

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

JUNE 21, 2006

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM

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

Staff Present: Michael Traynor, Law Department
Carrie Holtan, Law Department
Joel Fontane, Division of Planning & Regulatory Services
Robin Bartness, Division of Planning & Regulatory Services
Ruth Gentile, Division of Planning & Regulatory Services
Judy Stolberg, Division of Planning & Regulatory Services
K. Russell Adams, Department of Public Works
Kathleen Donovan, Department of Public Works
Jody Kennedy-Valade, Division of Code Enforcement

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 Board voted 4-0 to approve the June 7, 2006 Planning Board minutes.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **Arboretum, Phase III (PB-06-53) – Definitive Subdivision Plan:** Mark Donohue, representative for the applicant, requested a continuance. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to continue the item to August 16, 2006 and extend the constructive grant date to August 23, 2006. The Board directed the applicant to re-notify the abutters.
2. **155 Ararat Street (PB-06-58) – Parking Plan:** Gary Brackett, representative for the applicant, requested a continuance. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to continue the item to July 19, 2006 and extend the constructive grant date to July 20, 2006

3. **765 West Boylston Street (PB-06-50) – Definitive Site Plan:** Ms. Bartness informed the Board that the applicant had submitted a letter requesting a continuance until July 19, 2006. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to continue the item to July 19, 2006 and extend the constructive grant deadline until July 19, 2006.
4. **1209 Pleasant Street (PB-06-67) – Special Permit:** Ms. Bartness informed the Board that this item was on the agenda because it had been advertised and the abutters had been notified but that it was an improper item to be before the Board.

UNFINISHED BUSINESS

5. **42-44-46 Amesbury Street (PB-06-57) – Definitive Site Plan:** Donald Bray, representative for the applicant, presented the plan. City Councilor Palmieri expressed concern about snow removal and what happens if the removal does not occur. He said this project is too large for this neighborhood and expressed concern that the developer has avoided talking with neighbors. Robert Byron expressed that this is a single family neighborhood. Armand Arkin asked how this project was allowed in an RG-5 zone David Alexandrovich said that the open space area was too small. Jean Morgan asked how could a zone change be accomplished. David DiSilvestri asked if there were sufficient water and sewer to accommodate this project. Earl Person wanted to know where the construction vehicles would be parked during the construction of the project. Scott Cashman made a motion to continue the item to July 19, 2006 requesting new plans incorporating all of the items noted in the memo of Edgar Luna, dated June 15, 2006, including showing a twenty foot access lane, to meet the Department of Public Works and Fire Department requirements, a loading space, moving the dumpster and changing the gravel surface of the play area. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to continue the item to July 19, 2006.
6. **19 Hemans Street (PB-06-64) – Definitive Site Plan:** Patrick Healy and John Murdock, representatives for the applicant, presented the plan. Gail Lagoy asked if the handicap access had been moved as requested and what was the snow storage situation. Michael Valentine presented a petition on behalf of the neighborhood in opposition to the project. The petition sited the following issues: crime, safety, population density, traffic, municipal services and quality of life and was signed by 48 people from the neighborhood. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:
 - **Excess snow is to be removed from the site and 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 the Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**

- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
 - **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**
7. **96 Brantwood Road (PB-06-65) – Definitive Site Plan:** Seth Toch, representative for the applicant, presented the plan. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:
- **The plan should have a note for a 6 foot board fence on the retaining wall.**
 - **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to the Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
 - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
 - **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

NEW BUSINESS

PUBLIC HEARINGS

8. **727 Salisbury Street (PB-06-73) – Special Permit Amendment:** The Board took up the Definitive Site Plan contemporaneously. Mark Donohue, representative for the applicant, presented the Plan. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to close the hearing. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Special Permit Amendment with the following findings and conditions:
- **A full set of plans with all revisions and amendments noted on the plan to be submitted.**
 - **The 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 pedestrian.**
 - **Adequate and appropriate facilities will be provided for the proper operation of the proposed use.**

- **The applicant will also record the Special Permit of March 23, 2005 at the Worcester Registry of Deeds.**
9. **727 Salisbury Street (PB-06-72) – Definitive Site Plan Amendment:** Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to the Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
 - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
 - **Six copies of a full set of plans with all revisions and amendments must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**
10. **Totem Trail (a private way) - Removal of 150 foot portion from the Official Map:** Joe Boynton, representative for the applicant, presented the plan. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to continue the item until July 19, 2006 to allow the Department of Public Works additional time to research easement issues.

PUBLIC MEETINGS

11. **38 Lebanon Street (PB-06-68) – Definitive Site Plan:** David Sadowski, representative for the applicant, presented the plan. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to continue the Definitive Site Plan to July 19, 2006 to allow the applicant time to address the items in the memo of Ruth Gentile, dated June 21, 2006.
12. **63 North Street (PB-06-69) – Definitive Site Plan:** Jeffrey Howland, representative for the applicant, presented the plan. Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:
- **Applicant must provide authorization for the site plan application from all owners of the property.**
 - **New property line dimensions must be labeled.**
 - **Existing homes adjacent to this property must be labeled using a lighter line weight.**

- **The minimum lot size for RG-5 zone must be corrected from 3,000 feet to 2,200 feet.**
- **On the existing conditions plan, trees in excess of nine (9) inches must be shown.**
- **Show trees that will be preserved on the site plan.**
- **The front elevation of the building must be provided.**
- **The total floor area of each unit must be on the plan.**
- **Provide a six (6) foot stockade fence along the western property line.**
- **Retain the current landscaping along the eastern property line.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

13. **443 Lincoln Street (PB-06-70) – Parking Plan:** Donald O'Neil and Ken Strom, representatives for the applicant, presented the plan. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Parking Plan with the following conditions:

- **Reduce the curb cuts to driveways on Bates Avenue and Lincoln Street to sixteen feet.**
- **The dumpster must be surrounded by a solid board fence.**
- **Install "Entrance Only" signs on Lincoln Street**
- **Install "Employee Parking" signs**
- **Make the following changes to the site plan:**
 - 1) **Indicate width of the three driveways.**
 - 2) **Change note to read "Snow to be removed from site".**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

14. **Pocasset Estates (PB-06-71) – Preliminary Subdivision Plan:** Samuel DeSimone, representative for the applicants, presented the plan. Franklin and Madelyn Sheahan submitted a letter regarding their concerns about the subdivision. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Preliminary Subdivision Plan and directed the applicant to address the following before filing the Definitive Subdivision Plan:

- **The application was filed by Joseph Panarelli, who owns 109 Pocasset Ave., however, he did not sign the application.**
- **The agent who signed the application did not provide authorization from the owner.**
- **There is an additional owner, Doreen Angers, for 110 Pocasset Ave., 114 Pocasset Ave. and 159 Sachem Ave. These parcels are shown on the plan, but 114 Pocasset Ave and 159 Sachem Ave. are not listed on the application.**
- **The additional owner must also be a party to the application.**
- **According to Assessing Records, the plan also incorporates property (1 Lavin or part of Lot 6) that is not owned by the applicant.**
- **Applicant must provide an existing conditions plan showing existing property lines.**
- **Applicant must prove he has right to improve portion of Pocasset Ave. across from 16 Hilda Street.**
- **Applicant must prove he has fee ownership of the entire rights of way of Pocasset Ave.**
- **Applicant must prove he has fee ownership of the to entire rights of way of Lavin Street.**
- **Applicant must prove he has fee ownership of that portion of the rights of way of Sachem Ave shown on the plan.**
- **If the applicant is claiming fee ownership and right to use/improve private streets, the Planning Board will need adequate documentation verifying such rights.**
- **DPW is requesting that the applicant provide a list of waivers to be considered.**
- **DPW is also requesting that the applicant provide an acceptable access easement for the detention basin.**

15. **10 Fourth Street (PB-06-74) – Definitive Site Plan:** David Sadowski, representative for the applicant, requested a continuance. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to continue the item to July 19, 2006.

16. **3 Malden Street (PB-06-75) – Definitive Site Plan:** Scott Charpentier, representative for the applicant, presented the plan. Claire Marchese expressed concerns about snow plowing on Malden Terrace. Upon a motion by Anne O'Connor and seconded by

Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- **Site to keep sanitary mains out of the right of way.**
- **Label the plan “Definitive Site Plan”**
- **Label Sheet 2 “Existing Conditions Plan”**
- **On Existing Conditions Plan – Show proximity to existing structures on abutting properties**
- **Amerigo Zamarro also listed as owner must be a party to application**
- **Use a heavier line weight and solid line for property lines within site plan**
- **Label existing trees on existing conditions plan**
- **Label dimension of driveways and parking spaces**
- **Label construction material of driveways and parking spaces**
- **Label drywell on Lot 3**
- **Show where any existing trees will be saved**
- **Sanitary cleanouts must be out of the right of way**
- **The Department of Public Works would like to see a grading plan for the driveways in relation to the placement of the homes on the Definitive Subdivision 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 the Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

17. **40 Plantation Street (PB-06-76) – Definitive Site Plan:** Seth Toch, representative for the applicant, requested a continuance until July 19, 2006. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to continue the item to July 19, 2006.

OTHER BUSINESS

18. **Ledgecrest Drive – To Make Public:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 4-0 to recommend a Priority 1.

19. **Nutmeg Drive – To Make Public:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor the Board, voted 4-0 to recommend a Priority 1.

20. **Patriot's Landing Roadway – To Make Public:** Mr. Adams stated that the Department of Public Works does not consider this way a private street and that it was to remain a common driveway as a condition of each owner's deed. The Department of Public Works recommended that the way be considered the same as a private street for conversion purposes and that the Department of Public Works would have to bring it up to its current standards for public streets and assessing each owner for the betterments. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to accept the recommendation of the Department of Public Works.
21. **Bullard Avenue – To Make Public:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to recommend a Priority 1.
22. **Arline Street – To Make Public:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor the Board, voted 4-0 to recommend a Priority 1.
23. **Arctic Drive – To Make Public:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman the Board, voted 4-0 to recommend a Priority 1
24. **Everett Street Abandonment:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0, to recommend to the City Council the approval of the abandonment of Everett Street from William Street to Linden Street and retain the street area as a utility easement.
25. **Papagani Estates II Subdivision (Christine Drive) - Extend Work Completion Date:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to extend the work completion date to August 1, 2007.
26. **Good Harbor Drive - Subdivision Bond Release:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to accept the recommendation of the Department of Public Works that no action be taken.
27. **Ledgecrest Drive Bond Release:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to release the entire bond since all work has been completed to the satisfaction of the Department of Public Works.
28. **Nutmeg Drive Bond Release:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to release the entire bond since all work has been completed to the satisfaction of the Department of Public Works.
29. **Flexible Parking Overlay District (FPOD) Amendment:** Mr. Fontane informed the Board that the City is speaking with business owners within the Flexible Parking Overlay District encouraging the use of valet parking during peak business hours. He stated that this item needs to be on the City Council Calendar for the August 18, 2006 meeting and encouraged the Board to have their comments to him as soon as possible.

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR-6321:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to endorse the ANR Plan #6321, 1393 Grafton Street.
2. **ANR-6327:** Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 4-0 to endorse the ANR Plan #6327, 5 Falmouth Street.
3. **ANR-6328:** Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan #6328, 33 Rydberg Terrace.
4. **ANR-6329:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6329, 364 Belcourt/Plantation Street.
5. **ANR-6330:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6330, Upland Street.
6. **ANR-6331:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR #6331, Quinapoxet Lane/Purchase Street.
7. **ANR-6332:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to deny endorsement of the ANR Plan #6332, Sarah Drive for insufficient frontage on some of the lots.
8. **ANR-6333:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR #6333, Truro Street.
9. **ANR-6334:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR Plan #6334, Balis Avenue.
10. **ANR-6335:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR Plan #6335, Southgate Street.
11. **ANR-6336:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR Plan #6336, 2 & 2A Norwood Street.

ADJOURNMENT

Chair John Shea adjourned the meeting at 8:35 PM.