

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

July 16, 2008

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM

Planning Board Members Present: Scott Cashman
Anne O'Connor
Margaret Guzman
Nicole Xifaras Parella

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Ruth Gentile, Division of Planning & Regulatory Services
Judy Stolberg, Division of Planning & Regulatory Services
Russ Adams, Department of Public Works and Parks
John Kelly, Department of Code Enforcement
Michael Traynor, Law Department
Jennifer Healey, Law Department

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Cashman called the meeting to order at 5:40 PM.

APPROVAL OF MINUTES

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve the minutes of the June 18, 2008 meeting.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **Katie Circle (PB-2008-033) – Definitive Subdivision Plan:** Attorney Donald O'Neil requested a continuance to August 20, 2008 and an extension of the deadline for constructive grant to September 4, 2008. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to extend the deadline for constructive grant to September 4, 2008 and to continue the hearing to August 20, 2008.
2. **342 Greenwood Street (PB-2008-047) – Parking Plan:** Gary Prime and Chris Lund represented the Builders Association of Central Massachusetts. Mr. Prime said the applicant is seeking parking plan approval for a 12-space parking lot in conjunction with a general office use. He explained the existing lot is being divided and the Builders Association of Central Massachusetts is constructing a new building on the new lot to house its office. He indicated that they received an Order of Conditions from the Conservation Commission and a Special Permit from the Zoning Board of Appeals for expansion or change of a pre-existing nonconforming use/structure to allow the general office use in an RG-5 zoning district. During review, staff noted that a condition of approval for the Special Permit for expansion

or change of a pre-existing nonconforming use/structure that was approved on February 8, 1999, namely that a green buffer be placed at the back of the property, had not been met. Mr. Prime said the buffer will be provided as conditioned. He also noted that the Approval Not Required Plan had been submitted and was scheduled for review and signature by the Board at this meeting. Barry Slack was concerned about lighting spill-over. Mr. Cashman said the lighting had been designed to mitigate that problem. He also was concerned about the existing fence along his property line and mentioned there was a gap in the fence. Mr. Prime said they would close the gap. However, Mr. Slack then said the fence was in poor condition and he would like it replaced. Ms. Guzman asked if the fence repair or replacement was within the purview of the Board. Mr. Traynor advised that although Lots 1 and 2 were currently held in common ownership, the parking plan approval is for Lot 2 and is not in effect until the actual division of the lots. He opined that the Builders Association of Central Massachusetts cannot be forced to make improvements on Lot 1. Mr. Adams noted that information relative to the drainage system for the proposed parking area must be provided. Ms. Gentile referred to some labeling issues enumerated in Lara Bold's memo dated July 7, 2008. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Parking Plan with the following conditions:

- **That information relative to the drainage system for the proposed parking area must be provided.**
- **That the percentage of the lot covered by the principal and accessory buildings be labeled on the plan.**
- **That the location of the proposed access easement from Greenwood Street be shown on the plan.**
- **That the location, size and arrangement of any lighting or signs, including any proposed lighting spillage onto abutting residential properties, be labeled on the plan.**
- **That the height of the existing stockade fence be shown on the plan.**
- **That the proposed enclosure materials for the dumpster be shown on the plan (6' stockade fence preferred).**
- **That existing and proposed species of trees and shrubs in a landscaping table be shown on the plan. Proposed trees must be 3" caliper minimum.**
- **That the proposed buffer (tree and shrub species) for existing parking area per Zoning Board of Appeals' condition of approval be shown on the plan.**
- **That snow is not to be stored abutting required landscape buffers to avoid damage to plantings caused by snow removal equipment and salt.**
- **That the approval date and type of Special Permit granted by the Zoning Board of Appeals be noted on the plan.**
- **That the conditions of approval of the Special Permit approved on June 23, 2008 (as they appear on the signed Zoning Board of Appeals decision) be noted on the plan.**
- **That the Book and Page number of the Approval Not Required Plan (ANR) be noted on the plan.**
- **That all utilities be shown 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 Commissioner of Inspectional Services.**
 - **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**
3. **103&105 Norfolk Street (PB-2008-048) – Extension of Time Definitive Site Plan:** Lawrence Brodeur informed the Board that the applicants were seeking an extension of time for a period two years for a previously approved site plan to develop the lots for two duplex units (4 total dwelling units) on land with 15% or more slope. He indicated that economic conditions were not conducive to housing development at this time and they preferred to wait for an upturn in the market. Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 4-0 to approve the extension of time for a period of two years to June 6, 2010.
4. **661 Main Street (PB-2008-049) – Extension of Time Definitive Site Plan:** No one from Caravan Development, LLC was present. The applicant is seeking an extension of time for a Definitive Site Plan that was approved on June 20, 2007 to construct a temporary 51-space parking lot on land with 15% or more slope. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the extension of time for a period of one year to June 20, 2009.
5. **9 May Street/3 Silver Street (PB-2008-050) – Amendment to Definitive Site Plan:** Stephen Patton, representing Worcester Common Ground, the applicant, introduced Kevin Quinn who presented the plan to move the second form of egress from the east elevation to the west elevation, move the 75’ retaining wall and sidewalk from the east elevation to the west elevation, move the gas line from the east elevation to run along the north elevation with the meters relocated under the entry bridge, move National Grid equipment with the proposed row of parking adjacent to Silver Street shifted westerly approximately 5’, add chain link fence to top of the retaining wall on the west elevation, add a sidewalk from May Street to the main entrance walkway and add some proposed grading and drain revisions in the area of Building F and Building E due to the presence of ledge. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Amendment to Definitive Site Plan with the following conditions:
- **That updated notes regarding total impervious/pervious areas be provided on the plan.**
 - **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**
6. **133 Granite Street (PB-2008-051) – Definitive Site Plan:** Ken Atchue, representative for the Guild of St. Agnes, explained the Guild is seeking to construct a school/day care facility and associated parking on a newly created lot. Kent Holfield, project engineer, explained that the access will remain from Granite Street by means of an access easement. Mr. Kelly asked if the existing buildings were going to be occupied. Mr. Atchue responded that they

are owned by Catholic Charities and he was not privy to any information regarding their use. Natalie Bird asked if there were any plans to use Houghton Street for access. Mr. Holfield pointed out that the location of the proposed building precludes any access to Houghton Street. Kathy Warner was concerned about drainage problems that currently exist, especially icing in the winter on Derby Street. Mr. Adams said conditions cannot be worse post development than they are presently. She was also worried about lighting spilling over onto residential properties on Derby Street as were Kathleen Blanchard, Kathleen Sullivan and Sarah O'Brien. Geraldine Shine stated that she would like to see the property enclosed with a fence for safety reasons. Ms. Gentile informed the Board that the lighting recommended is high pressure sodium lighting that will be shielded, directed downward and will have no more than 1-foot candle of light spillage onto abutting residential areas. Mr. Adams enumerated issues from Joseph Borbone's memo dated July 9, 2008 that required plan revisions. He also said there was an error in the drainage calculations that needed correction. Ms. Gentile also cited her memo dated July 10, 2008 that had several labeling issues to be addressed. Since some of the discussion between the Chair and the Derby Street residents was contentious, Ms. Guzman reminded those present that the applicant must meet the requirements of the Zoning Ordinance and the plan appears to address these criteria. She said she was prepared to vote now, however, Mr. Adams said he would be more comfortable reviewing a revised plan prior to a vote. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to continue the site plan approval to August 6, 2008. Chair Cashman made certain those present were aware of the time and location of the meeting and told them there would be no further notification.

7. **119 Eastern Avenue (PB-2008-052) – Definitive Site Plan:** Stephen Hart, representative for the applicant, East Side Community Development Corporation, explained they are proposing to demolish the existing three-family dwelling and construct an affordable two-family dwelling. He said they have applied to the Zoning Board of Appeals for three variances as well. Ms. Gentile said there were some labeling issues in her memo dated July 1, 2008 that needed to be addressed. Mr. Hart said those revisions have been made. Mr. Adams said utility locations, type and size needed to be added to the plan. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve the definitive site plan with the following conditions:

- **That the height of the retaining wall in the rear of the proposed structure be labeled on the plan. A fence is required if the retaining wall height is greater than 4 feet.**
- **That the width of the sidewalks be labeled on the plan.**
- **That Note 20 be removed from the plan.**
- **That utility locations, type and size need to be added to the plan.**
- **Zoning Board of Appeals relief must be noted 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 Commissioner of Inspectional Services.

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

8. **22 Catharine Street (PB-2008-053) – Definitive Site Plan:** Stephen Hart, representative for the applicant, East Side Community Development Corporation, explained they are proposing to demolish the existing rooming house structure and construct an affordable two-family dwelling. He said they have applied to the Zoning Board of Appeals for a special permit and three variances as well. Ms. Gentile said Note 20 on the plan needs to be removed. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve the definitive site plan with the following conditions:

- **Zoning Board of Appeals relief and any Historical Commission action must be noted on the plan.**
- **That Note 20 be removed from 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 Commissioner of Inspectional Services.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

OTHER BUSINESS

9. **Meeting Schedule Amendment:** Staff informed the Board that no meeting dates were changed by the amendment, just deadline dates for filing applications. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the following changes were made to the deadline dates for filing applications:

October 1, 2008 meeting deadline changed to September 4, 2008

October 15, 2008 meeting deadline changed to September 18, 2008

January 7, 2009 meeting deadline changed to November 26, 2008.

10. **Dana Avenue – To Make Public:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to recommend a Priority 1 based on the recommendation of the Department of Public Works and Parks.

11. **Dominion Road – To Make Public:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to recommend a Priority 4 based on the recommendation of the Department of Public Works and Parks.

12. **Glendale Street – To Make Public:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to recommend a Priority 3 based on the recommendation of the Department of Public Works and Parks.
13. **Lake Avenue North – Alter Street Layout:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to recommend denial of the petition because the Department of Public Works and Parks is researching other alternatives at this time.
14. **APPROVAL NOT REQUIRED (ANR) PLANS:**
 1. **AN-2008-047:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # AN-2008-047 Pocasset Street.
 2. **AN-2008-050:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # AN-2008-050 342 Greenwood Street/Arnold Road.
 3. **AN-2008-051:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to endorse ANR # AN-2008-051 Harrington Way.
 4. **AN-2008-052:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # AN-2008-052 Sears Island Drive.
 5. **AN-2008-053:** Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 4-0 to endorse ANR # AN-2008-053 Kennebec Street.
 5. **AN-2008-054:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # AN-2008-054 Cliveden Street.
 6. **AN-2008-055:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # AN-2008-055 Commonwealth Avenue.
 7. **AN-2008-056:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse ANR # AN-2008-056 Julien Avenue.
 8. **AN-2008-057:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to endorse ANR # AN-2008-057 Sophia Drive.

ADJOURNMENT

Chair Cashman adjourned the meeting at 7:30 PM.