

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

**AUGUST 22, 2007
WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM**

Planning Board Members Present: Scott Cashman, Vice-Chair
Anne O'Connor, Clerk
Margaret Guzman
Nicole Xifaras Parella

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Edgar Luna, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Michael Traynor, Law Department
K. Russell Adams, Department of Public Works & Parks
John Kelly, Department of Code Enforcement

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Vice-Chair Cashman called the meeting to order at 5:30 PM.

APPROVAL OF THE MINUTES

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve the August 1, 2007 minutes.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **348 Salisbury Street (PB-07-90) – Definitive Site Plan:** Todd Brodeur, representative for Vernon Street Realty Company, LLC, applicant, requested that the Definitive Site Plan be continued to September 5, 2007 to allow the applicant additional time to address comments provided by the Division of Planning and Regulatory Services. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to continue the Definitive Site Plan to September 5, 2007.

NEW BUSINESS

PUBLIC HEARING

2. **722 Plantation Street (PB-07-87) – Special Permit – Expansion or Change of a Pre-Existing, Nonconforming Use/Structure (Water Resources Protection Overlay District):** The Board reviewed agenda-item # 2 – Amendment to a Definitive Site Plan (PB-07-86) simultaneously. Kevin Quinn, representative for Poor Farm Brook Development, LLC, petitioner, presented the plan. Mr. Quinn stated that the petitioner

was seeking a Special Permit to expand a pre-existing, non conforming use/structure in a GP-2 (Ground Water Protection Zone 2) zone to rehabilitate a brown-field site in the City. He stated that the proposed rehabilitation included restoring the existing building on site, creating additional parking for office use, add landscaping and fencing, install storm-water facilities, and create a picnic area for employees. He also indicated that although the site's underground contamination occurred prior to present ownership, the proposed plan will address such contamination by installing storm-receptor catch basins that remove 98.6% of suspended solids from the stormwater before releasing it into Poor Farm Brook. He further indicated that the site is pre-existing, nonconforming because it has a total impervious surface greater than 20% in a Ground Water Protection Zone 2 (GP-2). He stated that the applicant is seeking a Special Permit from the Planning Board in order to expand the non-conformity of the site by increasing the total impervious surface from 58.6 % to 60.0 %. Mr. Quinn also stated that in order to minimize noise and traffic in the area, all truck-deliveries will take place during off-hours. In addition, he indicated that the proposed landscaping plan along Plantation Street consisted of low-growth arborvitae to facilitate visibility, and a chain-link fence at the entrance for added security. Benjamin Woodbury, an abutter, expressed concern that the proposed project did not receive approval from the Department of Environmental Protection, and requested that the final Definitive Site Plan be signed by a Licensed Site Professional (LSP), confirming that the proposed stormwater treatment system was appropriate to mitigate the existing contamination on site. Michael Traynor stated that it was not within the purview of the Planning Board to require that the final Definitive Site Plan be signed by a Licensed Site Professional (LSP). 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 for the expansion of the pre-existing, non-conforming use/structure in a GP-2 zone (Water Resources Protection Overlay District) with the following findings:

- **The proposed project will not degrade the groundwater quality at the boundaries of the premises below existing levels because it will install storm-receptor catch basins that remove 98.6% of suspended solids from the stormwater before releasing it to Poor Farm Brook.**
- **The proposed use is in harmony with the purpose and intent of the Zoning Ordinance and does not denigrate from the purposes of the Water Resources Protection Overlay District because it will install storm-receptor catch basins that remove 98.6% of suspended solids from the stormwater before releasing it to Poor Farm Brook.**
- **The proposed project will not, during construction and thereafter, have an adverse environmental impact on the Zone of Contribution (GP-2), or secondary Recharge Protection Overlay District.**
- **The proposed use will not adversely affect an existing or identified potential public water supply within the Water Resources Protection Overlay District.**
- **The specific site is an appropriate location for the proposed use.**
- **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.**
- **Earth removal or land disturbing activity will not be closer than four (4) feet above the historic high water elevation mark because based on the slope at the**

rear of the existing, developed site it is unlikely that groundwater exists in the location of the proposed stormwater facilities. Erosion and siltation controls are proposed at the low side of the proposed work.

- All fill material will be clean and free from hazardous materials, construction debris and other material whose leaching would be a potential contamination hazard to ground or surface waters as indicated on the plan under general note #19 which describes the type of fill to be used in the proposed developed.
- No hazardous material storage will occur on site.
- The site will include additional landscaped areas and a stormwater treatment system which has been attenuated up through the one- hundred (100) year storm event.

Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the requested Special Permit with the following conditions:

- All existing UST's (underground storage tanks) must be removed, pursuant to Article XII, Section 6 of the Zoning Ordinance.
- The landscaping in the 5' foot buffer along Plantation Street must include a combination of low-growth trees, high-growth trees, and shrubs.
- The landscaping in the 5' buffer along Plantation Street must include five (5) high-growth trees on the right-side of the driveway, and three (3) high-growth trees on the left-side of the driveway.
- The proposed chain-link fence at the entrance of the site must be vinyl-coated.

UNFINISHED BUSINESS

PUBLIC MEETING

3. **722 Plantation Street (PB-07-86) – Amendment to Definitive Site Plan:** The Board reviewed agenda-item # 3 -Amendment to Special Permit (PB-07-87) simultaneously. Kevin Quinn, representative for Poor Farm Brook Development, LLC, applicant, presented the plan. Mr. Quinn stated that the applicant was seeking to amend the previously approved Definitive Site Plan in order to rehabilitate a vacant brown-field site, and indicated that the rehabilitation included restoring the existing building on site, creating additional parking for office use, add landscaping and fencing, install stormwater facilities, and create a picnic area for employees. He also indicated that although the site has underground contamination, it occurred prior to present ownership, and stated that the proposed plan will address the contamination by installing storm-receptor catch basins that remove 98.6% of suspended solids from the stormwater before releasing it into Poor Farm Brook. In addition, Mr. Quinn stated that the applicant was proposing a landscaping plan that included a combination of low-growth arborvitaes and high-growth trees to facilitate visibility, as well as the installation of a vinyl-coated chain-link fence for added security. Upon a motion by Anne O'Connor and seconded by Margaret Guzman the Board voted 4-0 to approve the Definitive Site Plan Amendment with the following conditions:

- Label all exterior materials of the existing building that will remain.
- Label width of access aisles on the Definitive Site Plan.

- **Label any proposed signage on the Definitive Site Plan.**
- **The landscaping in the five (5) foot buffer along Plantation Street must include a combination of low-growth trees, high-growth trees, and shrubs.**
- **The landscaping in the 5' buffer along Plantation Street must include five (5) high-growth trees on the right-side of the driveway, and three (3) high-growth trees on the left-side of the driveway.**
- **The proposed chain-link fence at the entrance of the site must be vinyl-coated.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, 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 HEARING

4. **1511 & 1541 Main Street (PB-07-91) – Amendment to Special Permit:** The Board reviewed agenda-item #9 Amendment to Definitive Site Plan (PB-07-92) simultaneously. Patricia Gates, representative for Kettle Brook Lofts, LLC, petitioner, presented the plan. Ms. Gates stated that the applicant was seeking an Amendment to the previously amended Special Permit – Adaptive Reuse Overlay District (AROD) granted by the Planning Board on June 28, 2007, to move the location of the proposed bridge slightly over the Kettle Brook River back to its location shown in the original Special Permit granted on April 5, 2006. Ms. Gates also stated that while the proposed use and the number of permitted dwelling units would not change, the total number of parking spaces would change slightly from the previously approved 184 spaces to 182 spaces total. However, she indicated that the total number of off-street parking spaces available for residential use (178) continues to exceed the AROD requirement (164). In addition, Ms. Gates stated that the proposed conversion of the mill building into condominium use remains unchanged from the previously approved Amended Special Permit, and will continue to be in harmony with the Zoning Ordinance pursuant to the Adaptive Reuse Overlay District, as provided in the original Special Permit. She also stated that the access/egress to the site will continue to be on Main Street, and the approved landscaping plan remains unchanged. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, it was voted 4-0 by Scott Cashman, Anne O'Connor, Margaret Guzman and Nicole Xifaras Parella to approve the requested Amendment to a Special Permit under Article XV (Adaptive Re-Use Overlay District) with the following previously approved conditions and waivers:

Previously approved conditions:

- Provide final construction documents for the design of the pump station, subject to approval by the Department of Public Works.
- Upon completion of the bridge, the sewer pump station and sewer line and site improvements at the rear of the building, the exit/entrance from Meridale Road shall be gated, and shall be for emergency access only.
- During construction, the applicant shall use the McCarthy Street Bridge in Leicester for access to the site. The applicant shall not use vehicles that exceed the weight limits of the McCarthy Street Bridge during construction of the bridge, the sewer pump station, sewer line and rear parking area. The weight limits are as follows: 2 axels: 14 tons; 3 axels: 23 tons: 5 Axels: 35 tons
- Upon completion of the project bridge, the applicant agrees to use this bridge to bring in construction materials whenever possible.
- No construction vehicles shall use the McCarthy Street Bridge in Leicester during school bus hours when school is in session. School bus hours are 7:00 a.m. to 8:30 a.m. and 2:00 p.m. to 3:30 p.m.
- The undeveloped northeasterly portion of the property between the parking area, the sewer pump station and the paved loading access ramp, including the Kettle Brook, shall be designated no build areas, and to the extent possible, after construction shall be left in their natural state.

Previously approved waivers:

1. Reduction of the AROD parking requirement (1.5 space per dwelling unit) by one (1) space (based on 109 dwelling units) from 164 spaces to 163 spaces (5 additional spaces for the Land Trust are shown on plan, but do not count toward parking requirement).
2. Waive Article IV, Table 4.2, Dimensional Requirement for 25' front yard setback.
3. Waive Article IV, Table 4.2, Dimensional Requirement for 35' maximum height.
4. Waive Article IV, Table 4.2, Dimensional Requirement for lot area requirement of 7,000 square foot per dwelling unit.
5. Waive Article IV, Table 4.2, Dimensional Requirement for frontage requirement of 65 feet per dwelling unit.
6. Waive Article IV, Table 4.2, Dimensional Requirement for 20' side yard setback.
7. Waive landscaping requirements of Article V (3) (A) and Article IV, table 4.4(5) along the existing retaining wall along Main Street, all side lot lines and as they relate to off-street parking for the rear parking lot.
8. Waive 5' setback requirement of Table 4.4(5) for the front and rear parking lots.

PUBLIC MEETING

5. **1511 & 1541 Main Street (PB-07-91) – Amendment to Definitive Site Plan:** The Board reviewed agenda-item # 4 -Amendment to a Definitive Special Permit- (PB-07-91) simultaneously. Patricia Gates, representative for Kettle Brook Lofts, LLC, applicant, presented the plan. Ms. Gates stated that the applicant was seeking an Amendment to the Definitive Site Plan approved by the Board on March 15, 2006, for the rehabilitation of the existing building on site into 109 residential dwelling units with 163 parking spaces.

Ms. Gates also stated that while the proposed use and the number of permitted dwelling units would not change, the total number parking spaces would change slightly from the previously approved 184 spaces to 182 spaces total. However, she indicated that the total number of off-street parking spaces available for residential use (178) continues to exceed the AROD requirement (164). In addition, Ms. Gates stated that the proposed conversion of the mill building into condominium use remains unchanged from the previously approved Amended Special Permit, and will continue to be in harmony with the Zoning Ordinance pursuant to the Adaptive Reuse Overlay District, as provided in the original Special Permit. She also stated that the access/egress to the site will continue to be on Main Street, and the approved landscaping plan remains unchanged. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve the Amendment to Definitive Site Plan.

On March 15, 2006, and June 6, 2006, the Planning Board approved the following waivers, which still apply to the present Amendment to Definitive Site Plan:

- **Waive Article IV, Table 4.2, Dimensional Requirement for twenty-five (25) feet front yard setback.**
- **Waive Article IV, Table 4.2, Dimensional Requirement for thirty-five (35) feet maximum height.**
- **Waive Article IV, Table 4.2, Dimensional requirement for lot area requirement of 7,000 square feet per dwelling unit.**
- **Waive Article IV, Table 4.2, Dimensional Requirement for frontage requirement of sixty-five (65) feet per dwelling unit.**
- **Waive Article IV, Table 4.2, Dimensional Requirement for twenty (20) feet side yard setback.**
- **Waive Article V (3) (A) and Article IV, Table 4.4 (5) Landscaping Requirement along the existing retaining wall along Main Street, all side lot lines and as they relate to off-street parking for the rear parking lot.**
- **Waive Table 4.4(5), Five (5) feet setback requirement for the front and rear parking lots.**

The Amendment to Definitive Site Plan was approved with the following conditions:

- **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 fences, 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.**

NOTE: At the end of this agenda-item, Board member Nicole Xifaras Parella excused herself and left the meeting.

UNFINISHED BUSINESS

PUBLIC HEARING

6. **109, 110, 114 Pocasset Avenue/159 Sachem Avenue/1 Lavin Street (Pocasset Estates) (PB-07-83) – Definitive Subdivision:** Samuel DeSimone, Michael Abodeely, Jeffrey Howland and Benjamin Clark, representatives for Joseph Panarelli and Doreen Angers, applicants, presented the plan. Mr. DeSimone stated that the applicants were seeking approval for a Definitive Subdivision Plan under the requirements of the City of Worcester Subdivision Regulations for the purpose of dividing the parcels located at this address into nine (9) lots for single-family detached residential dwellings. He also indicated that the Planning Board had reviewed and approved a Preliminary Subdivision Plan on June 21, 2007, and stated that the Definitive Subdivision Plan was essentially the same as the preliminary plan approved. Mr. DeSimone further indicated that in order to develop the proposed project, the site's location and shape required the following waivers: (a) Section IX.C.3. Reserve strips prohibiting access are not permitted, (b) Section IX.C.6. Property lines at street intersections shall be rounded to provide for a radius of not less than 30 feet, (c) Section IX.E.4. At street intersections, the street grade shall not exceed 3% for a distance of 100 feet from the nearest exterior line if the intersecting street Check with Russ In addition, Mr. DeSimone stated that the petitioner had met with abutters Madelyn Sheahan and Franklin Sheahan and had reached an agreement to address their concerns. Joseph Marcasciano, an abutter, expressed concern that the applicant may construct single-family semi-detached dwellings (duplexes) later on the lots created. Mr. Fontane stated that the parcels are split zoned RS-7 (Residential, Single-Family), which does not allow duplexes, and RL-7 (Residential, Limited), which allows duplexes. Therefore, the petitioner could potentially build duplexes in the area zoned RL-7. Mr. DeSimone informed the Board that the applicant did not intend to build duplexes. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to close the hearing. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive Subdivision Plan with the following conditions:

- **Properly executed easements to the City of Worcester in all ways shown on the Definitive Plan for all purposes for which ways are commonly used in the City and 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. Said easements to be duly recorded prior to the start of construction.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, 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 and a new Mylar must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive Subdivision Plan with the following waivers:

- **Section IX.C.3. Reserve strips prohibiting access are not permitted.**
- **Section IX.C.6. Property lines at street intersections shall be rounded to provide for a radius of not less than thirty (30) feet.**
- **Section IX.E.4. At street intersections, the street grade shall not exceed 3% for a distance of one-hundred (100) feet from the nearest exterior line of the intersecting street.**
- **Section IX.B.1. Radius of curves and lengths of vertical curves should be selected to provide safe sight distances (either passing or stopping) for the design speed of the road. The design speed for arterial streets shall be forty (40) miles per hour, and for residential collector and residential streets thirty (30) miles per hour, in accordance with current Massachusetts Department of Public Works specifications.**

NEW BUSINESS

PUBLIC MEETING

7. **358 Shrewsbury Street/3 Imperial Road (PB-07-81) – Parking Plan:** Benjamin Clark, representative for Antonio Corapi, applicant, presented the plan. Mr. Clark stated that the applicant was seeking approval for a Parking Plan to construct a parking lot with twenty-one (21) parking spaces on these contiguous parcels, both of which are owned by the petitioner. Mr. Clark also indicated that the proposed project included building a strip mall consisting of five retail commercial spaces. He stated that one business would most likely be a gourmet food market and further indicated that the remaining four (4) commercial spaces would be leased out to tenants. In addition, he stated that the proposed twenty-one (21) parking spaces would serve all five (5) businesses on site. In addition, he indicated that approximately 80% of these parcels are located within the Flexible Parking Overlay District although he is not seeking relief through a Flexible Parking Overlay Special Permit. Dorothea Rinaldo, an abutter, expressed concern that the vacant parcel located adjacent to her property and the proposed project, which is also owned by the petitioner, may be used as a “cut through” to reach the proposed retail stores; therefore, she requested that the petitioner install a six (6) foot-high stockade fence on the westerly side, along the lot line between her property and the proposed parking lot to prevent people from crossing into her property as well. Ms. Guzman stated that while the request was reasonable, the fence should be limited to the lot line between Ms. Rinaldo and the proposed parking lot. Mr. Clark stated that although the proposed landscaping plan had been specifically designed to buffer the abutting properties from the proposed use, the request was acceptable. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the Parking Plan with the following conditions:

- **Provide an outlet structure for the infiltration system.**
- **Install a six (6) foot high stockade fence on the westerly side, along the lot line between the property owned by Dorothea Rinaldo and the proposed parking lot.**
- **Change Imperial Street to Imperial Road on the Parking Plan.**
- **Provide the correct address on the application and Parking Plan: 358 Shrewsbury Street and 3 Imperial Road.**
- **Provide the RG-5 zoning requirements for non-residential uses as opposed to residential uses on the Parking Plan.**
- **Label the owner of the property at 366 Shrewsbury Street: Szeto Investments, LLC, on the Parking Plan.**
- **Label the percentage of the lot to be used for the proposed building on the Parking Plan.**
- **Label the location of the proposed signs for the uses, if any.**
- **Label location and height of the proposed wrought iron fence.**
- **Label the existing tree located on the western portion of the site and indicate if it will removed or retained.**
- **Provide an eight (8) foot access aisle per CMR 521 for the van-accessible parking space.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, 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.**

8. **6 Gaylord Street (PB-07-88) – Definitive Site Plan:** David Sadowski, representative for Larry Thuot, Inc., applicant, presented the plan. Mr. Sadowski stated that the applicant was seeking approval for a Definitive Site Plan to construct one (1) single-family detached dwelling on property with 15% or more slope. Mirick Perkins, Gary Lawton Kelly Pough, and John Pough, abutters, expressed concern that the proposed project may increase the water runoff in the area. Mr. Sadowski stated that the grading of the parcel will prevent water runoff onto other properties. Mr. Adams stated that the catch basins located on site would be able to handle runoff water effectively; however, he requested that a double set of hay bales be installed during construction of the project. Mr. Lawton also expressed concern that the proposed site has a significant amount of debris and unused logs, and requested that they be removed as it negatively impacts the neighborhood. Ms. Guzman stated that the request was appropriate and should be included as a condition of approval. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive Site Plan with the following conditions:

- **Remove all debris and unused logs from site prior to commencing construction.**
- **Correct MBL number in Summary of Zoning Classification on the Definitive Site Plan.**
- **Correct the frontage requirement in the Zoning Classification, on the Definitive Site Plan.**
- **Install a double set of hay bales during construction, and add its symbol and description in Summary of Zoning Classification on the Definitive Site Plan.**
- **Label width of driveway on the Definitive Site Plan**
- **Indicate location of the garage on the Definitive Site Plan.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, 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.**

9. **8 Gaylord Street – (PB-07-89) – Definitive Site Plan:** David Sadowski, representative for Larry Thuot, Inc, applicant, presented the plan. Mr. Sadowski stated that the applicant was seeking approval for a Definitive Site Plan to construct one (1) single-family detached dwelling on property with 15% or more slope. Mirick Perkins, Gary Lawton and John Pough, abutters, expressed concern that the proposed project may increase the water runoff in the area. Mr. Sadowski stated that the grading of the parcel will prevent water runoff into other properties. Mr. Adams stated that the catch basins located on site would be able to handle runoff water effectively; however, he requested that a double set of hay bales be installed during construction of the project. Mr. Lawton also expressed concern that the proposed site has a significant amount of debris and unused logs, and requested that they be removed as it negatively impacts the neighborhood. Ms. Guzman stated that the request was appropriate and should be included as a condition of approval. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the Definitive Site Plan with the following conditions:

- **Remove all debris and unused logs from site prior to commencing construction.**
- **Correct MBL number in Summary of Zoning Classification on the Definitive Site Plan.**
- **Correct the frontage requirement in the Zoning Classification, on the Definitive Site Plan.**
- **Install a double set of hay bales during construction, and add its symbol and description in Summary of Zoning Classification on the Definitive Site Plan.**
- **Label width of driveway on the Definitive Site Plan**
- **Indicate location of the garage on the Definitive Site Plan.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction**

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- **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 fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the signed plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

10. **110, 112, 120 Gold Star Boulevard/ 33 Millbrook Street – (PB-07-94) – Extension of Time – Definitive Site Plan:** Robert Longden, representative for EJR Real Estate Trust, applicant, presented the plan. Mr. Longden stated that the applicant was seeking an Extension of Time for the previously approved Definitive Site Plan in order to complete the ongoing expansion of service facilities at the Gold Star Boulevard location. He indicated that in order to minimize the impact of construction on the ongoing business operation, the project was divided into three (3) separate phases. The first phase of the project was completed in October 2006, and consisted of adding a service facility to the Harr Dodge dealership building. The second and third phases of the project have not yet been completed, and will include the following: (a) adding a service drive to the Harr Ford building, and renovations to the Harr Ford and Harr Toyota showrooms in order to improve traffic flow and customer service; and (b), completing a service department addition to the Harr Ford building to increase its capacity to repair vehicles. In addition, Mr. Longden indicated that due to the type of business and scope of the proposed work, the second and third phases were delayed until 2008; therefore, he requested a 12 month extension of the Definitive Site Plan Approval in order to allow additional time to complete both phases. Mr. Longden also stated, in response to staff's memo regarding the required shade trees, that the applicant would plant the proposed shade trees upon completion of the second and third phases of the project in order to allow construction vehicles to access the site where the proposed shade trees will be located. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to approve the Extension of Time for 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 & Parks, 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 fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

11. **15 Putnam Lane – (PB-07-95) Extension of Time – Definitive Site Plan:** Robert Longden and Daniel Endyke, representatives for Princeton Development, LLC, applicant, presented the plan. Mr. Longden stated that the applicant was seeking a one (1) year Extension of Time to the Definitive Site Plan, in order to allow the applicant additional time to commence work on the project. Mr. Longden indicated that prior to commencing

work, the applicant hired a team of professionals to do an environmental evaluation of the parcel, and indicated results of said evaluation determined that the site's environmental contamination was more extensive than previously anticipated; therefore, the petitioner had to spend \$4,000,000 implementing a comprehensive environmental remediation plan. However, due to the size of the contaminated areas, the environmental remediation plan has not yet been completed and would require additional time to complete. In addition, Mr. Longden stated that a significant decline in the housing market and ongoing discussions with CSX regarding the railroad bridge have also affected the proposed project. Therefore, he requested the Board to approve a one (1) year extension of the Definitive Site Plan to allow the applicant additional time to complete the remediation plan and commence work on the project. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve a one (1) year Extension of Time to a Definitive Site Plan with the following conditions:

- **Submit a completed Environmental Impact Summary for the project.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

On September 24, 2003, the Planning Board approved the following waivers, which are still applicable to the Extension of Time to the Definitive Site Plan:

- **Applicant must use City of Worcester standard connection to manhole.**
- **Applicant must provide a loading area for tenants near the entrance of each building wing that can accommodate a moving van.**
- **Applicant must install a four (4) foot high fence atop the retaining wall on the Franklin Street side of the property.**
- **Applicant must install a six (6) foot high fence atop the retaining wall between the applicant's property and the railroad property.**
- **Applicant must install a storm drain system from Putnam Lane to Shrewsbury Street, subject to the Department of Public Works approval.**
- **Applicant shall construct a four-level parking garage approximately 30-35 feet in height as a buffer between the property and the abutting property at 345 Shrewsbury Street.**
- **Hallways that extend off the garage on either side must not have windows.**
- **Applicant's building will be designed to ensure that no residential unit shall have a view of the Universal Metals facility at 345 Shrewsbury Street from inside the unit.**
- **Applicant will install a STOP line on the Putnam Lane approach to the intersection of Putnam Lane and Franklin Street.**

- Applicant will install a STOP line on the Putnam Lane approach as necessary to increase visibility and retro-reflective properties of the sign panel.
- Applicant will replace the existing centerline pavement marking on all approaches to the intersection of Putnam Lane and Franklin Street and replace the existing crosswalk pavement markings across Putnam Lane.
- Applicant will trim and maintain trees and vegetation located on the corners of the intersection of Putnam Lane and Franklin Street and within the public right-of-way to increase site lines at the intersection.
- Applicant will fund the design and construction of a fully actuated traffic signal system at the intersection of Putnam Lane, at the site access roadway and the Putnam Lane approaches to the railroad overpass in conjunction with the proposed project, including all necessary intersection and roadway improvements associated with the installation, subject to approval by the Department of Public Works.
- All improvements shall be completed and accepted by the City of Worcester prior to occupancy of the development.

12. **100 Front Street – (PB-07-96) – Extension of Time – Definitive Site Plan:** Robert Longden, representative for Worcester Renaissance, LLC, Worcester Renaissance Towers, LLC, and Worcester Renaissance, C&D LLC, applicants, presented the plan. Mr. Longden stated that the applicants were seeking an Extension of Time to the Definitive Site Plan, to allow them additional time to continue their marketing campaign to secure future business tenants. In addition, Mr. Longden indicated that while the marketing efforts have not been as successful as anticipated to secure full occupancy by this time, the Registry of Deeds relocated to the site recently and is now fully operational. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to approve the Extension of Time to the Definitive Site Plan with the following conditions:

- **Item #10 of the application refers to Book 3583, it should be 35383.**
- **Item #11 of the application should be BG-6.0 (Business, General) and MUOD (Mixed Use Overlay District).**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

13. **59 Quinsigamond Avenue – (PB-07-98) – Parking Plan:** Samuel DeSimone and Jeffrey Howland, representatives for Quinsigamond Medical Realty, Inc, petitioner, presented the plan. Mr. DeSimone stated that the petitioner was seeking Parking Plan Approval to redesign and improve the existing parking lot, which will accommodate twenty-four (24) parking spaces on site, in conjunction with the proposed building addition. Mr. Howland stated that the proposed improvements included the following: (a) two (2)

handicapped parking spaces, (b) the Canton Street curb cut will be closed and a portion of the driveway to the west of the building will be removed to create two separate parking areas, thereby eliminating the current cut-through traffic between Canton Street and Ashmont Street, (c) the northern parking lot will be re-graded to improve drainage and re-surfaced with new curbing, and (e) new storage areas, screened dumpster areas, sidewalks and a landscaped buffer would make the site pedestrian-friendly. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to approve the Definitive Parking Plan with the following conditions:

- **Label setbacks on the plan.**
- **Label distances from adjacent buildings on the Parking Plan.**
- **Label location, size and arrangements of lighting.**
- **Label fences and materials, if any.**
- **Label dimensions of sidewalks on the Parking Plan.**
- **Provide two (2) more street trees and a mixture of shrubs or low plantings in the 5' landscape buffer along Quinsigamond Avenue in front of the building.**
- **Provide two more street trees and a mixture of shrubs on the easterly side of the property abutting the Frederick Sullivan property.**
- **Provide trees with a mixture of shrubs on the easterly side of the property abutting the Hien P. Vuong property.**
- **Correct the typo on note 5. Second sentence should begin "the" and not "he".**
- **On sheet 2, reference to the Zoning Ordinance should be to the most recently amended version (February 6, 2007).**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, 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. **49, 50, 63 & 72 Goldthwaite Road – Burncoat Court – (PB-07-99) – Preliminary Subdivision Plan:** Charles Scott, representative for Goldthwaite Holdings, LLC, petitioner, presented the plan. Mr. Scott stated that the petitioner was seeking approval for a Preliminary Subdivision Plan under the requirements of the City of Worcester Subdivision Regulations for the purpose of dividing a portion of four (4) contiguous parcels owned by the petitioner at this address, to create 25 single-family detached residential lots. He also indicated that although the four (4) parcels are contiguous and have a total of 26.68 acres, the proposed project only included the property located in the northerly side, which is located within the RS-7 zoning district. Mr. Scott further stated that the Worcester Conservation Commission has issued an Order of Resource Area Delineation for this site, and indicated that the wetland areas defined on the property are those agreed upon with the Worcester Conservation Commission. In addition, Mr. Scott

stated that an existing sewer line defined as the Maplewood Trunk sewer passes through the property and is located at the end of Pompano Road and traverses easterly before exiting the property. Samuel DeSimone, an abutter, stated that although he does not object to the development of the proposed subdivision, he is concerned that the proposed extension of Pompano Road may eventually be connected to Lincoln Street, and thereby become a major traffic way to reach Burncoat Street, which would negatively impact and degrade the neighborhood. He also indicated that such scenario was a strong possibility for the future given the fact that the applicant owns the remaining three (3) parcels, which eventually would be developed. In addition, Mr. DeSimone stated that the road extension as proposed, did not meet City standards, and the waivers requested were inappropriate for an eventual major thoroughfare. Ms. Guzman stated that the area labeled "Open Space" was in fact the location of a major wetland area; therefore, not usable for recreation purposes for the neighborhood. In addition, she indicated that any future Definitive Subdivision Plans should include an area that does not contain wetlands and therefore could actually be used as open space by the neighborhood. Mr. Scott stated that while the proposed open space includes a major wetland area, it also includes additional areas that could be used for recreation purposes. In addition, Mr. Scott stated that the scope of the project and topography of the site dictated the need to request the following waivers: (a) Section IX- Design Standards.C.5.b: Alignment – The minimum centerline radii of curved streets shall be as follows: Residential – 275'. The applicant is requesting a waiver to 150 feet from station 1+51.28 to station 2+96/40 to reduce the amount of wetland alteration from approximately 5,218 SF to approximately 1,902 SF. (b) Section IX- Design Standards.C.5.b: Alignment – The minimum centerline radii of curved streets shall be as follows: Residential – 275'. The applicant is requesting a waiver to 180 feet from station 2+96/40 to station 8+79.96 to reduce the amount of wetland alteration from approximately 5,218 SF to approximately 1,902 SF, (c) Section IX- Design Standard. D. Right of Way widths – The minimum width of street right of ways shall be as follows: Residential – 50': The applicant is requesting a waiver to 47.78' from station 1+51.28 to station 1+78.75, a total of 27.47' in length. This also reduces the amount of wetland alteration and provides for the greatest centerline radius of 180', (d) Section X- Required Improvements. I.1: Side Slopes – The area in back of the sidewalk shall be sloped at the rate not to exceed three (3) horizontal to one (1) vertical to a point where it precisely coincides with the finished grade of abutting lots. The applicant is requesting a waiver to two (2) horizontal to one (1) vertical from station 1+78.75 to station 3+73.04 on the right side of the proposed roadway. This would prevent any off grading outside of the property boundary. This also would limit the amount of wetland alteration and provide for the greatest centerline radius of 180', (e) Section X- Required Improvements. I.1: Side Slopes – The area in back of the sidewalk shall be sloped at the rate not to exceed three (3) horizontal to one (1) vertical to a point where it precisely coincides with the finished grade of abutting lots. The applicant is requesting a waiver to two (2) horizontal to one (1) vertical on the left side of Road B, and (f) Section IX- Design Standards.C.5.b: Alignment – All reverse curves on arterial and residential collector streets shall be separated by a tangent of at least one hundred fifty (150) feet long unless the radius of the curvature of both of the curves is in excess of two (2) times the minimum specified in Section IXC.5.b, The applicant is requesting a waiver for this design standard. The proposed roadway has been designed as a residential street, not an arterial of residential collector. Therefore, no tangent is required as specified in this design standard. Mr. Adams stated that the Department of Public Works

did not support the waivers requested, and indicated that the proposed road must include the following: (a) stopping sight distances must meet Massachusetts Highway minimum standards, and (b) the applicant must provide a five (5) foot grass strip behind the perm line throughout the perimeter of the proposed roadway. Mr. Adams stated that the Department of Public Works and Parks did not receive sufficient data to determine if the proposed roadway would be a residential collector or not, and indicated that if the applicant intends to connect the proposed road to existing roadways in the future, the appropriate trip generation data would need to be submitted for review. Kelly Forest, an abutter, expressed concern that the proposed development may negatively impact the schools system in the area. Mr. Fontane indicated that the Division of Planning and Regulatory Services notifies the School Department of all proposed Subdivisions in the City. Jennifer Perez expressed concern that the proposed development may require removing a significant portion of vegetation, which in her opinion, would negatively impact the neighborhood. Mr. DeSimone asked the petitioner to consider hosting a neighborhood meeting to address the concerns expressed by the abutters prior to submitting Definitive Subdivision plans. Mr. Scott stated that the request was reasonable and appropriate, and agreed to do so. Ms. O'Connor stated she would prefer that the proposed road end in a cul-de-sac, and not be connected to Goldthwaite Rd. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to approve the Preliminary Subdivision Plan with the following conditions:

- **Stopping sight distances in the proposed road must meet Massachusetts Highway minimum standards.**
- **The applicant must provide a five (5) foot grass strip behind the berm line throughout the perimeter of the proposed roadway.**
- **Coordinate a meeting with staff from the Department of Public Works and Parks to address the requested waivers and the layout of the proposed roads.**
- **Resolve location of Detention Basin within the Subdivision.**
- **Designate an open space area for the proposed subdivision where 50% of the open space is not located in any wetland areas.**
- **The Proposed project must comply with all Subdivision Regulations.**
- **Properly executed easements to the City of Worcester in all ways shown on the Subdivision Plan.**
- **Provide a landscaping plan showing proposed street trees and/or individual trees or wooded areas to be retained.**
- **Label all permanent monuments, street lights and street signs on the layout plan**
- **Provide locations of large trees, if any.**
- **Provide a landscaping plan showing proposed trees and/or individual trees or wooded areas to be retained.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, 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 fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR 6559:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to approve endorsement of ANR # 6559, Milton/Glennie Streets.
2. **ANR 6560:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR # 6560, Westborough Street. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to reject the submitted ANR #6560 Westborough Street unless a letter for an extension of time of constructive approval is submitted to the Division of Planning and Regulatory Services. If such a letter is submitted, the Board will consider the ANR and any additional information submitted regarding the age of the two structures on site at the September 5, 2007 meeting.
3. **ANR 6561:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to endorse ANR # 6561, Idalla/Deepdale Streets.
4. **ANR 6562:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR # 6562, Enid Street.
5. **ANR 6563:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to endorse ANR # 6563, Grafton Street.

OTHER BUSINESS

Wildwood Avenue – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Vermont Avenue – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Saint Anthony Street – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Houghton Street – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Jeremiah's Lane: – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Armory Street – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1.

Pocasset Avenue – To Make Public: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 2.

McAvey Way – To Remove from Official Map: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend approval of the petition.

Phoebe Way – Install Sewers: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Knapp Avenue – Install Sewers: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Pelican Avenue – Install Sewers: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Toronita Avenue – Install Sewers: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Luther Avenue – Install Sewers: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Myrick Avenue – Install Sewers: Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 3-0 to recommend a Priority 1, based on the recommendation of the Department of Public Works and Parks.

Jasmeen Place – Set Bond, Work Completion Date, Bond Expiration Date: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to accept the recommended bond in the amount of \$75,000 with a work completion date of June 1, 2008 and a bond expiration date of August 1, 2008, based on the recommendation the Department of Public Works and Parks.

Arboretum III Subdivision Phase 3, (Holly Terrace - Station 0+00 to 3+18.75 to include Lots 53 L & R through 60 L & R) - Bond Reduction, Work Completion & Bond Expiration: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to reduce the existing bond from \$220,000 to \$110,000.00 with a work completion date of August 1, 2008 and a bond expiration date of October 1, 2008.

Arboretum III Subdivision (Phase 2-Lilac Lane- Station 0+00 to 5+00 to include Lots 41 L & R through 52 L & R) - Bond Reduction, Work Completion & Bond Expiration: Upon a

motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 reduce the existing bond from \$300,000 to \$200,000.00 with a work completion date of August 1, 2008 and a bond expiration date of October 1, 2008.

Arboretum III Subdivision (Phase 1-(Pearlbush Path - Station 0+00 to 3+81.07 to include Lots 32L & R through 40 L & R) - Bond Reduction, Work Completion & Bond Expiration:

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 3-0 to reduce the existing bond from \$220,000 to \$125,000.00 with a work completion date of August 1, 2008 and a bond expiration date of October 1, 2008.

Fee Waiver for previously approved 47 Fourth Street Definitive Site Plan (PB-07-55A) –

Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 2-1 (Scott Cashman voting against) to grant a Definitive Site Plan fee waiver for 47 Fourth Street in the amount of \$550.00.

Pedestrian Access Discussion: Mr. Fontane requested that the discussion on the Pedestrian Access Discussion be continued to September 5, 2007 due to two (2) Board members were absent.

ADJOURNMENT

Vice-Chair Cashman adjourned the meeting at 9:15 PM.