

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

**March 5, 2008
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: Ruth Gentile, Division of Planning & Regulatory Services
Judy Stolberg, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Chris Gagne, Department of Public Works
Jody Kennedy-Valade, Department of Code Enforcement

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Shea called the meeting to order at 5:45 PM.

APPROVAL OF MINUTES

Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve the minutes of the February 20, 2008 meeting.

UNFINISHED BUSINESS

- 1. 687 Millbury Street (PB-08-01) – Amendment to Definitive Site Plan Approval:** Huy Nguyen, who is seeking to amend a previously approved site plan by modifying the parking layout and making changes to the parking lot and landscaping for a building with five apartments and five commercial retail store fronts, requested a continuance to April 2, 2008 and an extension of the deadline for constructive grant to April 3, 2008. Upon a motion by Nicole Xifaras Parella and seconded by Scott Cashman, the Board voted 5-0 to continue the Amendment to Definitive Site Plan Approval to April 2, 2008 for plan revisions and to extend the deadline for constructive grant to April 3, 2008.
- 2. 852 West Boylston Street (PB-08-02) – Parking Plan Approval:** Kevin Quinn represented the applicant who is seeking to convert the existing two-family dwelling into a restaurant use with a commercial venture on the first floor and retention of one dwelling unit on the second floor. Mr. Gagne said the restaurant use would require a grease trap. Mr. Quinn said all of the issues raised at the February 6, 2008 meeting had been addressed. Ms. Gentile concurred that all of the issues had been addressed and the plan meets the minimum requirements of the Zoning Ordinance. Upon a motion by Scott Cashman and seconded by

Anne O'Connor, the Board voted 5-0 to approve the Parking Plan Approval 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.**

NEW BUSINESS

3. Zoning Map Amendment – 6 Piedmont Street (BG-3.0 to RG-5): The petitioner, Eduardo Barone, seeks to rezone the property located at 6 Piedmont Street by pulling the existing RG-5 zone line to include the entire parcel at 6 Piedmont Street. Ms. Bold presented the report of the Planning Director, Joel Fontane, and reminded the Board that on July 18, 2007 the Board had voted to re-zone 9 & 28 Piedmont Street to the north of 6 Piedmont Street from RG-5 to BG-3.0 to encourage redevelopment of the area and permit a variety of residential, business and manufacturing uses "by right" and several other uses by Special Permit that are not allowed in the RG-5 zone. Ms. Bold indicated that the parcel at 6 Piedmont Street does not abut an RG-5 zone line and would create an RG-5 island. Mr. Fontane's recommendation to the Board was that it recommend denial of the zone change to the City Council. Chair Shea said it would be spot zoning. Ms. Guzman said the current BG-3.0 zone does not preclude the owner from using the property. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to recommend denial of the petition for the following reasons:

- **Parcel at 6 Piedmont Street does not abut an RG-5 zone line and would create an RG-5 "island".**
- **The zone change is not consistent with the Planning Board's recent zone change recommendation to extend the BG-3.0 zone to include the parcels to the north of this parcel in order to encourage the extension of the business zone and further redevelopment of the area.**

4. Zoning Map Amendment – 40 & 42 Mason Street (BG-3.0 to MG-1.0): The petitioner, William Escobar, requested Leave to Withdraw his petition. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to approve the request of the petitioner for Leave to Withdraw.

5. Westview Heights (PB-08-11) – Amendment to Definitive Subdivision Plan: Todd Ostrokolowicz, applicant, requested the sunset date and work completion dates be extended and a retroactive waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations. Darlene Price said her property at 44 Wamsutta Avenue is being damaged and devalued because of the poor drainage. Chair Shea told her that her remedy would be a civil

action and she should speak with an attorney. Mr. Gagne said DPW is working to get an Enforcement Order from the Conservation Commission relative to the drainage issue. Wyatt Wade asked what would happen if the dates were not extended. Mr. Gagne responded that the developer would be found in default and the City would take the bond to complete the road and infrastructure in the right of way. Mr. Cashman said refusing to extend the work completion and sunset dates would not be helpful to Ms. Price. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve a waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations that the subdivision be completed within three years and to approve the Amendment to Definitive Subdivision Plan to extend the sunset date for completion of all infrastructure to March 5, 2009 and the work completion date to December 1, 2008.

- 6. Katie Circle Subdivision (PB-08-12) – Definitive Subdivision Plan:** Attorney Donald O’Neil, Robert O’Neil, James Malley, and Michael Hannon, applicant, presented the plan for a 4-lot subdivision located in an RS-10 zone. Mr. O’Neil informed the Board that the subdivision would include an existing single-family detached dwelling at 5 Orrison Street, a relocated single-family detached dwelling from its current location at 11 Orrison Street to the proposed Lot 1, an unbuildable lot shown as proposed Lot 1A and a new proposed single-family detached dwelling on Lot 2. The applicant is seeking a waiver from the 30’ radius requirement street lines at intersection and a waiver from the sidewalk requirement. Ms. Bold referred to her memo dated February 29, 2008 enumerating labeling issues to be addressed. Mr. Gagne said the applicant would also need a waiver from the requirement that the street grade at intersections not exceed 3% for a minimum length of 100 feet. Mr. Gagne said DPW would be opposed to a longer vertical curve. He also indicated he would like additional time to review the drainage calculations. James Tetreault, from Thompson-Liston Engineering, presented a letter he had prepared on behalf of abutters to the project, outlining deficiencies with regard to the requirements of the Worcester Subdivision Control Regulations. Burton Chandler said he was confused by the plan and could not see the entrance/egress for Lot 2. Chair Shea said the project would have to be reviewed by the Conservation Commission to determine where the driveway could be placed. Mr. Chandler said it was the legal obligation of the developer to show the driveway to Lot 2. Richard Wolf was concerned about the house to be moved from 11 Orrison Street and thought it would most likely fall apart during the process. Carmella Murphy said she does not want a turn around. Chair Shea reminded everyone that a property owner has a right to develop his property. Mr. O’Neil said the Definitive Subdivision plan involves the construction of one house and one house only on an eight acre parcel. He indicated that there was not enough frontage for any more houses. Mr. Chandler asked the Board to get an opinion from the Law Department relative to showing the placement of the driveway for Lot 2. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the hearing to March 19, 2008 to allow DPW more time to review the drainage calculations.
- 7. Ben Drive Extension (PB-08-20) – Amendment to Definitive Subdivision Plan:** Heather and Richard Najamey, applicants, requested the sunset date and work completion dates be extended and a retroactive waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations be approved. Ms. Bold said Planning & Regulatory Services Division had requested from the Law Department some additional information relative to the

subdivision. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to March 19, 2008.

8. 1300 Grafton Street (Beverly Cove) (PB-08-21) – Amendment to Definitive Subdivision Plan: The developer requested the sunset date and work completion dates be extended and a retroactive waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to approve a waiver of the provisions of Section IV(1)(2) of the Worcester Subdivision Regulations that the subdivision be completed within three years and to approve the Amendment to Definitive Subdivision Plan to extend the sunset date for completion of all infrastructure to March 5, 2009 and the work completion date to September 1, 2008.

9. 299 Barber Avenue (PB-08-14) – Parking Plan Approval: Robert O'Neil, James Malley and Thomas Hardy presented the plan for a 34-space parking lot to accommodate a full-service climbing gym facility. Mr. Hardy provided a copy of a lease for parking spaces at Higgins Armory. Ms. Kennedy-Valade said the Code Division would have to make sure that there is enough extra parking to accommodate both Higgins Armory and the climbing gym facility. Lisa Thomas sent a letter stating that, while she is not opposed to the project, she is concerned that parking will spill over into the surrounding neighborhood. 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:

- **Label the plan “Parking Plan”.**
- **Label the use of the property.**
- **Label distances from adjacent buildings.**
- **Label percentage of lot covered by the principal buildings for what is proposed.**
- **Label location, size and arrangement of lighting or signs, if any.**
- **Provide a lighting plan.**
- **Provide signage in the parking lot that indicates the location of the remote parking lot and that no parking is allowed on the nearby residential streets.**
- **Label curbing.**
- **Label walkways and sidewalks, including dimensions and materials.**
- **Label landscaped areas along parking spaces 7, 8 & 9.**
- **Label dimensions, number and construction materials of all vehicular and pedestrian circulation elements, including entrances, curbs, curb cuts, parking spaces, sidewalks, walkways and pathways.**
- **Label methods and location of erosion and sedimentation controls, both during and after construction.**
- **Show zone line on the parking plan.**
- **Install a bike rack, if possible, for customers as well as off-street parking spaces.**
- **Utilize 8” DR18PVC pipe for the catch basin connection.**
- **Display all aspects of the stormwater management system on the 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 be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

OTHER BUSINESS

Meola Avenue – Make Public Private Portion: Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to recommend it be assigned a Priority 1 designation based on the recommendation of the Department of Public Works.

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR 6622:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR # 6622 Hazel Street.
2. **ANR 6624:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to endorse ANR #6624 Eastham Street.
3. **ANR 6626:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to endorse ANR #6626 11 Farrar Avenue.

ADJOURNMENT

Chair Shea adjourned the meeting at 7:30 PM.