

MINUTES
WORCESTER PLANNING BOARD
March 23, 2005

Planning Board Members Present: Joe Boynton
Samuel Rosario
John Shea
Anne O'Connor
Scott Cashman

Staff Present: Michael Traynor, Law Department
Carrie Holtan, Law Department
Jody Kennedy-Valade, Code Enforcement
David Holden, Code Enforcement
Judith Stolberg, Planning
Joel Fontane, Planning
Edgar Luna, Planning
Russell Adams, DPW
Paul Moosey, DPW
Joseph Borbone, DPW

Regular Meeting (5:30 PM) – Saxe Room, Worcester Public Library

1. **Call to Order:** Chairman Joe Boynton called the meeting to order at 5:40 PM.
2. **Approval of the Minutes – March 9, 2005 Meeting:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to approve the minutes of the March 9, 2005 meeting.
3. **Rice Lane/Shannon Street – Special Permit:** Items 3-6 were taken collectively. Notice of the hearing was read by the Clerk. Attorney Samuel DeSimone and David Mackwell presented the plan. Attorney DeSimone informed the Board that the proposed use of the St. Vincent Hospital for market rate apartments cannot be done at this time because the projected cost is prohibitive due to market changes and the rents that would be required are too high for the area in which it is located. He further stated that the applicant is requesting 2 frontage waivers and a waiver from the height requirement for some of the structures under the Adaptive Reuse Overlay District (AROD). David Holden, Director of Code Enforcement, stated filing a special permit application under the AROD is appropriate but he has reservations about units 23-34 because there are no back yards. Joel Fontane said the administration was disappointed that the market rate housing could not be created at the St. Vincent's Hospital site and hoped to work with the applicant to reuse the site. John Gould, an abutter, supported the project. Samuel Rosario expressed concerns about the density and safety. Joel Fontane recommended that the proposal have the required number of parking spaces. Joe Boynton said he thought the special permit application was not appropriate and should not be applied to an as-of-right use. He

further stated there were other means to achieve the end result the applicant was looking for. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to extend the deadline for constructive grant to April 13, 2005 and to continue the special permit approval, two site plan approvals and more than one building on a lot approval to April 13, 2005 and advised the applicant to revise the plan to reduce the number of buildings and provide some green space.

4. **Winthrop Street/Rice Lane – Site Plan Approval:** See #3.
5. **Winthrop Street/Shannon Street – Special Permit:** See #3.
6. **Rice Lane – More Than One Building on a Lot:** See #3.
7. **20 Johnson Street – Site Plan Approval:** John Shea recused himself. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 4-0 to extend the deadline for constructive grant to April 27, 2005 and to continue the site plan approval to April 13, 2005 at the request of the applicant.
8. **727 Salisbury Street – Amendment to Special Permit:** Item #9 was taken collectively. Joe Boynton recused himself. Samuel Rosario assumed the Chair. Notice of the hearing was read by the Clerk. Attorney Mark Donahue, Patrick Healey and Leslie Fanger presented the plan. No one spoke in opposition. Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 4-0 to close the hearing. Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 4-0 to approve the Amendment to Special Permit with the condition that landscaping buffer along the boundary of the Ritz property be installed within 30 days from date of occupancy permit for Building #12 and with the following findings:
 - **The proposed use meets all the criteria of the Zoning Ordinance.**
 - **The specific site is appropriate for the proposed use because the site is zoned for residential use, is easily accessible from Salisbury Street and has all utilities available.**
 - **The proposed use will not adversely affect the neighborhood because it is intended to serve an older, adult population with at least one resident in each dwelling being age 55 or older. On site amenities and the age of the residents will place minimal burden on municipal services. In addition, a large area of open space will be maintained by the developer so the project will not overwhelm the site.**
 - **There will be no nuisance or serious hazard to vehicles or pedestrians because there is no proposed change to the entrance to the development from Salisbury Street which**

provides adequate vehicular and pedestrian travel to the site. Changes to the site plan will improve vehicular and pedestrian safety by placing the community building in greater proximity to more units.

- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use because the revisions to the site plan represent an improvement to the design of the development in response to market conditions and site conditions. The conceptual design of the site and the development as previously approved by the Planning Board has not changed as a result of the modifications to the site plan.**

9. 727 Salisbury Street – Site Plan Approval: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to approve the 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 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.**

10. 152 Moreland Street – Cluster Zoning Special Permit: Item #11 was taken collectively. Joe Boynton recused himself. Samuel Rosario assumed the Chair. Notice of the hearing was read by the Clerk. Attorney Donald O'Neil and Kevin Quinn, Quinn Engineering, presented the plan. City Councilor Frederick Rushton sent a letter to the Board expressing constituent concerns about runoff, possible blasting and traffic issues resulting from the placement and design of the entrances. Burton Chandler wanted to ensure that only one building be constructed on the remaining 6.5 acres of the site. Mr. O'Neil stated the applicant agreed to that. Steve Rottman was concerned about the closeness of the three driveways. Stan Matthews was concerned about traffic issues. Michael Traynor advised the Board that the project still would require definitive subdivision approval. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to approve the Special Permit with the conditions that the driveway from Lot 2 be redirected straight out; revised plan to incorporate the plan dated March 16, 2005; no more than one building to be constructed on the remaining 6.5 acres; and no through streets traverse the property; and with the following findings:

- **The proposed use is consistent with those uses allowed in the RS-10 zoning district.**
- **The specific site is appropriate for the proposed use because the site is zoned RS-10 and it will be consistent with the allowed uses in that zoning district.**
- **The proposed use will not adversely affect the neighborhood because the neighborhood is dominated by single-family detached dwellings and the proposed use will not vary from that predominant existing use.**
- **There will be no nuisance or serious hazard to vehicles or pedestrians because vehicular traffic will not significantly impact the existing traffic patterns on Moreland Street or create any nuisance. Traffic for the proposed single-family dwellings will be consistent with that which exists presently.**
- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use because the proposed single-family dwellings will be served by municipal water, sewer and trash collection services.**

11. Milton/Byron Streets – Zoning Map Amendment: John Shea recused himself. Notice of the hearing was read by the Clerk. For the record, it was established that the petitioner was Gail LaGoy et al and not the Worcester Planning Board as stated in the notice. Gail LaGoy, Susan Flynn, Anna Bogard, Joanne Petsmesis, and Michael LaGoy spoke in favor of the petition. Joe Evangelista, Attorney Paul Novak, Ms. Florio, Mike Ruggiere, John Wordquist, Joe Halloran, Bill Burke and Stephen Parker spoke in opposition. Joel Fontane recommended the Board continue the matter to May 25, 2005 to allow him time to formulate a recommendation by the administration. Some participants objected to that time frame because it would preclude construction planned already for this year. A motion by Samuel Rosario to close the hearing did not receive a second. The Board requested that DPW report to the Board on the infrastructure issues brought up by the petitioners. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 3-1 (Samuel Rosario voted no) to continue the hearing to April 27, 2005.

12. 1 College Street – Site Plan Approval: Joe Boynton recused himself. Samuel Rosario assumed the Chair. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to approve the site plan with the following conditions:

- **Plan must note that temporary screening (i.e. netting) will be installed to block any balls that may be hit to left field and onto I-290.**
- **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.**
- **Four copies of revised plan be submitted to the Land Use Office prior to release of the decision.**

13. 40-42 Hooper Street – Site Plan Approval: Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to continue the site plan approval to April 13, 2005 and advised the applicant to reconfigure the parking and provide for roof water recharge.

14. 14 Wilkinson Street – Site Plan Approval: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to approve the 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 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.**

15. 77 Everard Street – Site Plan Approval: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to approve the site plan with the following conditions:

- **A fence, at least four feet in height, must be installed at the top of the retaining wall and be shown on the plan.**
- **A ten-foot separation between the water and sewer connections must be shown on the plan.**
- **Applicant must use six-inch SDR 35 PVC for sanitary connections.**
- **Applicant must provide an inlet connection to proposed drywell from the driveway and show on 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.**
- **Four copies of revised plan be submitted to the Land Use Office prior to release of the decision.**

16. 152 Moreland Street – Site Plan Approval: This item was taken collectively with #10. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to approve the 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 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.**

17. 653 Main Street – Site Plan Approval: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to approve the site plan with the following conditions:

- **Applicant must provide a copy of lease for accessory parking.**
- **Applicant must provide an oil/water separator for the parking garage and note on the plan.**
- **Applicant must provide separate sewer and drain connections for the existing Burwick Building.**
- **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.**
- **Four copies of revised plan be submitted to the Land Use Office prior to release of the decision.**

18. 108 June Street – Parking Plan Approval: Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the parking plan with the following conditions:

- **A 7-foot solid board fence must be installed along the rear and easterly perimeters.**
- **Applicant must use 8"DR-18 PVC for the catch basin connection and note on 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.**
- **Four copies of revised plan be submitted to the Land Use Office prior to release of the decision.**

19. 71B Pullman Street – Parking Plan Approval: Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to approve the parking plan with the following conditions:

- **Applicant must show the required minimum number of shade trees in accordance with the species list in the Zoning Ordinance.**
- **Applicant must show the required landscaping table on the plan to include species, caliper, height and number of trees.**
- **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.**
- **Four copies of revised plan must be submitted to the Land Use Office prior to release of the decision.**

20. Carpenter Avenue – To Make Public: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to recommend a Priority 1.

21. Approval Not Required (ANR) Plans: Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-0 (Anne O'Connor recused herself) to endorse ANR Plan #6003 James Street/Ludlow Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 (Joe Boynton recused himself) to deny endorsement of ANR Plan #6005 Antoine Street because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6006 Housatonic Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6007 Christine Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to hold ANR Plan #6008 Ludlow Street for clarification. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to deny endorsement of ANR Plan #6009 Swan Avenue/Amber Street because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6010 19 Hemans Street. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to deny endorsement of ANR Plan #6011 7&9 Hemans Street because the frontage for one lot includes a portion of a way still on the Official Map and one of the lots does not have sufficient frontage and there was no note showing that the said lot was to be combined with another lot. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6012 Daly Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6013 Daly Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6014 Gifford Drive. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 (Joe Boynton recused himself) to endorse ANR Plan #6015 Bancroft Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6016 Lake Avenue.

OTHER BUSINESS

Good Harbor Heights Subdivision: John Shea recused himself. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to set a bond in the amount of \$135,000.00 with a work completion date of June 1, 2006 and a bond expiration date of August 1, 2006 and to accept a covenant for Lots 1-4 inclusive.

Upland Estates (Bella Lane) Subdivision: Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to deny the request for bond reduction based on the recommendation of the Department of Public Works.

The meeting was adjourned at 9:45 PM.