

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

**FEBRUARY 15, 2006
WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM**

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

Staff Present: Michael Traynor, Law Department
Carrie Holtan, Law Department
Joel Fontane, Division of Planning & Regulatory Services
Robin Bartness, Division of Planning & Regulatory Services
Judith Stolberg, Division of Planning & Regulatory Services
Edgar Luna, Division of Planning & Regulatory Services
Jody Kennedy-Valade, Division of Code Enforcement
K. Russell Adams, Department of Public Works & Parks

REGULAR MEETING (5:30 PM)

CALL TO ORDER

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

APPROVAL OF THE MINUTES

Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Planning Board voted 3-0 (Anne O'Connor and Samuel Rosario abstained because they were not present at that meeting) to approve the February 1, 2006 minutes.

REQUESTS FOR WITHDRAWAL/CONTINUANCE

1. **25 Eskow Road (PB-05-137) – Parking Plan:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to extend the deadline for constructive grant to April 6, 2006 and to continue the Parking Plan to April 5, 2006 at the request of the applicant.
2. **71 Wildwood Avenue (PB-06-01) – More Than One Building on a Lot:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to approve the request of the applicant for Leave to Withdraw without prejudice.

3. **1434-1436 Main Street / 1 Armandale Street – Amended Site Plan:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 4-0 (Samuel Rosario abstained) to continue the Amended Site Plan to March 1, 2006 at the request of the applicant.

CONTINUATIONS

4. **428 Lake Avenue (PB-06-47) – Site Plan:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-1 (Samuel Rosario voted against), to approve the Site Plan with the following conditions:
 - **Install a 6-foot stockade fence atop the retaining wall near the property of Richard and Gina Fields and show the fence on the plan.**
 - **Geosynthetic reinforcement material is not to go beyond the applicant's property line and be so noted on the plan.**
 - **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.**
 - **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.**

5. **91 Stafford Street (PB-05-151) – Parking Plan:** The Chief Planner informed the board that the applicant had submitted revised plans on February 8, 2006 addressing the issues identified by staff. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, 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.**

6. **6 Vig's Way (PB-05-160) – Site Plan:** The Chief Planner reported to the Board that the Petitioner had made the changes to the Site Plan identified at the February 1, 2006 meeting. Upon a motion by Margaret Guzman 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.**

7. **225 Shrewsbury Street (PB-05-161) – Site Plan:** Attorney Stephen Madaus presented the project. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to waive the interior landscaping requirements pursuant to Article IV, Sec.7(E), Notes to Table 4.4, Note 6 because excavation of the existing parking area would adversely affect the drainage flow of the lot. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board vote 5-0 to approve the Site Plan with the following conditions:

- **Required drainage plans must be provided to the Department of Public Works.**
- **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.**
- **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.**

8. **225 Shrewsbury Street (PB-05-162) – Special Permit:** Stephen Madaus and Josh Reinke presented the plan. The Director of Planning & Regulatory Services again requested that the retail uses be required to close at 6:00 P.M. as a condition to share parking with the restaurant use. George Voyiatzis stated that that would make it very difficult to rent the space for the retail component. Upon a motion by Margaret Guzman 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 approve the Special Permit to reduce the number of required parking spaces under the Flexible Parking Overlay District with the following findings and condition:

- **Proposed use is in harmony with the general purpose and intent of the City of Worcester Zoning Ordinance.**
- **The specific site is an appropriate location for the proposed use.**
- **The proposed use as developed will not adversely affect the neighborhood.**
- **There will be no nuisance or serious hazard to vehicles or pedestrians.**
- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use.**
- **The use of rumble strips as a traffic calming device, as depicted on the plan, is conditionally approved for eighteen months. At the scheduled meeting on or after August 15, 2007, the Board shall review the effectiveness and safety of the rumble strips in controlling traffic within the property. The Board reserves the right to amend this Special Permit to require an alternate means of controlling the internal traffic movements. At such meeting, the Board will review the efficacy of the rumble strips. If the Board finds that the Special Permit should be amended, it shall thereafter commence the requisite proceedings to comply with the procedural and substantive requirements of M.G.L.c40A, Sections. 9 and 11. For any required public hearing, the property owner shall bear all expenses of advertising and mailing notice to the abutters in accordance with M.G.L.c40A, Sec.11.**

9. Toronita Avenue (PB-06-169) 81G Street Opening: Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to approve the 81-G Street Opening with the following conditions:

- **No construction shall commence until the property conveyance has taken place.**
- **No ANR Plan shall be endorsed until at least one of the adjacent 81-G Street Openings have been built to binder course.**
- **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. 175 Washington Street/175R Washington Street (PB-06-01) – Definitive Subdivision. Notice of the hearing was read by Anne O'Connor. The Site Plan was taken collectively. Attorney Donald O'Neil presented the project. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Subdivision and Site Plan with the following conditions:

- **Applicant must show a locus map on the plan.**
- **The following note must be added to the plan: "The applicant shall provide, at no cost to the City, all facilities shown on the plan but not limited to roadways,**

curbs, bounds, drainage systems, sanitary sewer systems, utilities, street lights and earthworks, except as otherwise noted.”

- Six copies of the revised subdivision must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.

11. **175 Washington Street (PB-06-08) – Site Plan.** 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:

- Show applicant revisions explained at the meeting including subtracting a parking space for each lot, indicate the one-car garage provided and show “bumpouts”.
- Label address in tile block to identify location.
- Show locus plan.
- Show a summary of zoning classification, requirements, and what is provided.
- Show height of units in feet and stories.
- Show total floor area and FAR (floor to area ratio).
- Show total square feet of ground area coverage.
- Show number and size of dwelling units by number of bedrooms.
- Label exterior materials.
- Show minimum yard dimensions and, where relevant, relation of yard dimensions to the height of any building or structure.
- Show driveways.
- Show dimensions and materials of driveways and parking spaces.
- Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.
- 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.

PUBLIC HEARINGS

1. **Zoning Map Amendment – Cerie Avenue.** Notice of the hearing was read by the Clerk. Chairman John Shea read a letter sent by City Councilor Phillip Palmieri opposing the petition to rezone this area. Attorney Joe Boynton made a presentation regarding this zone change petition. The Director of Planning & Regulatory Services presented the Administration’s recommendation to deny the petition because it is an extension of a business zone into a residential neighborhood. Residents Lisa Thomas and Miguel Montrose opposed the zone change as petitioned because it allowed entrance to a parking area from Cerie Avenue. 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 amend the petition by reducing the area of the petitioned zone change by moving the BG-3.0 zone line 85 feet south of Crierie Avenue and/or 25 feet off the property line according to the attached map and to recommend approval as amended.

2. **47 Fourth Street – Special Permit - Cluster (PB-06-04).** Notice of the hearing was read by the Clerk. The Site Plan was taken collectively. Charles Scott of CFS Engineering presented the plan. Ana Moroco, Maria Borca and Joseph Zwrblia were concerned about speeding and traffic in the area. Ms. Moroco was concerned about the obstruction of her view of Coes Pond. Russ Stewart of Lee Homes, applicant, said neighbors had expressed concerns relative to speeding in the area that presently takes place. Mr. Scott was advised that a note on the plan should be changed to read “open space be restricted” rather than conveyed. He was also advised that Article V, Section 3 of the Zoning Ordinance states cluster groups of single-family dwellings must be under one ownership and he needs to file an application for More than One Building on a Lot. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to March 15, 2006.
3. **47 Fourth Street (PB-06-03) – Site Plan.** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the Site Plan to March 15, 2006 at the request of the applicant.
4. **130 Goddard Memorial Drive (PB-06-02) – Site Plan.** Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 5-0 to continue the Site Plan to March 1, 2006 at the request of staff due to the need for revised plans.
5. **81 Hope Avenue (PB-06-06) – Amended Site Plan.** Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to approve the Amended Site Plan with the following conditions:
 - **Appropriate signage and re-striping shall be provided to designate the new handicap parking spaces.**
 - **Re-assign the three handicap parking spaces on the northerly side to comply with standard dimensions, by moving them one space to the left.**
 - **All conditions of prior approval remain in effect except as amended by this approval.**
 - **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.**
 - **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.**

6. **377 Mill Street (PB-06-07) – Site Plan.** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board vote 5-0 to approve the Site Plan with the following conditions:

- **The owner in the title block should match the owner listed on the plan.**
- **The zoning table on the plan should include the proposed dimensions of the building.**
- **Abutting property to the north must be labeled on the plan.**
- **Plan must show the width of Mill Street.**
- **Plan must show height of unit in feet and stories**
- **Plan must show total floor area and FAR (floor to area ratio).**
- **Exterior materials must be identified on the plan.**
- **Driveway dimensions must be shown on the plan.**
- **Six copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.**
- **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.**

7. **472 Lincoln Street (PB-06-10) – Site Plan.** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the Site Plan and Waive One Interior Landscaping Tree with the following conditions:

- **Landscaping must meet the requirements of the Zoning Ordinance and be shown on the plan.**
- **Six copies of revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**
- **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.**

OTHER BUSINESS

Reardon Street (Ridgewood Road to Cul-de-sac) – To Make Public: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to recommend a Priority 1.

Corinth Drive (Hingham Road to Reardon Street) – To make Public: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to recommend a Priority 1

Angela Rose Garden Subdivision – Bond Release: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to release \$10,000.00 for Angela Rose Lane and \$10,000.00 for Frongillo Farm Road as all work has been completed to the satisfaction of the Department of Public Works.

Ledgecrest Subdivision – Bond Release: No action was taken on this item based on a recommendation from the Department of Public Works.

Approval Not Required (ANR) Plans: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 3-0 to endorse ANR Plan #6254, 129 Kendig Street.

ADJOURNMENT

Chair John Shea adjourned the meeting at 9:00 PM.