

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

July 21, 2010

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Anne O’Connor, Chair
Scott Cashman, Vice Chair
Stephen Rolle, Clerk
Satya Mitra

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Luba Zhaurova, Division of Planning & Regulatory Services
Christopher Gagne, Department of Public Works & Parks
Jody Kennedy-Valade, Department of Inspectional Services
Michael Traynor, Law Department
Jennifer Beaton, Law Department

REGULAR MEETING (5:30 PM)

CALL TO ORDER:

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

Chair O’Connor stated that due to the long agenda she would like to take Extension of Time applications and similar items first.

NEW BUSINESS:

Public Meeting

1. 19 Hemans Street – Extension of Time - Definitive Site Plan (PB-2010-038): Andrew Liston, representative for John Murdock, applicant, stated that the applicant is seeking an Extension of Time for a previously approved Definitive Site Plan for construction of a 78-unit multi-family dwelling and an accessory parking lot for 150 parking spaces on a property with 15% or more slope located at 19 Hemans. Ms. Bold recommended approval of the application with the following conditions of approval: that all trees planted will be of at least three-inch caliper size and that a Special Permit to allow additional compact parking spaces will be necessary to build in accordance with the proposed site development. Upon a motion by Mr. Mitra and seconded by Mr. Cashman, the Board voted 4-0 to approve the Extension of Time for one year for Definitive Site Plan for 19 Hemans Street with the following conditions of approval:

- That all trees planted will be of at least three-inch caliper size.

- That a Special Permit will be necessary to build in accordance with the proposed site development.

Exhibits:

- Exhibit A: Definitive Site Plan – Extension of Time Plan Application and a cover letter, dated May 14, 2010, received May 20, 2010.
- Exhibit B: Definitive Site Plan – Extension of Time Plan; dated June 22, 2006, received May 20, 2010; engineer – Thomson-Liston Associates, Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 15, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

- 2. 103 & 105 Norfolk Street – Extension of Time - Definitive Site Plan (PB-2010-041):** William S. Ahalt, the applicant, stated that he is seeking to construct two single-family semi detached dwellings on a property with 15% slope or more. Ms. Bold stated that staff recommends approval of the Extension of Time Definitive Site Plan application. Mr. Cashman asked why it took such a long time to hear the petition that was submitted on June 4, 2010. Ms. Bold stated that the applicant submitted the application prior to Definitive Site Plan expiration date and prior to the filing deadline for the July 21, 2010 meeting. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to approve the Extension of Time for Definitive Site Plan for 103 & 105 Norfolk Street.

Exhibits:

- Exhibit A: Definitive Site Plan – Extension of Time Plan Application and a cover letter, dated June 4, 2010, received June 4, 2010.
- Exhibit B: Definitive Site Plan – Extension of Time Plan, dated June 1, 2007, received June 4, 2010; engineer – HS&T Group, Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 15, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

- 3. 190 Salisbury Street – Extension of Time - Definitive Site Plan (PB-2010-044):** Robert Longden, representative for the American Antiquarian Society, the applicant, stated that the applicant is seeking an Extension of Time of one year for a previously approved Definitive Site Plan to construct an addition connecting the Goddard-Daniels House to the Carriage House on site and construct a parking lot containing 17 parking spaces with access from Park Avenue and 5 new parking spaces along the existing driveway on a property located at 190 Salisbury Street. Mr. Longden stated that the American Antiquarian Society could not commence the construction due to the economy. He stated that renovations approved by the Board for 9 Regent Street were completed last year, demonstrating that the American Antiquarian Society is making progress. Ms. Bold stated that she recommending an approval of the application. Jo Hart stated that she spoke against this project at the Historical Commission. She stated her opposition to a 17-parking lot, which she considered a business use, clearing of trees and shrubs, and what she called ‘desecrating of the neighborhood’. Upon a motion by Mr. Rolle and

seconded by Mr. Mitra, the Board voted 4-0 to approve the Extension of Time for Definitive Site Plan for 190 Salisbury Street.

Exhibits:

- Exhibit A: Definitive Site Plan – Extension of Time Plan Application and a cover letter, dated June 15, 2010, revised May 11, 2010, received June 15, 2010.
- Exhibit B: Definitive Site Plan – Extension of Time Plan; dated July 21, 2008, received June 15, 2010; engineer – Quinn Engineering, Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 13, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

Public Hearing

4. Ellie Way Subdivision (185 College Street) – Amendment to Definitive Subdivision (PB-2010-039):

Joe Boynton, representative for Joseph Panarelli, the applicant, stated that the applicant is seeking an Amendment to Definitive Subdivision Plan by proposing to waive the provision of M.G.L. c. 41 § 81W under Section VI (I)(2) and extend the sunset date (expiration date) of the eight lot subdivision known as Ellie Way Subdivision on property located at 185 College Street to June 3, 2013. Mr. Gagne recommended an extension of the sunset date to 2011. Ms. Bold stated that the policy of the Board has been to grant additional 3-5 years depending on number of lots in the subdivision. As a condition of approval, she recommended that the proposed red maple trees for the subdivision, if not yet planted, be replaced with Littleleaf Linden, Red Oak, Catalpa, or Sweetgum species (other species proposed along lots in the subdivision) or another species that is not susceptible to Asian Longhorned Beetle infestation. Mr. Boynton asked the Board to consider extending the sunset date to 2013, because, he stated, due to the economy, the petitioner might come back for an extension again next year. Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted to close the public hearing. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the Amendment to the Definitive Subdivision for Ellie Way Subdivision (185 College Street) by extending the sunset date to July 21, 2013. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to extend the work completion date to May 1, 2011.

Exhibits:

- Exhibit A: Amendment to Definitive Subdivision Application and a cover letter, dated May 20, 2010, received May 20, 2010.
- Exhibit B: Amendment to Definitive Subdivision Plan filed with the Worcester Registry of Deeds; approved July 19, 2006, dated July 10, 2006, received May 20, 2010; engineer – Jarvis Land Survey, Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 16, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 15, 2010.

5. Morgan Estates Subdivision (51 Morgan Street/ 149 Malden Street) – Amendment to Definitive Subdivision (PB-2010-043): John Lauring of Lauring Enterprises, is seeking an Amendment to Definitive Subdivision Plan by waiving the provision of M.G.L. c. 41 § 81W under Section VI (I)(2) and

extend the sunset date (expiration date) of the eleven lot subdivision to July 21, 2015. Mr. Gagne stated that the Department of Public Works and Parks is recommending an extension of the sunset date to July 21, 2015. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to close the public hearing. Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to amend the Definitive Subdivision for Morgan Estates Subdivision (51 Morgan Street/ 149 Malden Street) by extending the sunset date to July 21, 2015.

Exhibits:

- Exhibit A: Amendment to Definitive Subdivision Plan Application and a cover letter, dated June 10, 2010, received June 14, 2010.
- Exhibit B: Amendment to Definitive Subdivision Plan; dated May 26, 2005, received June 14, 2010; engineer – Meridian Associates, Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 16, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 15, 2010.

UNFINISHED BUSINESS:

Public Hearing

6. 358 Shrewsbury Street & 3 Imperial Road – Special Permit – Flexible Parking Overlay (PB-2010-031): Hossein Haghanizadeh of HS&T, representative for Anthony Corapi, petitioner, was present. He stated that the petitioner is seeking to add 1,200 SF of retail space and 1,600 SF of restaurant space with 24 seats. The previous Amendment to the Parking Plan was approved for 18 parking spaces. All current and proposed uses on site require 30 parking spaces. Mr. Haghanizadeh stated that the petitioner proposes a total of 20 off-street parking spaces for all existing and proposed uses on-site and that he is seeking relief of 10 required off-street parking spaces for a proposed restaurant use. The relief us sought under the special permit provisions in Article XIII– Shrewsbury Street Parking Overlay District (SPOD) Section (B)(2)(a). Mr. Haghanizadeh stated that his office submitted revised plans addressing DPRS staff concerns and suggestions. He stated that he was amenable to the Gary Vecchio’s suggestion, speaking on behalf of the Shrewsbury Street Neighborhood Association, to have a right-turn only sign onto Imperial Road, though he was not sure if it was necessary. With respect to Gary Vecchio’s suggestion (Exhibit F), speaking on behalf of the Shrewsbury Street Neighborhood Association, to rezone the adjacent Adams Street lot, owned in common ownership, so it will be used as an accessory parking lot, Mr. Haghanizadeh stated that Mr. Corapi is planning to sell the lot and that the parking there will be used for a residential use on the abutting parcel. Ms. Kennedy-Valade stated that if 10 Adams Street property is used for parking for the abutting residential use, it would need a Special Permit for non-accessory residential parking as it is partially zoned residential.

Mr. Gagne stated that the petitioner has provided drainage information reflecting the change in the impervious areas on the site, but did not provide a City of Worcester standard, exterior, grease interceptor for the proposed restaurant use. Mr. Fontane stated that the petitioner submitted revised plans yesterday, but that staff did not have time to review them. He stated that the proposed use is located sufficiently far (westerly) from the denser commercial corridor portion of Shrewsbury Street. While hours of operation will overlap, the parking requirements appear to be sufficiently small and, in staff’s opinion, sufficient number of on-street parking spaces are available to support the applicant’s requested reduction. Mr. Fontane stated that his staff visited the site and found that there are about 5 on-street parking spaces along the Shrewsbury Street frontage of the 358 Shrewsbury Street parcel and

about 7 on-street parking spaces along western side of the Imperial Road frontage of the 358 Shrewsbury Street and 3 Imperial Road parcels. Parking is also available on the eastern side of the Imperial Road. Mr. Fontane stated that he had spoken by phone with Gary Vecchio of the Shrewsbury Street Neighborhood Association who suggested that the Board places as a condition of approval a right-turn only sign on Imperial Road and rezoning of 10 Adams Street parcel. Mr. Fontane stated that the parcel is split-zoned and, therefore, cannot be used for business parking unless rezoned to a business zone. He stated that if the 10 Adams Street parcel is sold, it would be outside of the petitioner's control to rezone it or use it for employee parking. Mr. Fontane stated that the Board could condition approval on the applicant's petitioning for a zone change, but could not condition the approval on rezoning of the parcel, as it is outside of the petitioner's control.

Mr. Cashman asked for DPRS opinion of the right-turn only sign onto Imperial Road. Mr. Fontane stated that the Association seems to feel strongly about this issue, and that staff has no opinion or recommendation. He added that if someone shopping in the plaza lived in the residential neighborhood, they would probably turn left despite the sign. He then deferred to the Department of Public Works and Parks. Mr. Gagne stated that Imperial Road does not seem to have much traffic volume and, therefore, would not warrant a right-turn only sign. Mr. Fontane stated that Imperial Road does not connect directly to Route 9. Mr. Cashman concurred with Mr. Gagne that the right-turn only sign is not necessary. He stated that the proposed parking lot is sufficiently small. Mr. Rolle asked if the Board has the authority to condition approval on placing signs on a right-of-way. Mr. Gagne stated that the sign would be on the private land. Mr. Rolle stated that the right-turn only sign would not be enforceable. Mr. Rolle asked if the petitioner was amenable to other conditions of approval in staff's memo. Mr. Haghanizadeh said yes.

Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted to close the public hearing. Mr. Cashman stated that the petitioner was missing a lot of annotations in the plans and suggested the Board have a policy to respond to these types of issues.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to adopt staff's proposed additional findings of fact and to approve the Special Permit – Flexible Parking Overlay for 358 Shrewsbury Street & 3 Imperial Road with the following conditions of approval:

- Six copies of final revised plans are submitted with the following changes:
 - Label Imperial Road on the plan and show that it is public.
 - Label 358 Shrewsbury Street and 3 Imperial Road parcels.
 - Label the existing street lights on Imperial Road and 12 Adams Street.
 - Label the existing stockade wood fence separating 3 and 5 Imperial Road parcels.
 - Label existing freestanding accessory sign on site and label its dimensions.
 - Change the parking schedule to reflect that number of proposed seats was reduced to 24.
 - In the title block, title the plan "358 Shrewsbury Street and 3 Imperial Road - Special Permit – Shrewsbury Street Parking Overlay District."
 - In the title block, title the applicant: Antonio Corapi, Trustee, to be consistent with the application and City's Assessors' records.
 - Clarify how many birches are proposed to be planted in the open space at the corner of Shrewsbury Street and Imperial Road.

- In accordance with the Article XIII purpose: “To enhance the pedestrian environment and improve site layouts of restaurant properties,” provide painted pedestrian crosswalk across the driveway and from the driveway entrance into the site for safe pedestrian access.
- Provide a bicycle rack in a prominent location on the site.
- Proposed signs will be compliant with the current Zoning Ordinance.
- The billboard along the western lot line of the property will be removed prior to the issuance of the Building Permit for the proposed expansion.

Exhibits:

- Exhibit A: Special Permit – Flexible Parking Overlay Application, received April 22, 2010.
- Exhibit B: Special Permit Plan – Flexible Parking Overlay; dated June 08, 2009 (revised May 4, 2010 & May 6, 2010), received April 22, 2010; revised July 19, 2010, received July 20, 2010; HS&T Group, Inc.
- Exhibit C: Abutter’s map and list for 3 Imperial Road parcel; dated June 23, 2010, received June 29, 2010.
- Exhibit D: Letter from Antonio Corapi, petitioner, addressed to the Planning Board, requesting making a change to the application with respect to number of restaurant seats; dated June 16, 2010, received June 17, 2010.
- Exhibit E: Letter from Crystal Carr of the HS&T Group, Inc., addressed to the Planning Board, requesting continuance and public hearing date extension from June 30, 2010 to July 21, 2010 Planning Board meeting; dated June 16, 2010, received June 17, 2010
- Exhibit F: Letter (e-mail) from Gary Vecchio of Shrewsbury Street Neighborhood Association, addressed to the Planning Board re: 358 Shrewsbury Street – staff’s memo; dated and received July 20, 2010.
- Exhibit G: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 18, 2010.
- Exhibit H: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 16, 2010.

Public Meeting

7. 6 May Street – Parking Plan (PB-2010-034): Attn. Morris Bergman, representative for Kwee Real Estate Investments, LLC, petitioner, stated that the petitioner is seeking to construct a fourteen (14) space parking lot associated with an existing automotive business and redevelopment of an existing building for a retail use. Also present was John Riel, project engineer. Mr. Gagne stated that the applicant addressed three of the DPW&P four comments, but did not provide drainage information for the proposed parking lot. Mr. Riel stated that the applicant sent a letter to Mr. Adams stating that the entire area proposed to be paved will be re-paved and that there is existing broken-up asphalt in place, not gravel. Mr. Gagne stated that he recommends approving the application if the applicant submits revised plans showing an existing paved area. Ms. Bold stated that she is recommending approval of the application. Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted 4-0 to approve the Parking Plan for 6 May Street with the following conditions of approval:

- Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision showing the following:

- Show existing pavement

Exhibits:

Exhibit A: Parking Plan Application, received May 13, 2010.

Exhibit B: Parking Plan; dated June 20, 2006 (revised February 14, 2007, March 5, 2007, May 31, 2007, and March 5, 2010), received May 13, 2010; revised July 8, 2010, received July 16, 2010; engineer – Jarvis Land Survey, Inc.

Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 22, 2010 (updated July 16, 2010).

Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 17, 2010.

- 8. 0 Clover Street with access from Dixon Avenue (a.k.a. 16 Dixon Avenue, a.k.a. Lot B, Book 876 Plan 122) (MBL 28-027-0008A) – Definitive Site Plan (PB-2010-025):** Items #8 and #9 were taken contemporaneously. Brian LaForte, the applicant, was present. He stated that he is seeking Definitive Site Plan and Definitive Subdivision Plan approvals in order to build a single family detached dwelling. Ms. Bold stated that the Definitive Site Plan was continued from the June 2, 2010 meeting because the petitioner also needed Definitive Subdivision approval as he did not have sufficient frontage. She stated that staff recommends approval of both items. She stated that there appear to be two 16 Dixon Avenue addresses in Worcester. Ms. Bold stated that the Board does not have the authority to impose conditions of naming the streets and numbering the structures, but suggested that as a condition of approval, the Board may request that the petitioner submits to the DPRS the ultimate resolution of the addressing overlap. Mr. LaForte submitted to the Board a copy of the petition he submitted to the City Council requesting the name change for Dixon Avenue. Mr. Cashman asked DPW&P to respond to the letter from Judith A. and Dennis J. Kane, the abutters, expressing concerns with drainage. Mr. Gagne stated that the water runoff will flow from the driveway to Dixon Avenue, that there are no catchbasins on the plan, and that the contractor would address a problem if it happens during the construction stage. He stated that the abutter can contact the DPW&P if a problem occurs. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to approve the Definitive Site Plan for 0 Clover Street with access from Dixon Avenue (a.k.a. 16 Dixon Avenue, a.k.a. Lot B, Book 876 Plan 122).

Exhibits:

Exhibit A: Definitive Site Plan Application, received April 27, 2010.

Exhibit B: Definitive Site Plan; dated April 19, 2010, received April 27, 2010; revised June 15, 2010, received June 17, 2010; engineer – EDC Engineering Design Consultants, Inc.

Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 15, 2010, revised.

Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated May 28, 2010.

Exhibit E: Petition by Brian LaForte to the City Council; re: Change of street name for Dixon Ave received June 15, 2010.

NEW BUSINESS:

Public Hearing

- 9. 0 Clover Street with access from Dixon Avenue (a.k.a. 16 Dixon Avenue, a.k.a. Lot B, Book 876 Plan 122) – Definitive Subdivision Plan (PB-2010-046):** Items #9 and #8 were taken

contemporaneously. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to close the Public Hearing. Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Subdivision Plan for 0 Clover Street with access from Dixon Avenue (a.k.a. 16 Dixon Avenue, a.k.a. Lot B, Book 876 Plan 122).

Exhibits:

- Exhibit A: Definitive Subdivision Plan Application and a cover letter, received June 17, 2010.
- Exhibit B: Definitive Subdivision Plan; dated June 14, 2010, received June 17, 2010; engineer – EDC Engineering Design Consultants, Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 14, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.
- Exhibit E: Letter to the Planning Board from Judith A. Kane and Dennis J. Kane of 3 Dixon Avenue, Auburn, MA, dated July 15, 2010, received July 15, 2010.
- Exhibit F: Petition by Brian LaForte to the City Council; re: Change of street name for Dixon Ave received June 15, 2010.

10. CSX Transportation Railroad Track – Amend the Zoning Map of the City of Worcester in the area along CSX Transportation Railroad Track more specifically as follows: To extend the MG-2.0 zone line northeasterly and then easterly from its current location to include a portion of the parcel (MBL: RR-ROW-0CSXT), currently zoned RL-7, containing approximately 83,379 SF and to extend the MG-2.0 zone line in the same vicinity northeasterly and then easterly to include a portion of the parcel (MBL: RR-ROW-0CSXT) currently zoned BG-3.0, containing approximately 58,056 SF.

Mr. Fontane stated that the petition proposes to extend the existing MG-2.0 zoning district, from its current location, northeasterly on both sides of the railroad tracks to include an additional ~3 acres between Atlanta Street and the intersection of the railroad tracks with Plantation Street along existing railroad tracks. The northerly side of the area to be rezoned is currently zoned BG-3.0 and the southerly side is currently zoned RL-7. Mr. Fontane stated that the parcel is currently occupied by railroad tracks. The area to the north is a mix of general business uses, including banks and warehouse uses and the area to the south consists of a mix of single-family and multi-family residential uses. He stated that MG-2.0 zones allow a wide variety of manufacturing uses, including rail freight terminal and accessory storage not permitted in the residential or business zones. Many uses are allowed by right in the MG-2.0 zoning district. Additional uses would be allowed by special permit in the MG-2.0 zoning district. He stated that it is important to note that when considering a zone change that the Board is considering a collection of permitted uses not a particular concept plan or use. Given its proximity to the existing rail yard, the proposed change is consistent with existing abutting manufacturing uses and the development of additional manufacturing uses can be sufficiently buffered from the residential uses to the east and south. Mr. Fontane stated that the Administration respectfully recommends that the Board recommend that the City Council approve the requested zone change for the following reasons:

- This zone change would formally recognize the railroad use in this area and allow for appropriate expansion.
- The uses allowed in the MG-2 district are consistent with the abutting manufacturing uses and can be appropriately buffered from the nearest residential zone.

- The change will improve regional rail transportation and commuter rail access to Worcester – important economic development goals of the State and City.

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted to closed the Public Hearing.

Chair O'Connor stated that in her opinion rezoning makes sense since the parcel is already occupied by railroad tracks and not extending very far into what is already there.

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

- This zone change would formally recognize the railroad use in this area and allow for appropriate expansion.
- The uses allowed in the MG-2.0 district are consistent with the abutting manufacturing uses and can be appropriately buffered from the nearest residential zone.
- The change will improve regional rail transportation and commuter rail access to Worcester – important economic development goals of the State and City.

Exhibits:

- Exhibit A: Petition from the City Manager Michael V. O'Brien to the Worcester City Council re: CSX Terminal Expansion Project; dated June 29, 2010
- Exhibit B: Map of the CSX Transportation Railroad Track Area, Proposed Zone Change from RL-7/BG-3.0 to MG-2.0
- Exhibit C: City of Worcester Certified Abutters List and Certified Abutters Map for New York Central Line LLC; dated June 25, 2010
- Exhibit D: Memo from Joel Fontane, Division of Planning & Regulatory Services, to the Planning Board, re: CSX Railroad Area – Zone Change; dated July 19, 2010
- Exhibit E: The Planning Board recommendation to the Worcester City Council re: Zoning Map Amendment: CSX Railroad Track Area; received by the City Clerk August 5, 2010
- Exhibit F: EMHT Report “Proposed CSX Transportation & CSX Intermodal Project, Worcester MA”; dated July 2, 2010
- Exhibit G: Letter from Jo Hart addressed to the City Council, re: CSX; dated June 14, 2010; received July 21, 2010

11. 15 and 17 Putnam Lane - Amend the Zoning Map of the City of Worcester from RL-7 zone to MG-2.0 zone in the area of 15 and 17 Putnam Lane by extending the existing MG-2.0 zone line southeasterly from its current location to include the entire parcel at 15 Putnam Lane (MBL- 19-006-00001), containing approximately 70,057 SF and the entire parcel at 17 Putnam Lane (MBL 19-008-0000A), containing approximately 256,175 SF, with total area of proposed rezoning containing approximately 326,232 SF (7.5 acres). Parcel at 15 Putnam Lane, approximately 70,057SF, is currently vacant and was formerly occupied by a golf driving range. The parcel at 17 Putnam Lane, approximately 256,175SF, is occupied by a vacant three-story brick building, the White, Peavey and Dexter slaughterhouse. The site at 15-17 Putnam Lane received approval in 2003 to construct 160-unit multi-family residential dwelling units with associated off-street parking; however, the project was never constructed. Mr. Fontane stated the area to the north of the proposed zone change consists of existing rail tracks, manufacturing and warehouse uses along Shrewsbury Street and several three family

detached dwellings in the existing MG-2 zone on Hecla and Draper Streets. The area to the east includes an existing multi-family dwelling complex known as Princeton Place apartments. The area to the south of the proposed zone change along Franklin Street consists of a mix of uses including a restaurant, auto repair, a civic club (Brown Sq. civic club), and two and three family detached dwellings across Franklin Street. To the west of the proposed zone change is Putnam Lane, a street which is proposed to be closed as part of the expansion of the rail yard in this area. Further to the west are manufacturing and warehouse uses. Mr. Fontane stated that the MG-2 zones allow for a wide variety of manufacturing uses including rail freight terminal, a use not permitted in residential or business zones. He stated that given its proximity to the existing rail yard, the proposed change is consistent with existing abutting manufacturing uses and the development of additional manufacturing uses can be sufficiently buffered from the residential uses at a higher elevation to the east.

Mr. Cashman asked what other potential uses would be allowed if rezoning is approved. Mr. Fontane responded that by right permitted uses in MG-2 zones include but are not limited to: non-accessory parking facility, auto body paint shop, manufacturing, assembly, processing uses, motor freight terminal; truck/trailer/bus storage or servicing; steam laundry/dry cleaning; storage of materials and equipment not enclosed in buildings; truck sales/showroom. Additional uses permitted by special permit include: accessory storage of flammable liquids. Mr. Fontane also stated that the uses would be constrained by topography and shape of the lot. Mr. Cashman asked if the rezoning would affect the current land owners. Mr. Fontane said no and stated that no existing residential uses are proposed to be rezoned and that he considers this an appropriate expansion of the existing use. He stated that the proposed rezoning has been a topic of numerous subcommittee meetings. Mr. Cashman asked why the City Council ignored the 2003 Planning Board's recommendation to deny the proposed zone change at 15 & 17 Putnam Lane from MG-2 to RL-7. Mr. Fontane stated that the City Council considered the Planning Board's recommendation, but given the information provided – voted differently.

Fran Pocus stated that he was not informed of the petition, and that he does not have a rezoning map. Chair O'Connor gave him a copy.

Andrew Chavin of Princeton Worcester Four LLC, owner of 15-17 Putnam Lane and 285 Plantation Street asked if the existing permits for 15-17 Putnam Lane will remain valid if rezoning is approved. Mr. Traynor confirmed that the Special Permit would remain valid. Mr. Chavin said that in that case his comments would be tempered. He stated that he was not contacted by the City with respect to rezoning of 15-17 Putnam Lane. He stated his opposition to the petition because he considers it: 1) government involvement in private entity's business; 2) spot zoning; 3) limit on his development potential. He stated that he wants to protect the rights and remedies of his parcel.

Leonard Ciuffredo, a Chairman of the Brown Square Civic Center, spoke in opposition of the petition and stated that he is concerned about its timing. He stated that he sees this petition as premature, as the City is moving forward before the petitioner has become the owner of all the property in question. He stated that the City is acting at a detriment of the residents and puts abutters at negative negotiating positions. He stated that the City helps one developer at the expense of the other, and that small businesses have a proven record of being good neighbors.

Steve Tankadow, owner of 339 Shrewsbury Street, spoke against the petition. He stated that due to the high water table, he believes the proposed project will exacerbate the drainage issues. He also was concerned about noxious fumes from the proposed project and how they will affect his building which is located within 10-feet of the proposed tracks. He stated that the project would devalue his property values and ability to get tenants.

George Kerxhalli of Grafton Hill Business Association spoke in opposition of the petition. He stated that he feels the City is moving too quickly and needs to slow down to have time to perform due diligence.

Jo Hart submitted a letter to the Board (Exhibit G) speaking against the petition. She stated that it is not just a local issue and that there is a need for a lot of background research and discussion. She spoke against closing the road and thus access. Ms. Hart suggested an alternate road and, possibly, a fly-over.

Mr. Cashman stated that he understand the importance of this project to state and local officials and stated that he sees the abutters' concerns as legitimate. He asked the administration to respond to the assumption that without some land parcels the project won't be able to go forward. Mr. Fontane responded that he did not hear opposition to the item #10 CSX Transportation Railroad Track. He stated that the administration maintains its position. He stated that the City Council is the deciding body that makes a change of law. Mr. Mitra thanked the abutters for coming out to speak and asked if the City is proposing this rezoning prior to CSX purchasing the land. Mr. Fontane stated that he was not party to the private negotiations. He stated that abutters and abutters to abutters should have been notified and that there have been community and subcommittee meetings.

Mr. Cashman asked if a Special Permit granted for the 15-17 Putnam Lane will remain valid if the rezoning is approved. Mr. Traynor responded that it would stay valid because rezoning would take place after the Special Permit was granted. Mr. Cashman asked if the project would be allowed if the scope would be changed. Mr. Traynor responded that if the scope would stay substantially similar, an amendment to the Special Permit would be needed, otherwise a new Special Permit would be required. Mr. Cashman stated that after the rezoning, most residential uses would not be allowed, and, given the fact that the City Council approved a petition to rezone the area to a residential area in 2003, he will not support the petition.

Mr. Chavin stated that he wants to be clear for the record that to the extent his rights to the Special Permit are preserved, he feels differently about the petition. Mr. Mitra asked to clarify if Mr. Chavin is concerned that his property will be affected. Mr. Chavin stated that he is encouraged by what he heard today and need to reassess his position.

Mr. Ciuffredo asked for a clarification as to why administration, and not the CSX, was the petitioner of this item. Mr. Fontane responded that the petition was from the City Manager adopted by the City Council and then forwarded to the Planning Board for consideration and recommendation.

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted to close the Public Hearing.

Chair O'Connor stated that in 2003 she voted against the rezoning of the parcel to RL-7. She stated that she is encouraged that Princeton Worcester Four LLC seems to be amenable to the petition. She stated that the parcel proposed to be changed is surrounded by manufacturing, business and residential zones, and stated that she feels it is an appropriate change for the area and the surrounding properties. She stated that a site plan review will be required for the site. Mr. Rolle stated that this petition does not appear to be spot zoning, though it seems atypical to rezone an area which would make an owner with an existing permit have a non-conforming use. Mr. Mitra stated that he is concerned about a negative impact on the abutters. He stated that he would appreciate if someone from the CSX was present to speak in more details about the project.

Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board 2-2, with Mr. Cashman and Mr. Mitra voting no, and Chairman O'Connor and Mr. Rolle voting yes, therefore, the motion did not carry.

Exhibits:

- Exhibit A: Petition from the City Manager Michael V. O'Brien to the Worcester City Council re: CSX Terminal Expansion Project; dated June 29, 2010
- Exhibit B: Map of the 15 & 17 Putnam Lane, Proposed Zone Change from RL-7 to MG-2.0
- Exhibit C: City of Worcester Certified Abutters List and Certified Abutters Map for 17 Putnam Lane; dated June 24, 2010
- Exhibit D: Memo from Joel Fontane, Division of Planning & Regulatory Services, to the Planning Board, re: 15 & 17 Putnam Lane – Zone Change; dated July 19, 2010
- Exhibit E: The Planning Board recommendation to the Worcester City Council re: Zoning Map Amendment: 15 Putnam Lane and 17 Putnam Lane; received by the City Clerk August 5, 2010
- Exhibit F: EMHT Report "Proposed CSX Transportation & CSX Intermodal Project, Worcester MA"; dated July 2, 2010
- Exhibit G: Letter from Jo Hart addressed to the City Council, re: CSX; dated June 14, 2010; received July 21, 2010

OTHER BUSINESS:

12. Putnam Lane - Discontinue a portion of Putnam Lane, a public street, from Franklin Street to the Railroad Tracks including alteration to utilities.

- The Planning Board, to whom was referred the petition of Robert Moylan Jr., Commissioner of Public Works & Parks to relocate existing utilities at the Putnam Lane closure under the railroad bridge, having considered the petition at its meeting on July 21, 2010, voted 4-0 to recommend approval of the petition.
- The Planning Board, to whom was referred the petition of Robert L. Moylan Jr., Commissioner of Public Works & Parks, pursuant to MGL Section 41 § 81-G, to discontinue a portion of Putnam Lane, a public street, from Franklin Street to the railroad bridge, having considered the petition at its meeting on July 21, 2010, voted 4-0 to recommend approval of the petition.

Exhibits:

- Exhibit A: Memo from Robert Moylan Jr., Commissioner of Public Works & Parks, to Michael V. O'Brien, City Manager, re: Recommend City Council Approval of Street Petitions for CSX Expansion Plan; dated June 15, 2010
- Exhibit B: Petition from Robert Moylan Jr., Commissioner of Public Works & Parks, to the Worcester City Council re: Discontinuance of a portion of Putnam Lane from Franklin Street to the Railroad Bridge; dated February 15, 2010
- Exhibit C: Petition from Robert Moylan Jr., Commissioner of Public Works & Parks, to the Worcester City Council re: Relocation of existing utilities at the Putnam Lane closure under the railroad bridge; dated February 15, 2010
- Exhibit D: Plan by EMHT for the Worcester Terminal Expansion: Putnam Lane Right-Of-Way Vacation Exhibit; dated July 2, 2010
- Exhibit E: Plan by EMHT for the Worcester Terminal Expansion: Putnam Lane Utility Relocation; dated July 2, 2010

13. Franklin Street - Request approval of the revised layout for Franklin Street, a public street, with new sidewalks, public street takings and abandonments including construction of an overpass and alteration to utilities.

- **Franklin Street – Alteration Of A Public Way - Construction Of An Overpass By Csx Transportation:** The Planning Board, to whom was referred the petition of Robert L. Moylan Jr., Commissioner of Public Works & Parks to allow CSX Transportation to construct an overpass on Franklin Street over the proposed terminal access, accept overpass upon completion and grant easement to CSX for traffic flow beneath the overpass, having considered the petition at its meeting on July 21, 2010, voted 4-0 to recommend approval of the petition.
- **Franklin Street – Installation/Relocation Of Utilities:** The Planning Board, to whom was referred the petition of Robert L. Moylan Jr., Commissioner of Public Works & Parks to install/relocate utilities in Franklin Street to provide services to the expanded terminal, having considered the petition at its meeting on July 21, 2010, voted 4-0 to recommend approval of the petition.
- **Franklin Street – Alteration Of A Public Way:** The Planning Board, to whom was referred the petition of Robert L. Moylan Jr., Commissioner of Public Works & Parks, pursuant to MGL Section 41 § 81-G, to request approval of a revised street layout for Franklin Street including new sidewalks; public street takings and abandonments, as necessary, having considered the petition at its meeting on July 21, 2010, voted 4-0 to recommend approval of the petition.

Exhibits:

- Exhibit A: Memo from Robert Moylan Jr., Commissioner of Public Works & Parks, to Michael V. O'Brien, City Manager, re: Recommend City Council Approval of Street Petitions for CSX Expansion Plan; dated June 15, 2010
- Exhibit B: Petition from Robert Moylan Jr., Commissioner of Public Works & Parks, to the Worcester City Council re: Installation/Relocation of utilities in Franklin Street; dated February 15, 2010
- Exhibit C: Petition from Robert Moylan Jr., Commissioner of Public Works & Parks, to the Worcester City Council re: Construction by CSX of an overpass on Franklin St. over the proposed terminal access; acceptance of overpass upon completion and grant of easement to CSX for traffic flow beneath the overpass; dated February 15, 2010
- Exhibit D: Petition from Robert Moylan Jr., Commissioner of Public Works & Parks, to the Worcester City Council re: Revised Street Layout for Franklin Street; dated February 15, 2010
- Exhibit E: Plan by EMHT for the Worcester Terminal Expansion: Franklin Street Utility Relocation; dated July 2, 2010
- Exhibit F: Plan by EMHT for the Worcester Terminal Expansion: Franklin Street Overpass (match steps); dated July 2, 2010
- Exhibit G: Plan by EMHT for the Worcester Terminal Expansion: Conceptual Site Plan; dated July 2, 2010

NEW BUSINESS:

Public Hearing

14. 71 (aka 73) Coes Street – Special Permit for Small Wind Energy Conversion Facility (PB-2010-048): Timothy Evans, petitioner, is seeking to install a 10-foot diameter Small Wind Energy Conversion Facility (an Enviro-Energies 2.5 kW wind turbine) on the roof of a three-family residential structure in an RL-7 zone. Mr. Evans stated that he submitted affidavits signed by his abutters that demonstrate their support for the projects. Mr. Evans stated that the proposed WECF would have no shadow flicker and would emit no measurable sound. Mr. Fontane stated that he is excited to see this first Special Permit under the recently revised ordinance and the first residential small WECF to be proposed in the City of Worcester. He stated that permitted by-right small wind installations at the Walmart site are for a business use in a business zone. Mr. Fontane stated that the proposed wind turbine at 73 Coes Street is a new technology that promises to be quiet. He stated that he contacted the CEO of the Enviro-Energies and the Marketing Director who confirmed that the turbine does not emit sound, but stated that the company has not completed a rigorous acoustical sound study. He stated that the company's representatives told him that Discovery Channel, after filming the turbine, added the wind swishing sound post-production because none was recorded. Mr. Fontane added that he is encouraged by this new technology and that the City will learn a lot about it after this first installation. He stated that the petitioner submitted the affidavits from the abutters demonstrating general consent of the neighborhood. Mr. Fontane stated that his understanding was that there are no above-ground transmission utility lines. He recommended approval of the petition.

Mr. Mitra stated that he is excited to see the first application in the City to use this technology which marks a historic moment in the City. Mr. Cashman asked what happens to excess energy capacity. Mr. Evans responded that excess energy will go back into the electric grid. Mr. Cashman asked if the affidavits are in order. Mr. Fontane responded that staff received affidavits from the abutters stating that they agree to the requested setback waivers.

Mr. Fontane stated that he is not opposed to the petitioner's request for an application fee waiver to \$300 because small WECF application has fewer requirements, and, subsequently, a simpler review.

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

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to adopt the petitioner's and staff recommended findings of fact and to approve the requested Special Permit for Small Wind Energy Conversion Facility.

Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to approve the requested application fee waiver from \$600 to \$300.

Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to approve the following requested waivers:

- 1) An application waiver of a site plan prepared by a registered engineer;
- 2) A waiver, pursuant to Article IV, Section 13 (E)(2)(b)(ii), that the wind turbine shall be setback a distance not less than 1.1 times the turbine height from the nearest abutting property owner's property line;
- 3) A waiver, pursuant to Article IV, Section 13 (E)(2)(b)(ii), that the wind turbine shall be setback a distance not less than 165 feet from the nearest non-participating landowner's occupied building.

Exhibits:

- Exhibit A: Special Permit Application for Small Wind Energy Conversion Facility, received June 17, 2010, including:
1. Special Permit Plot Plan;
 2. Enviro-Energies 2.5 kW MVAWT Brochure;
 3. Photographs of the proposed location of the wind turbine on the roof;
 4. Request for an application waiver of the site plan prepared by a registered engineer;
 5. Request for an application fee waiver;
 6. Request for a waiver, pursuant to Article IV, Section 13 (E)(2)(b)(ii), that the wind turbine shall be setback a distance not less than 1.1 times the turbine height from the nearest abutting property owner's property line along with an affidavit, pursuant to Article IV, Section 13 (I)(3), signed in support of the applicant's request for waiver by the 120 Mill Street abutter;
 7. Request for a waiver, pursuant to Article IV, Section 13 (E)(2)(b)(ii), that the wind turbine shall be setback a distance not less than 165 feet from the nearest non-participating landowner's occupied building, along with an affidavit, pursuant to Article IV, Section 13 (I)(3), signed in support of the applicant's request for waiver by the following abutters: 67 Coes Street, 112 Mill Street, 118 Mill Street, 120 Mill Street, 123 Mill Street, 127 Mill Street;
 8. Letter from Chuck Riddell, Enviro-Energies Director of Distributor Relations, dated June 15, 2010, received July 21, 2010;
 9. A building section rendering by Mark Campbell, engineer, received June 17, 2010.
- Exhibit B: Memo to the Planning Board from the Division of Planning and Regulatory Services staff; dated July 14, 2010, revised July 19, 2010.
- Exhibit C: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 16, 2010.
- Exhibit D: Request for a waiver, pursuant to Article IV, Section 13 (E)(2)(b)(ii), that the wind turbine shall be setback a distance not less than 1.1 times the turbine height from existing above ground utility transmission line(s).
- Letter from the petitioner requesting withdrawal of the above-mentioned waiver because utility lines next to the house are not transmission lines; dated July 21, 2010, received July 21, 2010.

Public Meeting

- 15. 36 Quaboag Street – Definitive Site Plan (PB-2010-040):** Hossein Haghanizadeh, owner and petitioner, is seeking to construct three (3) single-family detached dwellings with 2-car garages on three lots (lot 3A - 11,931 SF, lot 3B – 13,287 SF, and lot 3C - 10,596 SF), which are in a RS-7 (Residential, Single-Family) zone and partially in the Floodplain Overlay District. Ms. Bold stated that staff received revised plans, but they were not sent to the Board because they were submitted on July 20, 2010. She stated that while not required, staff recommended reducing the driveway width from 25 feet to 20 feet to reduce the amount of impervious surfaces in the sensitive environment. Chair O'Connor asked if the applicant was opposed to this recommendation. Mr. Haghanizadeh responded that he is amenable to

tapering the entrance of the driveway to 20 feet, but keeping it at 25 feet at the garage entrance. Ms. Bold recommended as a condition of approval that any new construction or substantial improvements of residential structures shall have the lowest floor, including basement, elevated to not less than base flood elevation. Mr. Haghazadeh responded that he is aware of the ordinance requirements and will keep basement half a foot above the floodplain. Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions of approval:

- Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision showing the following:
 - Label the plan “Definitive Site Plan” on the title page.
 - Rename the second page “Site Plan” and show proposed structures.
 - Delineate clearly the lots boundaries.
 - Delineate clearly the Floodplain Overlay District.
 - Label the square footage and total floor area of proposed buildings.
 - Label height in stories and feet of proposed buildings (height measured from grade from center of building to peak).
 - Label landscaping/open space that will be retained.
 - Add and edit to the legends on the plan to include such legend items as floodplain overlay district and silt fence with haybales.
 - Remove waiver requests from the title page. The Planning Board has already granted these waivers for the Quaboag Subdivision.
- Reduce the driveway entrance width to 20 feet to reduce the amount of impervious surfaces in the sensitive environment.
- Per Article VI, Section 6 of the Zoning Ordinance, any new construction or substantial improvements of residential structures shall have the lowest floor, including basement, elevated to not less than base flood elevation.

Exhibits:

Exhibit A: Definitive Site Plan Application, received May 27, 2010.

Exhibit B: Definitive Site Plan; dated May 7, 2010, received May 27, 2010; revised July 20, 2010, received July 20, 2010; engineer – HS&T Group, Inc.

Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 13, 2010.

Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

Chair O’Connor recused herself. Mr. Cashman assumed the Chair.

16. 10 Tuckerman Street – Definitive Site Plan (PB-2010-045): Andrew Liston, representative for Massachusetts Symphony Orchestra, Inc., applicant, is seeking to construct an addition to Tuckerman Hall that would provide handicapped accessibility to the Hall’s stage and additional support areas to the structure, on a property with 15% slope or more. Mr. Liston stated that on June 10, 2010, the Historical Commission granted a Building Demolition Delay Waiver for the proposed project. With respect to staff’s comments that the plan is labeled “Definitive Site Plan,” Mr. Liston stated that all but cover page stated “Definitive Site Plan.” Mr. Gagne asked if food will be prepared on premises. Mr. Liston stated that there will be warming kitchen with two sinks. Mr. Gagne stated that in this case a grease interceptor will not be required. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 3-0 to approve the Definitive Site Plan with the following conditions of approval:

- Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision showing the following:
 - Label plan set “Definitive Site Plan.”

Exhibits:

- Exhibit A: Definitive Site Plan Application, received June 16, 2010.
- Exhibit B: Definitive Site Plan; dated May 25, 2010, received June 16, 2010; revised June 22, 2010, received June 23, 2010; engineer – Thomson-Liston Associates, Inc.
- Exhibit C: Floor plans dated June 8, 2010 and May 12, 2010, received June 16, 2010; by Gregory J. O’Connor Associates, Inc.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 13, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

Ms. O’Connor resumed the Chair.

17. 449 Southwest Cutoff – Definitive Site Plan (PB-2010-047): Nathan Mahonen of Hannigan Engineering, project engineer, representative for National Grid, applicant, stated that the applicant is seeking to construct 78 additional parking spaces and an 11,250 SF interior building expansion on a property with 15% slope or more. Mr. Mahonen stated that the parcel straddles the City of Worcester and the Town of Millbury. He stated that the existing site has 130 parking spaces and that the proposal will bring the site into compliance with the parking requirements for the existing uses. He stated that he is proposing deep sump catch basins to attenuate peak water flow. He stated that the proposed shed is within proximity of the wetland buffer and that the Conservation Commission approved the project. Mr. Mahonen stated that his client is amenable to addressing staff comments. He stated that the trees will be resistant to the Asian Longhorn Beetle and species ratio will be at least 25% diverse. He stated that the site will have only one dumpster on the Town of Millbury portion of the site. Ms. Bold asked how tall the retaining wall will be. Mr. Mahonen responded that it will be about 32 inches. Mr. Gagne stated that DPW&P is satisfied with the petitioner’s solution to attenuating the point discharge flow from the 12” RCP outflow pipe for the proposed detention pond and that the change should be shown on the plan. Mr. Cashman asked if the building will be expanded as well. Mr. Mahonen responded that there will be an interior renovation of the second floor of the building to accommodate additional workers. He stated that 207 parking spaces are required for the use, and that the applicant is proposing 250 parking spaces in anticipation of joint training sessions. Mr. Rolle asked how far the parking lot extends from the building. Mr. Mahonen responded about 75 feet. Mr. Rolle expressed concern with the relationship of the building to the parking lot and asked if it is possible to bring parking closer to the building. Mr. Mahonen responded that the central area of the site is dedicated to outside joint training activities, taking place between 8 am and 3 pm, and that wetlands present an additional site constraint. Chair O’Connor asked to show the lighting on site. Mr. Mahonen responded that there is a lighting diagram on the plan showing lighting poles along the parking driveway. He requested a waiver of showing trees bigger than 9-inches in diameter on the plan because the proposal consists of removal of all trees and then providing landscaping for the parking areas.

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

- Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision showing the following:
 - Attenuate the point discharge flow from the 12” RCP outflow pipe for the proposed detention pond
 - Label plan set “Definitive Site Plan”
 - Label height of retaining walls
 - Label height and materials of existing and proposed fencing
 - Verify that no dumpster pad is proposed in the Worcester portion of the site
 - Proposed landscaping species shall be resistant to Asian Longhorn Beetle infestation
 - Proposed landscaping species shall be at minimum 25% diverse
 - Proposed landscaping species shall not include winged eunomous as they currently considered an invasive species in the Commonwealth

Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to approve the requested application waiver from the requirement under Article V Section 4.B.7.b. to show on the plan of land “[A]ny ... significant natural, topographical or physical features of the property including, at least, ... trees in excess of nine (9) inches in diameter...”

Exhibits:

- Exhibit A: Definitive Site Plan Application, received June 17, 2010.
- Exhibit B: Definitive Site Plan; dated June 16, 2010, received June 17, 2010; revised July 26, 2010, received July 27, 2010; engineer – Hannigan Engineering, Inc.
- Exhibit C: Floor plans dated June 14, 2010, received June 17, 2010; by McKenzie Engineering Company, Inc.
- Exhibit D: Drainage Analysis for 440 Southwest Cutoff; dated June 16, 2010, received June 17, 2010; engineer – Hannigan Engineering, Inc.
- Exhibit E: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 15, 2010.
- Exhibit F: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

18. 500 Salisbury Street – Parking Plan (PB-2010-049): Kevin Quinn, project engineer, representative for Assumption College, applicant, stated that the applicant is seeking the construction/reconfiguration and replacement of a 51-space parking lot associated with Assumption College. Mr. Quinn stated that purpose is to reconfigure parking, which will not increase the amount of impervious surface, and drainage. Mr. Gagne stated that the DPW&P is satisfied with the proposed drainage per letter submitted to the DPW&P. Ms. Bold stated that increase in parking spaces is relatively small – from 42 to 51 parking spaces. She stated that the plan meets Zoning Ordinance requirements. She requested that the applicant provided a parking analysis and read out the missing plan annotation items from the staff’s memo to the Board (Exhibit C). She stated that the applicant submitted the day of the meeting revised plans which staff was not able to review before the meeting. Mr. Cashman asked where the snow storage will be located. Mr. Quinn stated that handicapped spaces will be relocated closed to the building and that the snow will be stored along the length of the parking area and at each end. Mr. Rolle asked for

whom the two parking spaces in the northern end of the site are reserved. Mr. Quinn responded that these are for the power plan staff only.

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

- Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.
 - Provide a summary of the Parking Schedule, including existing, required, and proposed parking spaces. As requested for all updates to parking at college/university campuses, provide a separate updated parking analysis listing required, existing and proposed parking for the campus.
 - Label area available for snow storage. Snow storage may not be located in parking buffer areas.
 - Label methods and location of erosion and sedimentation control devices for controlling erosion and sedimentation during the construction process as well as after.
 - Label height of existing retaining wall shown adjacent to the property boundary.
 - Label owner of abutting property – it appears as if the abutting property owner is Neil and Lisa McDonough.
 - Provide a note indicating that that existing dense vegetative buffer to the east of the reconfigured parking lot will be retained.

Exhibits:

Exhibit A: Parking Plan Application, received June 17, 2010.

Exhibit B: Parking Plan; dated June 17, 2010, received June 17, 2010; revised July 7, 2010, received July 7, 2010; revised July 21, 2010, received July 21, 2010; engineer – Quinn Engineering, Inc.

Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 15, 2010.

Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010.

Chair O'Connor recused herself. Mr. Cashman assumed the chair.

19.72 Grove Street – Amendment to Definitive Site Plan (PB-2010-050): Attn. Todd Brodeur, representative for NAIRN LLC, petitioner, stated that the petitioner is seeking demolition of an accessory structure and the relocation of existing parking spaces and associated site improvements. Mr. Brodeur stated that the Planning Board approved a Definitive Site Plan in 1998 for the construction of Marriot Hotel and associated par, which are currently on site. He stated that Faraday Street will be opened as a public street and that the traffic will flow from Grove Street to Prescott Street. He stated that the previous day, the City Council voted to discontinue Lexington Street. The petitioner is proposing 162 parking spaces and seeking a waiver for interior landscaping requirements. Ms. Bold stated that the petition is to bring the site in compliance with the Zoning Ordinance for the 7 new parking spaces and landscape buffers. She read the missing plan annotations from staff's memo to the Board. Mr. Brodeur stated that the building itself is not being extended and that he is amenable to the proposed plan changes.

Dennis Leary, Executive Director of Veterans Inc. and Vincent Perone, President and CEO of Veterans Inc. located at 69 Grove Street were present. Mr. Leary asked the Board to consider continuing the item until several issues get resolved. They stated that the proposed project would have a negative impact on their property. He stated that his business is the second largest on Grove Street and has a lot traffic flow to and from the site. He stated that 85 veterans live on the premises and are visited by 200 veteran family members weekly. He stated that a bi-weekly food bank feeds 400 families. He stated that he was not consulted or contacted with respect to closing of streets and that there is an issue with lack of on-street parking in the neighborhood. Mr. Perone stated that the City is removing all the remaining public parking on Grove Street, including handicapped spaces, and the Council action has removed all public parking on Faraday Street and Lexington Street. He stated that the residents and visitors of the site are people with disabilities. He stated that many are using parking lot belonging to the WPI which is a temporary arrangement. He stated that the public bus stop has been moved from the front of the building 600 feet away, which is being used frequently by homeless veterans. Mr. Perone stated that he spoke to DPW&P, traffic safety council, engineers redesigning the project, but that no one has resolved these issues.

Mr. Traynor stated that the City Council has approved closing of Lexington Street at the last night's meeting. He stated that the matter before the Board is the Parking Plan and that the applicant is not proposing street alterations. Mr. Leary stated opposition to what he called compartmentalization of the issue. Chair Cashman stated that by law the Board has to compartmentalize and that the Planning Board is not the venue Mr. Leary needs to address. He stated that the City Council voted to discontinue the street. Ms. Bold stated that on June 2, 2010 the Planning Board voted 5-0 to recommend approval of the petition of DPW&P Commissioner Robert Moylan to discontinue and abandon the entire length of Lexington Street (~275 feet), from Prescott Street to Grove Street, a public street. Mr. Perone stated that he has not received any notifications. Chair Cashman asked if there were any legal notification requirements at the Planning Board level. Ms. Bold responded that the Board is a recommending body to the City Council and has no legal notification requirements. Mr. Traynor stated that notices at the City Council's Public Works Subcommittee level for public street layout and discontinuance are pursuant by statute and due by law and stated that only abutters immediate to the portion of the street to be discontinued need to be notified and 69 Grove Street parcel is not adjacent to Lexington Street. Mr. Rolle stated that while the abutter's concerns are not germane to the Site Plan review, the lack of public parking and the fact that Veterans Inc. was not notified is troubling give that they are negatively and directly affected by the change. Mr. Cashman concurred.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 3-0 to approve the Amendment to Definitive Site Plan and the requested waiver from the Zoning Ordinance provision requiring interior parking lot trees be planted with the following conditions of approval:

- Application must be signed by New Garden Park, LLC in addition to NAIRN.
- Label plan set: Amendment to Definitive Site Plan.
- Label owners and applicant in a title block.
- Provide correct address for property on title sheet – 54 & 72 Grove Street.
- Clearly delineate boundary lines of the subject property.
- Revise building footprint to show previously approved patio area adjacent to the building, parallel to Prescott Street with landscaping and cement sidewalks.
- Label square footage of building.
- Change label of "Faraday Street" on all sheets to read "Proposed Extension of Faraday Street".
- Label width and materials of all existing streets (Grove Street, Prescott Street).

- Indicate on all sheets of plan set that pertain to Lexington Street; that the street is proposed to be discontinued and abandoned.
- Verify that the access aisle width in southeastern and southwestern corners of the site meets 24' access aisle width requirement.
- All sheets of the Amendment to Definitive Site Plan related to the construction of Faraday Street shall be considered supplemental information regarding off-site improvements. The Board has not been asked at this time to approve or make a recommendation to City Council regarding the proposed extension of Faraday Street. Therefore, the final plan set should not include sheets unrelated to the Marriott Hotel site or include said sheets in the rear of the plan set as supplemental information and label said sheets "supplemental information."
- Indicate with arrows, circulation through revised parking lot.
- On plan set, indicate number of proposed compact and standard parking spaces; as stated in the application.
- Label location and dimensions of loading dock.
- Label location and dimension of handicap van accessible space.
- Show location of previously approved lighting and any proposed lighting on site layout sheet.
- Show location and screening of dumpster.
- Show location, height, materials of any proposed fencing.
- Show location of erosion and sedimentation control devices during the construction process.
- Show location of snow storage areas.
- Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.

Mr. Gagne stated that there is no increase in impervious surface, and therefore, the DPW&P does not have further comments. Chair Cashman thanked the abutters for coming out and speaking.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 3-0 to approve the Amendment to Definitive Site Plan and the requested waiver from the Zoning Ordinance provision requiring interior parking lot trees be planted with the following conditions of approval:

Exhibits:

- Exhibit A: Amendment to Definitive Site Plan Application, received June 22, 2010.
- Exhibit B: Amendment to Definitive Site Plan; dated July 1, 1998, revised August 13, 1998; engineer – Rizzo Associates Inc.; May 2010, received June 22, 2010; engineer – Maguire Group Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated July 16, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated July 16, 2010, revised July 20, 2010.
- Exhibit E: Letter from Henry B. Stebbins of Stebbins Lazos & Van Der Beken, attorney of NAIRN LLC, applicant; dated July 16, 2010; re: Nairn LLC Amendment – Definitive Site Plant
- Exhibit F: Terms of the Conveyance of Property at 54 Grove Street from the City of Worcester to New Garden Park, LLC; dated July 20, 2010.

Ms. O'Connor resumed the Chair.

OTHER BUSINESS:

20. ANR Plans:

- **AN-2010-038 Mount Avenue / Brooks Street:** Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to endorse ANR Plan AN-2010-038.
- **AN-2010-039 Outlook Drive:** Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to endorse ANR Plan AN-2010-039.
- **AN-2010-040 Dixfield Street:** Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 4-0 to endorse ANR Plan AN-2010-040.

21. Carriage House Lane Subdivision – Work Completion Date Extension: Ms. Bold stated that the office has received a letter from Stephen E. Campbell of Highland North Corporation, requesting an extension of work completion date from September 1, 2010 to June, 2011. Mr. Gagne asked what the sunset date is for the subdivision. Ms. Bold stated that she could not recall, but would guess it is 2014 because Mr. Campbell came in for an extension of time last year. Mr. Gagne proposed to take up this item at the next meeting.

ADJOURNMENT:

Upon a motion by Scott Cashman and seconded by Satya Mitra, the Board voted 4-0 to adjourn the meeting at 9:15 pm.