

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

FEBRUARY 21, 2007

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
Robin Bartness, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Michael Traynor, 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 5:50 PM.

APPROVAL OF THE MINUTES

The approval of the February 7, 2007 meeting minutes was held to the next meeting.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **37 & 50 Great Brook Valley Avenue (PB-07-12) – Definitive Site Plan:** Todd Rodman, representative for the applicant, requested a continuance. Upon a motion by Scott Cashman and seconded by Anne O'Connor, the Board voted 5-0 to continue the Definitive Site Plan to the March 7, 2007 meeting to allow the applicant sufficient time to make revisions requested by staff and to coordinate with the Department of Public Works regarding requested street changes.
2. **271 Mill Street (PB-06-168) – Definitive Subdivision:** Stephen O'Connell, representative for the applicant, requested a continuance. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to continue the Definitive Subdivision to the March 21, 2007 meeting to allow the applicant sufficient time to make revisions requested by staff.

3. **26 Everard Street (PB-07-17) – Definitive Site Plan:** Seth Toch, representative for the applicant, requested a continuance. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to continue the Definitive Site Plan to the March 7, 2007 meeting to allow the applicant sufficient time to make revisions requested by staff.
4. **60 Paine Street (PB-07-18) – Definitive Site Plan:** Seth Toch, representative for the applicant, requested a continuance. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Definitive Site Plan to the March 7, 2007 meeting to allow the applicant sufficient time to make revisions requested by staff.
5. **37 Washburn Street (PB-07-08) – Definitive Site Plan:** Ms. Bartness stated that the applicant was not present but had submitted a letter requesting a continuance. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Definitive Site Plan to the March 7, 2007 meeting to allow the applicant time to make revisions requested by staff.

UNFINISHED BUSINESS

6. **15 Ararat Street (PB-06-165) – Definitive Site Plan:** Stephen Madaus, representative for the applicant, presented the plan. Ms. Bold clarified that the applicant should remove the striping for parking spaces shown on the “Existing Conditions” sheet and label the area “existing paved area” instead. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:
 - **Remove striping for parking spaces from Sheet 1 of 4, the Existing Conditions plan, and label the area “existing paved area”.**
 - **Remove interior landscaping label for proposed trees along the edge of the parking lot. Interior trees are described in the Zoning Ordinance as trees that are within the parking lot, not along the edge of the parking lot.**
 - **Provide drainage calculations mitigating the post development rate of surface water runoff to the predevelopment condition.**
 - **Provide an inlet structure at the inlet of the subsurface detention system.**
 - **Use 2’ radius curb returns for the driveway opening.**
 - **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 Scott Cashman, the Board voted 5-0 to approve the waiver for interior tree landscaping requirement.

NEW BUSINESS

PUBLIC HEARINGS

- 7. Zoning Map Amendment – 9 & 11 Good Harbor Drive (RL-7 to BL-1.0)** Dennis Dean, petitioner, presented the petition. Mr. Dean informed the Board that he was seeking a zone change in order to park a commercial vehicle on his property. Mr. Fontane stated that the proposed zone change would allow a number of business uses “by right” in a residential subdivision. Mark McSherry, representative for the following abutters in opposition of the zone change: Robert Hicks, Heidi Fenton, Rita Phaneuf, Charles McDonald, Samuel Gymiah, and Bonnie Gannon, stated that the Planning Board approved the residential subdivision at Good Harbor Drive in 2003 and that neighbors had expressed concern with possible business uses in the residential subdivision. Ms. Guzman stated that the area was clearly residential. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 5-0 to close the public hearing. Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 5-0 to recommend denial of the Zoning Map Amendment.
- 8. Private Street Removal from the Official Map –Hemans Court:** Robert Longden and Hossein Haghanizadeh, representatives for the petitioner, presented the petition. Mr. Longden indicated that the applicant owns three parcels in the area and that he is seeking to remove Hemans Court in order to facilitate development of the parcels. Mr. Haghanizadeh informed the Board that the street would be difficult to open through an 81-G process because of an 18% grade on portions of the street. Mr. Cashman asked how the owner of the parcel at 7 Hemans Court would be affected. Mr. Traynor stated that the owner of 7 Hemans Court currently has a right to pass and repass on the private way and that he would not be able to receive a building permit for construction without frontage if the private way was removed. Wayne LeBlanc, representative for John Murdock, owner of property at 7 Hemans Court, presented a letter of opposition. Mr. LeBlanc stated that Mr. Murdock had purchased the property in 1994 with the intention to develop it and was officially opposed to the petition. Mr. Traynor stated that the Board could not approve the private street removal if a party of interest was in opposition. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to close the public hearing. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to deny the private street removal because there was a party in interest who opposed the removal of the street.

PUBLIC MEETINGS

9. 1108 West Boylston Street (PB-07-13) Preliminary Subdivision: Michael Snow, representative for the applicant, presented the plan. Mr. Snow stated that the barn on the property would be removed and that the northeast corner of the property is in the Water Resource Protection Overlay District. Mr. Adams stated that the Department of Public Works would recommend that the landscaped island in the middle of cul-de-sac be removed. Mr. Adams also indicated that the Department of Public Works recommends 30-foot roundings. In addition, the Department of Public Works recommends the proposed pavement width be increased to 28-feet (instead of proposed 24-feet). He also stated the Department of Public Works would recommend at least a 60-foot cul-de-sac radius. Mr. Flattery, an abutter, expressed concern with the adequacy of the sewer infrastructure in regards to the recent number of housing units built in the area. Mr. Snow informed the Board that the subdivision would create two buildable lots and two additional unbuildable lots which are proposed to become part of the right-of-way or part of Lot 2. Chair Shea stated that the Board would be amenable to the waiver of the sidewalk requirement on one side of the proposed "Road A", but not both sides. Ms. Bartness stated that the proposed subdivision could allow for the construction of two single-family, semi-detached dwellings or 4 units. Chair Shea suggested that the applicant work with the Department of Public Works prior to submitting a Definitive Subdivision Plan. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to deny the Preliminary Subdivision for the following reasons:

- **The plan did not provide a 30-foot radius rounding at the property lines of the approach of Road "A" as well as the Cul-De-Sac IX C. 6.**
- **The plan showed a Cul-De-Sac island.**
- **The plan showed a non-typical right-of-way configuration that would be a minimum of 50' wide.**
- **The plan did not show sidewalks on both sides of proposed Road A.**
- **The plan showed a pavement width only 24 feet wide.**
- **The plan showed a hammerhead turnaround.**
- **Sheets 2, 3, and 4 did not have a registered engineer's stamp and signature.**
- **Plan sheets 1 & 3 were not titled "Preliminary Subdivision".**
- **All adjacent public and private ways that are within (500) feet of the proposed subdivision (Darrow Street, Eustic Street, Livermore Street, etc.) were not labeled.**
- **Five copies of drainage calculations for the site were not provided.**
- **Vegetated swale lines were not dark enough to clarify proposed surface drainage.**
- **All locations of existing and proposed monuments were not labeled**
- **Existing conditions were shown on the proposed Preliminary Subdivision Plan when only proposed conditions should be shown.**
- **Plan did not indicate if existing barn would be removed.**
- **The plan did not provide a symbol for trees on sheet 2 of 4.**
- **Water Resource Protection Overlay District (GP-3) along with RL-7 was not labeled on the plan.**

10. **Evelyn Street (PB-07-04) – 81-G Street Opening:** Seth Toch, representative for the applicant, presented the petition. Mr. Adams stated that the 81-G plan must show drainage at both ends of the proposed roadway due to the higher elevation in the middle of the street. Mr. Adams also asked that the existing manhole be labeled on the plan as a twin invert, not a combined. He also requested that the applicant provide alignment data for the vertical curve and two catch basins at the intersection of Tatman Street. David Pope, representative for an abutting church, asked what construction was proposed in conjunction with the 81-G Street Opening. Chair Shea informed Mr. Pope that the 81-G Street Opening plans are not required to show future proposed development. Mr. Toch indicated that the applicant was interested in developing additional parcels on Victoria Avenue. Mr. Adams noted that the water line will need to be upgraded. He advised the developer to contact the Water Department. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve the 81-G Street Opening with the following conditions:

- **Label existing manhole as twin invert.**
- **Provide two catch basins at the intersection of Tatman Street.**
- **Provide vertical curve alignment data.**
- **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.**

11. **25 Tobias Boland Way (PB-07-05) – Definitive Site Plan:** Mark Donahue, Matt Smith, Jeff Wagner, and Richard Rankin, representatives for the applicant, presented the plan. Mr. Donahue stated that Dennis Dowdle, current owner of the property, was involved with the re-zoning process that took place for this area in 2004. He stated that Mr. Dowdle has proposed a development that he believes is in line with the seven goals that were established as part of the rezoning process and that he has addressed how those goals will be met in a letter to the Board, dated February 15, 2007. He also informed the Board that Mr. Dowdle and representatives for the project have met with the neighbors over a two-year period to discuss neighborhood concerns. In addition, he stated that Mr. Dowdle has attempted to address traffic concerns by purchasing and restoring a former railroad bridge to create a second egress from the site to McKeon Road. He also stated that because Phase C of the proposed project is integral to the site, the owner is opposed to the recommendation by staff, outlined in a memo from Ms. Bartness to the Board, dated February 16, 2007, recommending that the Board delay approval of Phase C to a future

date. He further stated that the owner would come before the Board through a site plan amendment process for general design review of Phase C buildings, but that the owner is requesting the Board consider Phase C as part of the current Site Plan Approval so that he may market the building sites.

Mr. Smith stated that Phase A of the development will consist of a Wal-Mart Supercenter with a standard Wal-Mart, an outdoor garden center, a supermarket, and a tire/lube automotive service. He also indicated that additional landscaping would be added along the frontage of the property. In addition, he informed the Board that the remaining phases will consist of a mix of restaurant and retail uses. He indicated that there would be "period fixture" lighting as well as many pedestrian elements, including sidewalks and crosswalks within the development to encourage walking. Chair Shea inquired as to the size of the retaining wall shown on sheet 9 of the site plan. Mr. Smith indicated that there will be four retaining walls on the site and that fences will be provided in accordance with ordinance requirements. Chair Shea also inquired if bale and storage areas would be visible. Mr. Smith indicated that all storage areas relative to the Wal-Mart and other uses in Phase A and B will be screened. Chair Shea also requested that all dumpsters be screened and that the dumpster for the proposed fast food restaurant in Phase B (Sheet 11) be labeled. Ms. Bartness stated that snow storage cannot be located in required parking spaces as stated in her memo to the Board, dated February 16, 2007. Mr. Adams stated that Water Operations comments were outlined in Andrew Murch's letter dated January 31, 2007 and that a condition of site plan approval should be that the development be in compliance with any changes Water Operations may require. In addition, Mr. Adams stated that the Department of Public Works recommends that the proposed traffic mitigation measures outlined in the submitted traffic study be a condition of approval. Ms. Guzman inquired about the practicality of requiring additional landscaping in the parking area immediately in front of the Wal-Mart. Ms. Bartness stated that staff would be amenable to removing the recommended condition that the applicant must provide additional landscaping at the front entrance of the proposed Wal-Mart.

Jeff Wagner, architect for the project, stated that since the Wal-Mart will be visible from all sides, the proposed structure incorporated various design elements, such as a variable roof line and pitched roofs, to visually break up the large scale of the building. He also stated that the loading areas and compactor will be screened with walls painted the same color as the building so as to further camouflage the area.

Ms. Xifaras Parella inquired whether any historical markers would be located on the site. Mr. Donahue stated that the Historical Museum has been invited to survey the site and to select any industrial items that may be of value for the museum's collection. In addition, Mr. Donahue stated that the petitioner had offered to provide \$20,000.00 towards creating some type of memorial to be located along the bicycle path to document the historic significance of the buildings and the site.

Mr. Rankin presented Phase B of the proposed development. Mr. Rankin stated that that the large building proposed for Phase B, like the Wal-Mart, has been designed with various

elements such as varying color scheme, awnings, and canopies to visually reduce the scale of the structure. He also stated that the tenants for Phase B are unknown at this time.

Tracy Dill and David Rushford, representatives for Preservation Worcester, stated that one aspect of Preservation Worcester's mission is to promote excellence in urban design. Ms. Dill stated that the site of the proposed development is more historically significant than the buildings themselves and that Preservation Worcester recommends that the final phase of the project for which the owner does not yet have tenants not be voted as part of the Site Plan Approval in order to allow further input into the design of those buildings and their relation to the river, the bicycle path, and the site as a whole. Ms. Dill indicated that Preservation Worcester was specifically concerned with the orientation of the buildings in relation to the bicycle path, the overall design of the building, and the visibility of the loading docks and dumpsters from the bicycle path. Chair Shea asked if a condition of approval of the Site Plan for all three phases could include a condition to construct low walls, similar to the ones proposed for the Wal-Mart, to screen all loading/dumpster areas for future buildings. Mr. Traynor stated that the Board could grant approval with the above stated condition. Mr. Cashman inquired as to exactly what the Board would be approving if the buildings have not been designed for Phase C yet. Mr. Traynor stated that the Board would be approving the square footage and location of the building pads. He also stated that any substantial changes to any approved site plan would have to obtain approval through an Amendment of the Site Plan Approval.

Dave Johnson, Jane Petrella, Susan Kiley and Jack Donahue spoke in favor of the petition. Howie Simon, an abutter, expressed concern with the proposed increase in traffic and expressed interest in the owners of the property assisting with Blackstone River clean-ups.

Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to continue the Definitive Site Plan to the March 21, 2007 meeting and to extend the constructive grant deadline to March 22, 2007 as requested by the applicant.

12. **Lot 1A, New York Street (PB-07-06) – Definitive Site Plan:** Michael Revelli, representative for M.R. Realty, presented the plan. Ms. Bartness asked that revisions be submitted on or before March 14, 2007. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Definitive Site Plan until the March 21, 2007 meeting to allow the applicant sufficient time to make revisions requested by staff.
13. **79 Standish Street (PB-07-07) – Definitive Site Plan:** William Drexel, representative for the applicant, presented the plan. Upon a motion by Scott Cashman and seconded by Anne O'Conner, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:
 - **Provide revised plans illustrating the sanitary and surface pipes (6" SDR, 35 PVC) for the proposed structure, connecting to their respective mains. The main in Standish Street is not a combined sewer pipe.**

- **Show the sanitary and surface services connecting to their respective mains, not the twin-invert manhole.**
- **Label Paul Duquette as applicant and owner in the title block.**
- **Provide proposed frontage in zoning classification summary.**
- **Provide a legend.**
- **Label construction materials and dimensions of sidewalks, if any.**
- **Label dimensions of proposed walkway.**
- **Label proposed location of erosion and sedimentation control devices.**
- **Provide deed reference on Definitive Site Plan for previously approved ANR plan, signed September 6, 2006, and clarify deed reference: Book 3355, Page: 351. Assessor's records provide additional reference Book: 39957, Page: 346.**
- **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.**

14. 766 Main Street (PB-07-10) – Amendment to Parking Plan: Michael Liu, representative for the applicant, presented the plan. Mr. Liu stated that due to budgetary restraints, the landscaping had been reduced by approximately 30 percent of the original plan and that it was unlikely additional shrubs could be planted during the first phase of landscaping. Ms. Bartness requested that the shrubs be spread out more evenly. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to approve the Amendment to Parking Plan with the following conditions:

- **Redistribute proposed street trees along Main Street at least 25 feet on center and plant an additional street tree.**
- **Label location and number of stalls of existing bicycle rack.**
- **Distribute existing shrubs more evenly to eliminate gaps in the landscape buffer.**
- **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.**

15. Lots 21-24 Sophia Drive (PB-07-11) – Definitive Site Plan: Seth Toch, representative for the applicant, presented the plan. Mr. Toch indicated that the ANR establishing the lots had been recorded on February 9, 2007 and also stated that the new deed reference for the property is Book 823, Page 66. Chair Shea inquired if the parking spaces outside the garage would be located on level ground. Mr. Adams informed the Board that no proposed grading was shown on the submitted site plan. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- **A note must be added to the plan stating that parking spaces will not have a slope differential greater than one foot from front to back (lengthwise) and will be level from side to side (widthwise).**
- **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.**

16. 2 Barnstable Road (PB-07-15) – Definitive Site Plan: Donald Bray, representative for the applicant, presented the plan. Mr. Bray stated that the site is designed for privacy and that the existing natural bank will be maintained and extended. Mr. Adams inquired if the plan proposed using rip-rap to stabilize the slope. Mr. Bray indicated that he would like to use a vegetated erosion mat. 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:

- **Property must have either a finished 1:1 slope with rip-rap or slope stabilization must be approved by the Department of Public Works.**
- **Utilize 6" SDR 35 PVC for the sanitary and surface connections.**
- **Use bold lines to delineate the proposed structure.**
- **Add Locus Plan to the site plan sheet.**

- Label dimensions of Grove Street and Barnstable Road on sheets 1, 3, 4 & 5.
- Label Grove Street and Barnstable Road as public on sheets 1, 3, 4 & 5.
- Indicate scale for elevations.
- 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.

17. **51 Pullman Street (PB-07-16) – Definitive Site Plan:** Michael Andrade, representative for the applicant, presented the plan. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Definitive Site Plan to the March 7, 2007 meeting to allow the applicant sufficient time to make revisions requested by staff.

OTHER BUSINESS

18. APPROVAL NOT REQUIRED (ANR) PLANS:

ANR-6471: Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 5-0 to deny ANR Plan #6471, Woodcliffe Street because the lots did not have adequate frontage on a passable way.

ANR-6481: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6472, Castle Street.

ANR-6486: Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR #6486, Dana Avenue.

ADJOURNMENT

Chair Shea adjourned the meeting at 9:15 PM.