informed the Board that the revised plan addressed all the outstanding issues. Upon a motion by Anne O'Connor and seconded by Scott Cashman, 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, 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 fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

NEW BUSINESS

PUBLIC HEARINGS

7. **Zoning Map Amendment – 24-34 Lewis Street (From ML-2.0 to RG-5):** Parul Patel proposed extending the RG-5 (Residential, General) zone to include a portion of the parcel located at 34 Lewis Street currently zoned RG-5 and ML-2.0 and the entire parcels located at 24 & 30 Lewis Street. Mr. Fontane advised the Board that the zone change would allow a wide variety of residential uses "by right" and would be consistent with the South Worcester Neighborhood Plan. He further stated that the proposed change would limit development of 13 Southgate Place within a 50-foot buffer along its parcel line abutting the residential zone. Mr. Fontane concluded his testimony by recommending the change to the Board because it is generally consistent with the South

Worcester Neighborhood Plan because it reinforces the residential neighborhood to the south. City Councilor Barbara Haller agreed that the zone change is consistent with the desires of the neighborhood while protecting the manufacturing use that presently exists in the neighborhood. Jonathan Finkelstein, representing the owner of the manufacturing company in the area, responded that the proposed change still unfairly encroaches on the existing manufacturing business by the requirement of the 50-foot buffer between residential and manufacturing uses. The Chair asked if absent the zone change, would the petitioner be able to achieve his purpose. Ms. Holtan responded that the petitioner could apply to the Zoning Board of Appeals for a Special Permit for expansion or change of a pre-existing nonconforming use/structure. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to close the hearing. A motion by Margaret Guzman to recommend approval was not seconded. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 4-1 (Margaret Guzman voted no) to recommend disapproval of the zone change.

8. **39 Jolma Road (PB-06-138) – Definitive Site Plan:** Ken Strom, representative for the applicant, presented the plan. Ms. Bartness informed the Board that the applicant was requesting a waiver from the interior parking landscaping requirement. She informed the Board that several housekeeping issues enumerated in Ruth Gentile's memo dated October 31, 2006 needed to be addressed. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to waive the interior parking landscaping requirement. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- **Provide total square feet of ground area coverage of proposed and existing buildings.**
- **Label dimensions of parking spaces**
- **Clarify the office area calculations in the parking table (3,000 square feet gross/2,400 square feet net).**
- **Provide a lighting plan.**
- **Provide low plantings along the 5-foot buffer at the edge of the new parking area.**
- **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 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 fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

9. **31 & 39 Caroline Street (PB-06-139) – Definitive Site Plan:** Jonathan Finkelstein and Kevin Quinn, representatives for the applicant, presented the plan. Mr. Adams informed the Board that the Department of Public Works recommended the applicant neck down the one way exit to Cohasset Street to 15 feet. Ms. Bartness informed the Board that

there were several outstanding issues in Lara Bold's memo dated October 31, 2006 that must be addressed. City Councilor Paul Clancy was concerned about snow storage on site, current parking problems that will be exacerbated, privacy screening for abutters at the northeast corner of the parcel, possible use of trash compactors and the one way exit to Cohasset Street because of plowing problems in that particular area. He also was concerned that Caroline Street be brought up to City standards. Brian McShea, Steve Sadowsky and Craig Alexander expressed concerns relative to traffic. Todd Mandella spoke about the lighting, roadway conditions and grading of the lot. Edward Mott asked who would be responsible if they did not complete the work as proposed. The Chair responded that the Code Department is responsible for compliance. Ms. Bartness informed the Board that the applicant has to file an application for Definitive Plan – More Than One Building on a Lot as well. Mr. Finkelstein requested a continuance to December 6, 2006. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Definitive Site Plan to December 6, 2006.

10. **1 Wigwam Hill Drive – Definitive Site Plan (PB-06-140):** Joe Boynton, representative for the applicant, presented the plan. Ms. Bartness informed the Board that several issues from Edgar Luna's memo dated October 31, 2006, with the exception of item #5 which is to be redacted, need to be addressed prior to approval. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to continue the Definitive Site Plan to November 15, 2006.

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR-6425:** Upon a motion by Margaret Guzman and seconded Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6425, 46 Mount Avenue/1 Stanley Avenue.
2. **ANR-6429:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6429, Mason Street.
3. **ANR-6430:** Upon a motion by Scott Cashman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6430, Woodford Street.
4. **ANR-6431:** The Board held ANR Plan #6431, Toronita Avenue.
5. **ANR-6432:** The Board held ANR Plan #6432, 11 Stoddard Drive.
6. **ANR-6433:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR #6433, Deepdale Road/West Boylston Drive.
7. **ANR-6434:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 (Nicole Xifaras Parella recused herself), the Board voted 4-0 to endorse ANR Plan #6434, Saxon Road/St. Paul.
8. **ANR-6435:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR #6435, Viele Avenue.

9. **ANR-6436:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR #6436, Dana Avenue.
10. **ANR-6437:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6437, Randall Street.
11. **ANR-6438:** The Board held ANR Plan #6438, Webster Street/Knox Street
12. **ANR-6439:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6439, Pinehill Road.

OTHER BUSINESS

Mink Circle Subdivision – Bond Release: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to release the existing \$15,000.00 bond because all work has been done to the satisfaction of the Department of Public Works.

Arboretum II Subdivision (Phase 1) – Bond Release: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to release \$250,000.00 of the existing bond leaving a new bond amount of \$300,000.00.

Arboretum III Subdivision – Accept Covenant: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to accept a covenant pursuant to M.G.L.c.41,s.81U to obtain the Planning Board's endorsement of its approval of the Definitive Subdivision Plan.

Meeting Schedule (Jan 2007 – June 2007): Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted to approve the following meeting schedule:

January 3 & 18
February 7 & 21
March 7 & 21
April 4 & 18
May 2 & 16
June 6 & 20

ADJOURNMENT

Chair Shea adjourned the meeting at 8:45 PM.