

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

**DECEMBER 20, 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  
Nicole Xifaras Parella

**Staff Present:** Joel Fontane, Division of Planning & Regulatory Services  
Ruth Gentile, Division of Planning & Regulatory Services  
Michael Traynor, Law Department  
Carrie Holtan, Law Department  
K. Russell Adams, Department of Public Works  
Jody Kennedy-Valade, Code Department

**REGULAR MEETING (5:30 PM)**

**CALL TO ORDER**

Chair Shea called the meeting to order at 5:35 PM.

**APPROVAL OF THE MINUTES**

Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to approve the December 6, 2006 Planning Board minutes.

**REQUESTS FOR WITHDRAWALS OR CONTINUANCES**

1. **41 Lancaster Street (PB-06-115) – Definitive Site Plan:** Mr. Lee, representative for the petitioner, requested Leave to Withdraw. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to grant applicant's request for leave to withdraw.
2. **555 & 559 Plantation Street (PB-06-156) – Amendment to Special Permit – CCRC & WROPD:** Jonathan Finkelstein, representative for the petitioner, requested a continuance because there were deficiencies in the plan that needed to be addressed. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to continue the Amendment to Special Permit – CCRC & WRPOD to January 17, 2007.

3. **555 & 559 Plantation Street (PB-06-155) – Amendment to Definitive Site Plan:** Jonathan Finkelstein, representative for the petitioner, requested a continuance because there were deficiencies in the plan that needed to be addressed. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to continue the Amendment to Definitive Site Plan to January 17, 2007.
4. **3 & 7 Pocasset Street/Lots 1 & 2 Ockway (PB-06-147) – Definitive Site Plan:** Kevin Quinn, representative for the applicant, requested a continuance of the Definitive Site Plan to January 17, 2007 and an extension of the constructive grant date to February 8, 2007 because there were deficiencies in the plan that needed to be addressed. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to continue the Amendment to Definitive Site Plan to January 17, 2007. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to extend the constructive grant deadline to February 8, 2007.

### **UNFINISHED BUSINESS**

5. **722 Plantation Street (PB-06-145) – Definitive Site Plan:** Kevin Quinn, representative for the applicant, presented the plan. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 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 the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**
6. **26 & 35 Portland Street (PB-06-146) – Definitive Site Plan:** Benn Sherman, representative for the applicant, presented the plan. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:
  - **Correct number of parking spaces on plan to 92, parking table says number of parking spaces is 129. Do not include any parking spaces that are not shown on the site plan (loading area spaces).**
  - **Correct number of each type of space in parking table (regular – 75 parking spaces, compact = 12 parking spaces and handicapped = 5 parking spaces.)**
  - **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 Division prior to release of the decision.**

## NEW BUSINESS

### **PUBLIC HEARINGS**

7. **101 Barry Road (PB-06-158) –Special Permit – CCRC:** Definitive Plan – More Than One Building on a Lot (PB-06-159) and Definitive Site Plan (PB-06-157) were taken up contemporaneously. Ms. O'Connor recused herself and Chair Shea submitted a disclosure of appearance of conflict of interest as required by M.G.L./c.268A sec 23 (b)(3). Patricia Gates, Phil LaCasse, Andrew Liston, Brian Bisseault, Catherine English, Jerry Meinke and Jeff Robinson, representatives for the petitioner, presented the plan. Ms. Gates stated that the Salmon family has negotiated with the Sisters of Mercy to purchase a 28 bed facility on Barry Road and that the sisters will continue to reside in the nursing home. She stated that the neighbors were concerned with buffer zones, volume of traffic and sight distance of the driveway. Ms. Gates also stated that they had met with city departments and the neighbors to discuss these concerns. Mr. Liston stated that the first plan showed a 50 foot buffer zone divided with a 25 foot no disturb zone and a 25 foot no build zone. After meeting with the neighbors, the buffer was altered to have a 25 foot no disturb zone and a 35-foot no build zone. Mr. Liston also stated that the traffic engineering study indicated that the new driveway has a 200-foot line of sight and that some of the cottages were relocated, due to the closeness of the neighbors. He stated that the site is 21.75 acres and it will maintain the existing building and add a second building with 151 apartments and cottages. Mr. Meinke stated that the 28-bed building will be retained, that the service areas, chapel and dining room will be converted, and that the project will have 151 apartments in the main building, 22 conversions in the existing building, 12 units in attached cottages and 28 detached cottages. He also stated that there will be 154 parking spaces underground, 64 surface parking spaces and 40 parking spaces in attached garages. In addition, he then stated that most of the twelve services as required by the Special Permit for CCRC are being met. The only service not being provided is adult day care. He stated that this project is designed with open space for both those living in the project and abutters and that this use will be for profit and that the previous use was non-profit. Mr. Liston stated that access will be through local streets and that the driveway is being moved to the top of the hill to provide better sight distance. He stated that West Chester Street would be a secondary access that will be used during construction and that the primary access is from Barry Road. Mr. Adams stated that the DPW has concerns with labeling and profiles and referred to the December 11, 2006 memo of Joseph Borbone. Steven Kentell stated that he was opposed to the plan and that it did not fit the character of the neighborhood. Mr. Goggins was concerned with the

lighting and asked if the change that was requested by the City was brighter or softer. Mr. Fontane stated it would be softer. Mary Pascucci was concerned as to how the no build zone would be enforced. Paul Macacio was concerned about the displacement of the earth and whether the sewers and drainage were sufficient for the project. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 (Anne O'Connor abstained) to close the hearing. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 (Anne O'Connor abstained) to approve the Special Permit with the following findings:

- **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 petitioner must provide legally enforceable assurances that the four (4) affordable units so granted will continue to be granted.**
- **The petitioner must record a restriction on the required open space.**
- **That the 5.46 acres of open space, including the 4.095 acres of natural vegetation, remain so in perpetuity except that plantings, passive recreational uses, the installation, repair and maintenance of footpaths, underground utilities, access ways, drainage structures and facilities and such other construction as may be permitted.**
- **The 60-foot buffer and 35-foot no build buffer zones are to be maintained in perpetuity.**
- **The proposed project will minimize municipal costs and environmental impacts through reduction, to the extent reasonable, in the length of streets, utilities and drainage systems per dwelling unit served.**
- **The proposed project will increase the size of contiguous area assured of preservation in a natural state and the number of off-street pathways and trails, recreation areas and wilderness area open to all residents of the CCRC.**
- **The proposed project respects and preserves all existing scenic vistas and creates new scenic vistas.**
- **The proposed project increases vehicular safety by having fewer, better located and designed egresses onto existing streets.**
- **The proposed project preserves environmental quality by reduction of the total area over which vegetation is disturbed by cut or fill or displacement; by reduction in critical lands (slopes in excess of fifteen percent (15%), land within one hundred (100) feet of a water body, wetland or stream having outstanding or rare vegetation) disturbed by construction; reduction of the extent of waterways altered or relocated; reduction in the volume of cut and fill for roads and construction sites.**

- **The proposed project's design, location and materials of the structure(s) on the site are sensitive to the natural environmental conditions, vistas and abutting properties.**
- **The proposed project provides positive benefits to the City in some important respects, such as mitigation of environmental damage, better controlled traffic, preservation of current character through location of reserved open space, meeting the shelter and/or health needs of special populations of the City and so on.**

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 (Anne O'Connor abstained) to approve the Definitive Plan – More than One Building on a Lot with the following conditions:

- **Label a Sheet in the plan set: Definitive Plan-More than One Building on a Lot.**
- **On sheet labeled Definitive Plan-More than One Building on a Lot, label the dimension of the street and sidewalks.**
- **On sheet labeled Definitive Plan-More than One Building on a Lot, provide location, names, dimensions of all adjacent public/private ways.**
- **On sheet labeled Definitive Plan-More than One Building on a Lot, label all permanent monuments.**
- **On sheet labeled Definitive Plan-More than One Building on a Lot, provide a statement that the applicant will provide, at no cost to the City, all facilities shown on the plan including but not limited to roadways, curbs, bounds, drainage systems, earthworks, except as otherwise noted.**
- **Properly executed easements to the City of Worcester in and over all lands not included within the ways which are shown on the plan to be devoted to drainage or other common use. Wherever a drainage easement is shown, there shall also be an easement to discharge and dispose of said drainage whether within or without the subdivision. A sum of money sufficient to pay recording fees shall accompany the easements.**
- **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 Division prior to release of the decision.**

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 (Anne O'Connor abstained) to approve the Definitive Site Plan with the following conditions:

- **Label Sheet C3, Definitive Site Plan.**

- **Label Cover Sheet, Definitive Site Plan, Continuing Care Retirement Community Special Permit and Definitive Plan-More than One Building on a Lot for The Willows at Worcester.**
- **On Sheet A00, there seems to be a cottage (north of the main surface parking area) that is a mirror image of what is shown on the site plan.**
- **The surface parking near the main entrance should have at least one handicap van accessible access aisle that is at least 8-feet wide or if the plan can provide that all accessible spaces are 11-feet wide with a 5-foot aisle, the 8-foot van access aisle is not required.**
- **The surface parking and underground parking combined are required to have a total of 7 handicap accessible spaces. The plan shows 8 handicap spaces, but they are all in the surface parking lot. The site plan should incorporate some handicap spaces in the underground parking garage near the elevators.**
- **Delineate all parking spaces within the cottage garages by using a dashed line.**
- **Whereas the lighting plan meets the requirements of the Zoning Ordinance by not spilling more than one foot-candle of light over onto other residential properties, it is recommended that the site utilize a high-pressure sodium light instead of the metal halide lights proposed. Metal halide lights cast a very sharp bluish-white light and are typically used for visibility in commercial developments along major thoroughfares. High-pressure sodium lights cast a softer yellow-orange light that is better suited for a development within a residential neighborhood. High-pressure sodium lights are commonly used for streetlights and are more energy efficient than the metal halide version.**
- **Proposed deciduous trees must have a minimum caliper of 3 inches.**
- **On Sheet C7, provide a label showing the total acreage of the open space, which must equal at least 25 percent of the lot. Also, show the total acreage of the 75 percent of the required open space that is to remain undisturbed. Also, label undisturbed open space on C7.**
- **Label erosion and sedimentation control devices on one of the plans in the plan set.**
- **Identify the proposed sanitary and surface mains, on the plan view, at the connection to the existing mains on West Chester Street.**
- **Provide the size and type of the existing surface pipe at the current driveway location at Barry Road Extension. The proposed 24" RCP pipe from the pond outlet structure is proposed to enter this pipe.**
- **Provide a profile for the proposed detention pond, outlet and inlet pipes.**
- **Provide a detail of headwall HW 37.**
- **Use a 6" SDR 35 PVC pipe for the sanitary connections.**
- **The proposed connection at Barry Road Extension shall be an 8" x 6" tapping sleeve and gate with an 8" x 6" reducer.**
- **The proposed connection at the water easement near the end of West Chester Street shall be a 12" x 8" tapping sleeve and gate.**
- **At station 3 + 50 off Barry Road Extension, the 8" x 8" tee shall be 3-way gated.**
- **The 4" fire protection and 2" domestic service (typical) must be better defined.**

- **Two (2) additional 8” gates shall be installed approximately half way between the 8” x 8” tees.**
- **The existing fire pipe service connection off the 12” water main shall be abandoned in accordance with City of Worcester Water Operations Standards.**
- **All materials must meet City of Worcester Water Operations Standards.**
- **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 Division prior to release of the decision.**

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 (Anne O’Connor abstained) to waive the \$5000.00 fee for the Special Permit as the applicant had already paid for a Definitive Plan – More than One Building on a Lot and a Definitive Site Plan.

## **PUBLIC MEETINGS**

11. **42-44-46 Amesbury Street (PB-06-153) – Definitive Site Plan:** Donald Bray, representative for the applicant, presented the plan. He stated that the dimensions of the parking spaces were increased and that infiltrators had been added to the site. Mr. Adams requested that the applicant provide drainage calculations for all of the storms and not just a ten year storm event. Mr. Fontane stated that the plan had discrepancies between the scaled measurements and the stated measurements on the plan. Mr. Beaupre was concerned with the fire apparatus being able to get to the site and with the size of the project for the neighborhood. Mr. Tutino was concerned with parking, noise, fumes and problems that this project could create for the nearby pond. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-1 (Scott Cashman voting against) to approve the Definitive Site Plan with the following conditions:

- **Whereas the site plan appears to meet the minimum standards of the Zoning Ordinance, there appears to be some discrepancies in some of the measurements. This could have been caused by plan reproduction. The site plan shall be held to the measurements depicted.**
- **Provide storm water calculations demonstrating flow mitigation for the 2, 10, 25 and 100-year storm events and details of the proposed infiltration system.**
- **Use a 12-inch RCP drainpipe for the manhole connection into Amesbury Street.**
- **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 Division prior to release of the decision.**

12. **1119 – 1121 Grafton Street (PB-06-146) – Definitive Site Plan:** Donald O’Neil and Kevin Quinn, representatives for the applicant, presented the plan. Mr. Quinn stated that the handicapped parking spaces would be relocated to each side of the front door and a door with a sidewalk to the parking lot would be on the north side of the building. He also stated that evergreens would be planted on the north and south sides of the property. Mr. Adams stated that the Department of Public Works requires a City of Worcester detail for catch basins and provide an-8 inch DR-18 PVC pipe for catchbasin connections. Christine Davies was concerned with privacy issues to her abutting property. Ruth Davies and Howard Schern stated that traffic was a concern. Mr. Quinn requested a continuance of the Definitive Site Plan to January 17, 2007. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Definitive Site Plan to January 17, 2007.

**APPROVAL NOT REQUIRED (ANR) PLANS:**

1. **ANR-6447:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6447, Burnside Court.
5. **ANR-6449:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6449, Reed Street.
6. **ANR-6451:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR #6451, 20 Stanton Street.
7. **ANR-6452:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6452, Myrick Avenue.
8. **ANR-6453:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR #6453 18-20 Enid Street.
9. **ANR-6454:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR #6454 Sophia Drive.

**OTHER BUSINESS**

**185 College Street Subdivision – Performance Bond:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 5-0 to set a performance bond in the amount

of \$55,000 for Ellie Way with a bond expiration date of August 1, 2007 and work completion date of June 1, 2007 and to release all lots except lot 1L from the restrictive covenant.

**Upland Estates – Bond Release:** Upon a motion by Nicole Xifaras Parella and seconded by Margaret Guzman, the Board voted 5-0 to release the bond in its entirety for Bella Lane because all the work has been completed to the satisfaction of the Department of Public Works.

**Bella Lane – Make Public:** Upon a motion by Nicole Xifaras Parella and seconded by Margaret Guzman, the Board voted 5-0 to recommend a Priority 1.

**Westview Heights Subdivision – Extend Work Completion Date:** Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 5-0 to extend the work completion date to May 1, 2007 with a bond expiration date of August 1, 2007.

### **ADJOURNMENT**

Chair Shea adjourned the meeting at 7:45 PM.