

MINUTES
WORCESTER PLANNING BOARD
September 14, 2005

Planning Board Members Present: John Shea
Samuel Rosario
Anne O'Connor
Scott Cashman
Margaret Guzman

Staff Present: Carrie Holtan, Law Department
Michael Traynor, Law Department
Joel Fontane, Planning Division
Edgar Luna, Planning Division
Judith Stolberg, Planning Division
Lara Bold, Planning Division
K. Russell Adams, DPW
Joanne Valade, Code Enforcement

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

1. **Call to Order:** Chairman John Shea called the meeting to order at 6:10 PM.
2. **Approval of the Minutes – August 24, 2005 Meeting:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the minutes of the August 24, 2005 meeting.
3. **Omnibus Zoning Ordinance:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to continue the hearing to September 28, 2005 at the request of Joel Fontane.
4. **Zoning Map Amendment - Chandler Street FPOD:** Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to continue the item to October 26, 2005 at the request of Joel Fontane.
5. **641-651 West Boylston Street – Parking Plan Approval:** Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 5-0 to extend the deadline for constructive grant to October 26, 2005 and to continue the parking plan to October 26, 2005.
6. **1283 Pleasant Street – Site Plan Approval:** Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to extend the deadline for constructive grant to October 12, 2005 and to continue the site plan to October 12, 2005 and advised the applicant to renotify abutters.

7. **Wyola Drive & Brookline Street – Definitive Subdivision Approval:** Notice of the hearing was read by the Clerk. Josh Renke presented the plan. Greg Pisoti, Ginny Barbi, Theresa Farina, Julie Snell, Hoogas Hoogasian, Paul Hoogasian, Gus Luparelli and Paul Rice spoke about traffic issues and concerns about connecting the roads. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the following waivers of the Subdivision Regulations:

- **Waiver of the 30-degree radius rounding of the right-of-way to allow 0-degree.**
- **Waiver of the 30-foot pavement width to allow 26-feet.**
- **Waiver of the sidewalk requirement**

Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted to the approve the Definitive Subdivision with the following conditions:

- **Applicant must include a 3’ bituminous binder shoulder on each side of the proposed roadway cross section.**
- **Applicant must provide street lighting with a maximum pole spacing of 175’ on Brookline Street, Wyola Drive and Avery Path.**
- **Applicant must install the roadway to the bituminous binder course to the satisfaction of the Department of Public Works prior to issuance of any associated building permits.**
- **Plan must show the existing water main in Wyola Drive and Brookline Street.**
- **Avery Path must include an 8” water main and fire hydrant connecting to Wyola Drive and Brookline Street in accordance with DPW Water Operations standards.**
- **Applicant must install a new fire hydrant at or near the end of the existing water main on Brookline Street.**
- **Endorsement of the Definitive Plan is contingent upon the following:**
 1. **Notice from the City Clerk of “No Appeal” from the action of the Board in approving this subdivision or if an appeal is taken, notice of the court either sustaining the approval or dismissing the appeal.**
 2. **Applicant must guarantee the construction of ways, the installation of municipal services and the successful performance of all other conditions to the approval of the subdivision in the manner provided in the Subdivision Regulations, Section VII, as authorized by MGL, Chapter 41, Section 81U.**

8. **95-97 Gates Street – Special Permit:** Notice of the hearing was read by the Clerk. Brett Levy and Kathy Buckley presented the plan. Councilor Barbara Haller spoke in favor of the project. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to approve the special permit with the condition that all units be equipped with air conditioning and with the following findings:

- **Parcel lies within an Adaptive Re-use Overlay District that was adopted to encourage mixed-use development and market rate housing productions.**
- **Proximity to University Park and Clark University, abutters are residential, and the neighborhood would greatly benefit from proposed demolition of decrepit building.**
- **Ample parking will be provided, elimination of dilapidated structures will improve the neighborhood, increased home ownership attracting middle to upper-middle income population will have a lasting beneficial effect.**
- **Existing road infrastructure is more than ample to allow for the number of unit.**
- **All local and state building codes shall be adhered to. The process for approval of a special permit provides for thorough evaluation so approval is dependent upon adequate and appropriate facilities.**
- **Project is harmonious with the City’s goal of encouraging the adaptive re-use of underutilized real estate to create market rate housing units. Additionally, the proposed adaptation is projected to have significant and lasting beneficial effects for the neighborhood and community in general.**
- **Project can co-exist harmoniously with residential, commercial, retail, industrial and artistic uses due to the urban nature and expectations of a loft-style housing option.**
- **Proposed use will simply extend the residential uses on Gates Street over one building to incorporate the lofts so will not be noxious to current or future residents.**

9. **Zoning Ordinance Amendment – Article IV – Table 4.2:** Notice of the hearing was read by the Clerk. Joel Fontane presented background information. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to recommend denial of the petition because Omnibus Zoning Ordinance Amendment addresses the issue of single-family semi-detached dwellings (duplexes) in RS-7 and RS-10 zones by increasing the dimensional requirements without eliminating them totally.

10. **Zoning Map Amendment – Dewey Street, Mason Street, Mason Court:** Notice of the hearing was read by the Clerk. Ed Serrato, representing the Chandler Street Business Association spoke in favor of the petition. Joel Fontane presented a brief report and recommended approval of the zone change. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to recommend approval of the zone change.
11. **Zoning Map Amendment – 81-83 Lyman Street:** Notice of the hearing was read by the Clerk. Joyce Provencher spoke in favor of the petition. Joel Fontane recommended approval of the zone change. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to recommend approval of the zone change.
12. **Zoning Map Amendment – New York Street:** Notice of the hearing was read by the Clerk. Michael Revelli spoke in favor of the petition. Joel Fontane recommended approval of the zone change. Ted Ankstutus spoke in opposition. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to recommend approval of the zone change.
13. **129 Lincoln Street – Amendment To Site Plan Approval:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the amendment to a previously approved 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.**
14. **23 Oxford Street – Site Plan Approval:** Anne O'Connor recused herself. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 4-0 to approve the site plan with the following conditions:
 - **Snow is to be removed from the site and be so noted 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.**
- **Five copies of the revised plan must be submitted to the Planning & Regulatory Services Office prior to release of the decision.**

15. 13 Wrentham Road – Site Plan Approval: Upon a motion by Samuel Rosario and seconded by Margaret Guzman, 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.**

16. Bisland Road – 81G Street Opening: Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to deny approval because of the steepness of the grade which is unsafe for vehicles entering Upland Street.

17. Deepdale Road – 81G Street Opening: Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the street opening with the following conditions:

- **Sidewalk and grass strip need to be reversed on the plan.**
- **A 4-foot fence must be installed atop any retaining walls over four feet.**
- **Five copies of the revised plan be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

18. 53 Northboro Street – Amendment to 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:

- **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.**

19. 922 Grafton 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:

- **Additional landscaping be installed in the front islands subject to the approval of the Planning & Regulatory Services Office.**
- **Snow is to be removed from the site and be so noted on the plan.**
- **All traffic signage must be on private property.**
- **One stop sign on each side of the proposed exit location must be provided.**
- **Applicant must use 8" DR-18PBC for catch basin connections.**
- **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.**
- **Five copies of revised plan be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

20. 298 Grafton Street – Site Plan Approval: Upon a motion by Samuel Rosario and seconded by Margaret Guzman, 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**

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- **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.**

- 21. Morgan Estates Subdivision – Accept Covenant:** Upon a motion by Samuel Rosario and seconded by Scott Cashman, 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.
- 22. 15 Lachapelle Street Subdivision – Accept Covenant:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to release the existing covenant and accept a new covenant.
- 23. Approval Not Required (ANR) Plans:** Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6140 Woodcliff Avenue. Upon a motion by Scott Cashman and seconded by Samuel Rosario, the Board voted 5-0 to deny endorsement of ANR Plan #6141 Firglade Street because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6142 Aetna/Barclay Streets. Upon a motion by Scott Cashman and seconded by Samuel Rosario, the Board voted 5-0 to deny endorsement of ANR Plan #6143 Corning Street because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 5-0 to deny endorsement of ANR Plan #6144 Rodgers/Simone Streets because the road doesn't exist. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6145 Greenwood/Mystic Streets. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to hold ANR Plan #6146 Chino Avenue and asked staff to check other ANR Plans on Chino Avenue with respect to consistency of endorsements or denial of endorsements. Upon a motion by Scott Cashman and seconded by Samuel Rosario, the Board voted 3-2 (John Shea and Anne O'Connor voted no) to deny endorsement of ANR Plan #6144 Wayne Street because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6148 Lachapelle/Kelleher Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6149 44 Reed Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6150 Main Street. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6151 131 Dana Avenue. Upon a motion by Samuel Rosario and seconded by Margaret

Guzman, the Board voted 5-0 to endorse ANR Plan #6151 131 Dana Avenue. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6152 Parcel B Houghton Street. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6153 83 Malvern Road.

OTHER BUSINESS:

1393 Grafton Street Subdivision – Set Bond: Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to set a bond in the amount of \$225,000.00 with a work completion date of August 1, 2006 and bond expiration date of October 1, 2006.

Wildwood Circle – Release Covenant and Accept Cash Surety: Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to release the covenant and accept a Subdivision Performance Agreement secured by cash in the amount of \$115,000.00 as recommended by the Department of Public Works.

The meeting was adjourned at 9:00 PM.