

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

**January 13, 2010  
WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Anne O’Connor, Chair  
Scott Cashman, Vice Chair  
Stephen Rolle, Clerk  
Andrew Truman

**Staff Present:** Joel Fontane, Division of Planning & Regulatory Services  
Lara Bold, Division of Planning & Regulatory Services  
Ruth Gentile, Division of Planning & Regulatory Services  
Jody Kennedy-Valade, Department of Inspectional Services  
K. Russell Adams, Department of Public Works & Parks  
Michael Traynor, Law Department  
Jennifer Beaton, Law Department

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

**CALL TO ORDER**

Chair O’Connor called the meeting to order at 5:35 PM.

**APPROVAL OF MINUTES**

Upon a motion by Scott Cashman and seconded by Andrew Truman, the Board voted 4-0 to approve the minutes from of the December 16, 2009 Planning Board meeting.

**POSTPONEMENTS/CONTINUATIONS**

1. **845 Main Street – Definitive Site Plan (PB-2009-083)** Robert Branca, representative for JM Batista, petitioner, requested a continuance to the February 3, 2010 meeting to allow sufficient time to revise the Definitive Site Plan and to petition for a zone change for the rear portion of the lot. Upon a motion by Mr. Cashman and seconded by Mr. Rolle the Board voted 4-0 to approve the request for a continuance to February 3, 2010.
2. **222 June Street – Zoning Map Amendment (ZA-2009-007)** Brian Beaton, representative for Botany Bay Properties, LLC, petitioner, requested a continuation of the hearing to February 3, 2010 due to a scheduling conflict. Upon a motion by Mr. Truman and seconded by Mr. Cashman, the Board voted 4-0 to approve the request for a continuance to February 3, 2010.
3. **Malden Woods Subdivision – Amendment to Definitive Subdivision (PB-2009-087)** DPRS staff requested that the hearing be continued to February 3, 2010 to allow time for proper notification to

abutters. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to approve the request for a continuance to February 3, 2010.

## **UNFINISHED BUSINESS**

### **Public Meeting**

- 4. 651-667 West Boylston Street – Definitive Site Plan (PB-2009-080):** Stephen Madaus, Jeffrey Howland and Christopher Tully, representatives for Fidelis Corporation, applicant, stated that the applicant is seeking to 1) re-locate a 1,695 SF building on site closer to the front of the lot; 2) re-locate four parking spaces currently located in the front of the lot to the side; 3) add landscaping to the front and rear buffer areas of the lot; 4) increase the drive-through lane length from 175' to 196'; 5) provide an escape lane to reuse the building as a different drive through food service use; 6) relocate the bus stop with approval from the WRTA.. Mr. Madaus stated that on January 4, 2010 the Zoning Board of Appeals granted approval for the requested Special Permit for expansion or change of a pre-existing non-conforming use/structure with conditions. Mr. Howland stated, more specifically, that the Zoning Board of Appeals conditions of approval require that four (4) curb cuts in the southerly portion of the lot in front of the larger building that is currently occupied by Consumer Auto Parts be closed, landscaping be added with Asian longhorn beetle resistant plantings, that landscaping maintenance be performed every six months, that no parking be allowed in front of the southernmost building, and that entrance and exits signs be added per DPW&P's recommendation. Mr. Adams stated that DPW&P is further recommending that labels be provided for pipe sizes and the type of catch basins be labeled on the plan. Ms. Bold stated that the revised plans had been reviewed by DPRS staff and were acceptable. Mr. Madaus requested that the Planning Board consider that final revised site plans allow parking to be shown in front of the building. Mr. Traynor said that the plan cannot show parking in front of the building if another Board has placed conditions of approval contrary to that.

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions of approval:

- Six copies of revised plans are submitted reflecting the following changes:
  - Label catch basin per DPW&P with proper size and type.
  - Label pipe sizes.

#### *Standard Conditions of Approval*

- 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.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

## NEW BUSINESS

### Public Hearing

5. **1 Tiverton Parkway– Zoning Map Amendment (ZA-2009-008) Proposed Zone Change RS-7 to BL-1:** Allyn Jones, petitioner, stated that he is seeking a zoning map amendment for property at 1 Tiverton Parkway from RS-7 to BL-1 to extend the current zone line to in order to provide accessory and/or non-accessory parking for uses in the immediate area . He stated that he was under the impression that the lot was BL-1 because of information he claimed he had received in 1995 from the City Clerk’s office. Mr. Fontane indicated that staff has researched the zoning history of the parcel stated that the City’s records show the parcel has been split zoned RS-7 and BL-1 since at least 1973. He also indicated that the Board has reviewed similar requests to change from one of the City’s most restrictive residential zoning districts to business districts in recent years for property at 1097 Pleasant Street and 32-36 Mower Street and had recommended denial. He further stated that an important policy objective with respect to these proposed rezoning is to focus on the existing business nodes and to curtail strip development by extending commercial nodes into commercial strips. He acknowledged that the area is well served by the existing business node on Pleasant Street and reminded the Board that this lot is currently vacant because a house was demolished last year by the applicant. Morris Bergman said that he owns property in the area which he leases out for commercial space and that the neighborhood is predominately commercial and that, in his opinion, more parking is needed for tenants in the area given that off-street and on-street parking for these uses is limited and has recently been exacerbated by the removal of several parking meters along Chandler Street. He further stated that the additional parking proposed at 1 Tiverton Parkway would relieve congestion in the area and allow for more vacant tenant spaces to be occupied. Mr. Fontane stated that the concerns raised were valid but reiterated that the zone change is not for a specific use but a collection of uses, some of which may not be compatible long term with existing uses. Mr. Cashman questioned if there is a solution to the parking problem in the area and asked Mr. Fontane if, in his opinion, the area is already well served. Mr. Fontane reiterated that he felt the concerns were valid and stated that looking at the City as a whole, he felt that there is sufficient area for businesses and indicated that an option for some businesses that feel as if they have outgrown their location would be to relocate to areas with greater off-street parking including proximity to public parking in the immediate vicinity. He stated that the area at Tiverton Parkway is part of a compact urban commercial node. He further warned that gradual addition of commercial parcels in Tatnuck Square could cause its character to change and to resemble areas such as Grafton Street where the commercial strips extend along Grafton Street and into abutting residential neighborhoods. Heather Rocheford, an abutter, expressed concern with the future potential uses and indicated that the area has already been paved and already appears to be a parking lot. She expressed concern with the potential for other business uses to further encroach into the neighborhood. Ms. O’Connor stated that the fact that the lot was already paved led to some confusion on the Board’s part. She also stated that she agrees that the residential area is in close proximity and felt that the Board had been consistent in denying similar zone change requests in that area. Mr. Cashman stated that he respects the applicant’s issues but stated that the collection of uses allowed in the BL-1 zoning district would not be appropriate, in his opinion, for the area. Ms. O’Connor reiterated that the Board needs to consider the long term uses for the area. Mr. Fontane stated that a parking lot for a business use is not a permitted use in an RS-7 zoning district.

Upon a motion by Mr. Rolle, and seconded by Mr. Truman, the Board voted 4-0 to close the hearing.

Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted 4-0 to recommend that the City Council deny the zone change amendment for 1 Tiverton Parkway from RS-7 to BL-1 consistent with similar past considerations for zone changes in this area because the extension of the business zone would impinge on the abutting lower density neighborhood.

- 6. 102 Randolph Road – More-than-one-Building on a lot Plan (PB-2009-077):** Item # 10 Definitive Site Plan (PB-2009-078) was taken up contemporaneously. Stephen Madaus, Michael Andrade and Robert Michaud, representatives presented the plan. Mr. Madaus indicated that applicant was seeking to construct two multi-family low rise buildings with eighty units each on 15% slope or more. He indicated that the use is allowed by right in the RG-5 zoning district. He further stated that the applicant had explored various alternatives to the site and had gone before the Historical Commission and been granted a building demolition delay waiver for removal of two portions of the existing Odd Fellows Building. He stated that the applicants withdrew their original proposal for a full building demolition to explore possible re-use of the site potentially as additional residential units. He stated an alternative plan in the future would be to remove the historic structure and construct additional new residential buildings on site. Mr. Madaus stated that currently the Odd Fellows Home is vacant and does not contain any use and, therefore, off-street parking was not shown for that use as recommended in the Planning Division's memo. Mr. Traynor confirmed that since the building did not contain a particular use; off-street parking for that use does not have to be shown and can be shown in a future amendment to the Definitive Site Plan. Mr. Madaus continued that in response to the remaining issues raised by the Planning Division in their January 5<sup>th</sup> memo, that the applicant is amenable to removing all chain link fences shown in the interior of the site and to providing a sidewalk along the proposed driveway to provide access to residents to the public sidewalk on the opposite side of Randolph Road. He also stated that the owners have agreed to revise the plan to show an emergency access only onto Wildey Avenue with no improvements to Wildey Avenue.

Mr. Adams stated that DPW&P's comments with respect to traffic had been addressed with Mr. Madaus's presentation indicating that the existing building on site, the Odd Fellows Home, is not currently planned to be used; but indicated that any future modifications to that use would require a revised traffic study accounting for additional units.

Mr. Fontane indicated that the comments from his division address planning considerations and concerns. He indicated that while he understands market realities and the need for potentially phasing plans, that the proposed multi-family development does not demonstrate thoughtful integration of proposed and future uses. He further stated that off-street parking, building orientation, recommendations for traffic circulation and open space needs and locations may change depending on whether or not the historic building on site is re-used or demolished and new buildings and parking constructed. Mr. Fontane indicated that the proposed density is reasonable for the area and the proposed buildings are an attractive design, but he reiterated that site plan review considers integration of existing and proposed buildings and site features and that without knowing future phases of the site, it is difficult to adequately review the plans. He offered that having the Board review a phased plan would be ideal and indicated that DPRS staff had only briefly seen a potential plan for the remaining land on site and had concerns with the location of surface parking and provision of usable open space. He reminded the Board that they have been consistent with requiring 40-60 SF of usable open space for other multi-family developments such as the reuse of St. Vincent hospital plan and the proposed high rise at Hemans Street. Mr. Fontane offered as another alternative briefly discussed with the applicant regarding the possibility of requesting a Special

Permit to reduce the number of required parking spaces given the nature of the units and indicated that this had been supported in other multi-family developments and would be a reasonable request that would likely allow for additional usable open space and preservation of more of the historic sloping lawn in front of the Odd Fellows Home. He specifically referred to the twelve parking spaces fairly detached from the proposed buildings along Randolph Road that with a thoughtful review of the whole site could be supported to be eliminated. Ms. Bold indicated that #8 in the site plan review criteria specifically mentioned adequacy of usable open space and reiterated that the open space is not located within close proximity to the proposed residences, is sloped and would require residents to cross a parking lot and curbing to access it. She also raised that staff did not believe that site plan standards for review # 4 (location, arrangement and general site compatibility of buildings...) or #14 (conformance and compatibility of the site plan design with structures listed in the most recent state register of historic places) had adequately addressed by the current plan. Mr. Madaus indicated that his client is open to the consideration with future phases in pursuing a Special Permit for relief for parking going forward but indicated that there is no known use for the historic structure at this time. Chair O'Connor asked if all the parking on site was required and Mr. Madaus indicated that it was required (2 per unit). Chair O'Connor indicated that the parking along Randolph Road was something that had caught her attention.

Alison Hale asked how emergency access would be maintained at Wildey Ave. Mr. Madaus indicated that there would be a mechanical barrier that could be opened by the Fire Department through a code or key.

He further stated that since Mr. Madaus had clarified that the Odd Fellows Building was vacant that it would not be necessary to submit revised traffic plans at this time; only when an amendment (future) was submitted. Ms. Hale asked where visitors would park. Chair O'Connor stated that parking may occur along their driveway and stated that it was her understanding that the parking met zoning requirements. Ed Dziejewien echoed concerns about traffic not being on Wildey if it was not brought up to City standards and asked about the proposed location of the sewer line. Mr. Andrade stated that all sewage would enter and exit the system through Randolph Rd and not through Fraternal Ave. He also asked whether the housing would be low or moderate income. Mr. Cashman stated that it was not within the purview of the Board. Steve Oliver asked if there could be a condition that no heavy equipment be placed on Wildey Ave. Mr. Andrade stated that given the condition of Wildey Ave. the construction entrance would remain as shown on the plan off of Randolph Road.

Mr. Truman asked what kind of detention system was planned. Mr. Andrade stated that it was an underground system. Mr. Adams clarified that it had been reviewed and approved by the Conservation Commission.

Mr. Cashman asked for clarification from Mr. Fontane regarding what actions the Board could take because the applicant has not brought before them a phased plan. Chair O'Connor asked Mr. Madaus whether or not the concept plans were available. Mr. Madaus stated that the concept plans demonstrated that surface parking would be available but that it is mere speculation at this point. Ms. Kennedy Valade clarified that no occupancy permit would be issued for uses that were not approved by this Board. Mr. Traynor stated in response to Mr. Cashman's question that staff has received assurance that there is space for parking for 40 units and that site plan for an allowed use; this is a prerequisite for the building permit and a building permit could not be held up and not

delayed. He further stated that there will be opportunity to look at this site again through any future amendments.

Mr. Rolle asked what the Historic Commission decision was. Mr. Fontane indicated that the Historic Commission had granted a waiver of an automatic one year delay for building demolition for two portions of the building which is their purview. He clarified that the applicant could come back to ask for demolition of the Odd Fellow's Home at a future point.

Mr. Fontane reiterated that the open space is being shown on what the concept plan shows in the future as surface parking and that, therefore, one of the concerns with a future amendment is that the site will already be constructed and the applicants will return with a plan that will have very little opportunity for shared open space that makes sense for all three buildings. He stated that the landscaping will be well done.

Chair O'Connor indicated that the applicant could seek relief for future off-street parking that would allow some additional space for open space in a future phase. Mr. Fontane indicated that the reviewing board would be the Zoning Board of Appeals and reiterated the desire for a holistic site planning process.

Mr. Cashman asked where Dodge Park was and Mr. Fontane stated that it is across the street; there is a gazebo with a small lawn area and the rest is wooded. Mr. Rolle commended the applicant for attempting to save the iconic Odd Fellows Home but indicated that he was sympathetic to Mr. Fontane's comments and echoed that he felt improvements could be made to have the two sites interact with each other.

Mr. Fontane also stated that one goal for site plan review is to save the historic structure and allow for its re-use and stated that without seeing layout including that side; it is difficult to see if the current site plan ostensibly reduces development opportunities or the building and that is part of the intent of staff's memo.

Mr. Madaus said many layouts were considered and that this is in compliance with zoning.

Mr. Dziewieten requested that the open sloping area to Randolph Road remain because it is an attractive feature of the neighborhood.

Mr. Truman asked if there were improvements to the proposed architecture that could be considered. Mr. O'Hara stated that brick was looked at but was determined to not be financially feasible. Mr. Truman also asked if the parking could be placed underneath the building. Mr. O'Hara stated that the alternative was also looked at but with the price of steel would be unfeasible.

Ms. Hart expressed concern with the character of the neighborhood if the lawn was removed and hoped to preserve the building.

Mr. Fontane asked through the Chair to the Law Department if the deed restriction staff had found with respect to open space was something that should be looked at. He also reminded the Board that one site plan review trigger is whether or not the property is or abuts a Nationally Registered Historic property; which the Odd Fellows Home is. Mr. Fontane reiterated that part of the historic attributes on site is the large sloping lawn to Randolph Road, a feature that will be reduced by this

plan and perhaps entirely taken up by off-street surface parking in future phases. Mr. Traynor stated that zoning does not have anything to do with deed restrictions and stated whomever has the benefit of the deed restriction could seek enforcement through the courts and there is question of whether it is valid; it is beyond the City's purview.

Chair O'Connor asked if Mr. Madaus was interested in continuing and Mr. Madaus indicated he would not but would look forward to meeting with staff for future phases. Mr. Cashman asked about the open space understanding that it is a policy of the Board. Ms. Bold reiterated that open space for multi-family is a standard for review for site plans and stated that she estimates the slope for the small space is in excess of 15% and would not likely be used by residents for active or passive recreation. Mr. Cashman stated that he thought it was adequate and Ms. O'Connor agreed that it would be the best spot give the site.

Mr. Rolle asked what happens to the existing drive in the open space. Mr. Andrade stated that part of the existing historic drive would be removed and grassed and would not access to the front of the historic building.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to close the hearing for the More-than-one-Building on a Lot Plan.

Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted 4-0 to approve the More than One Building on a Lot Plan.

Mr. Rolle stated for the record that he has a concern with all the traffic for the site and future phases entering and exiting through one driveway and clarified that he did not think Wildey Ave was an appropriate alternative. He indicated that he felt it would be substantial traffic for one drive. Mr. Traynor stated that the Board had effectively approved the driveway in the More than One Building on a Lot consideration.

Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted (3-1) (Mr. Rolle voting no) to approve the Definitive Site Plan with the following conditions of approval:

- Six copies of full plan set be submitted reflecting the following changes:
  - Only emergency access to Wildey Avenue and that there be a gate with a mechanical restraint.
  - Provide a 12" pipe.
  - Provide standard City of Worcester details for catchbasin.
  - No chain link fence on site.
  - No construction equipment allowed on Wildey Avenue during construction.
  - No paving on Wildey Avenue and that said note be removed from the plan.
  - All plantings must be Asian longhorn beetle resistant.

*Standard Conditions of Approval*

- 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.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

## Public Meeting

7. **Quaboag Street Subdivision- Amendment Plan (PB-2009-076):** Hossein Haghanizadeh the applicant, and Crystal Carr, representative stated that the applicant is seeking two amendments to the subdivision: an amendment to increase the number of lots from two (2) to three (3) and an amendment to extend the sunset date of the subdivision. Mr. Haghanizadeh addressed some of the comments in staff's memo: first clarifying that the resurveying of the lot which now includes the roadway accounts for the discrepancy between the area of the two plans. He also said that there is an existing 10 foot sewer easement and that this plan does not create an easement; therefore he requested clarification from DPW that a 20' easement width was not necessary. Mr. Adams confirmed that the existing 10' recorded sewer easement was sufficient. Mr. Haghanizadeh further stated that in response to staff's memo regarding landscaping, a revised plan will be submitted to DPRS showing updated landscaping with Asian long horn beetle resistant plantings. He further requested an amendment to the subdivision and waiver of subdivision provisions to allow the establishment of a new sunset date of January 13, 2013 to allow sufficient time to complete all work. Mr. Adams agreed that DPW&P is recommending three years from today as the sunset date as no work has begun. Mr. Fontane clarified that the City's policy is if a sunset date passes and there have been no substantial changes to the subdivision regulations or City policy then staff's recommendation is to extend the sunset date for an additional three to five years depending on the number of lots. He further informed the Board that if subdivision regulations, policies or substantial changes in the neighborhood have occurred that warrant a further review, then staff would recommend first that certain aspects or the whole subdivision be reviewed anew. Ms. Bold asked through the Chair to the Law Department if the Board should also consider a work completion date extension. Ms. Beaton indicated that since there is no covenant or security in place no work completion date has been officially set. She further indicated that she would begin work on the covenant following an approval of the requested amendment. Mr. Truman questioned if the Board could approve a subdivision plan with an unbuildable lot in a flood zone. Mr. Haghanizadeh clarified that the lot and any structures on it would comply with the City's building code and floodplain regulations.

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to close the hearing.

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to approve a waiver of City of Worcester Subdivision Regulations Section VI (I)(2) with respect to sunset date and to approve the Amendment to Definitive Subdivision to extend the sunset date to January 13, 2013 with the following conditions.

- *Six copies of revised plans are submitted with the following changes:*
  - Correct the note on the Title Page to say that lot 3C, and not 3B, is located within the floodplain overlay district.

- Substitute the previously shown six maple trees with six new trees of at least two different species resistant to Asian longhorn beetle.

And with the following Standard Conditions of Approval

- If applicable, 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 with the approved plan.

- 8. Papagni Estates II– Amendment to Definitive Subdivision (PB-2009-084):** Jeff Angers, representative, stated that the work on this subdivision is complete and has been approved by DPW&P. He stated that the applicant is seeking retroactive approval of the Amendment to Definitive Subdivision to extend the sunset date which has technically passed for this subdivision. Mr. Adams stated that the extension of sunset date must be approved in order for the City to release the bond and confirmed that DPW&P has approved all of the work and is recommending extension of the sunset date for one year. Mr. Traynor indicated that the vote of the Board to approve the Amendment to Definitive Subdivision will effectively cure the rescission which is important for future due diligence.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to close the hearing.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to approve the amendment to definitive subdivision and approve a waiver of City of Worcester Subdivision Regulations Section VI (I)(2) with respect to sunset date and extend it to January 13, 2011.

- 9. Carriage House Lane - Amendment to Definitive Subdivision (PB-2009-0):** Jeff Angers, representative for the applicant, stated that the applicant is requesting an extension of the sunset date to January 13, 2013. Mr. Adams stated that the work is only half complete and DPW&P is recommending three years for completion.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to close the hearing. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the amendment to definitive subdivision and approve a waiver of City of Worcester Subdivision Regulations Section VI (I)(2) with respect to sunset date and extend it to January 13, 2013.

- 10. Meadowbrook Subdivision – Amendment to Definitive Subdivision (PB-2009-081):** Jonathan Finkelstein, the applicant, is requesting an extension of the sunset date to January 13, 2013 as work has not begun on the subdivision. Mr. Adams stated that the DPW&P was recommending three years for the completion.

Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to close the hearing.

Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted 4-0 to approve the amendment to definitive subdivision and approve a waiver of City of Worcester Subdivision Regulations Section VI (I)(2) with respect to sunset date and extend it to January 13, 2013.

## **OTHER BUSINESS**

- 11. Papagni Estates Subdivision:** Mr. Adams stated that per Mr. Campbell's January 12, 2010 request, DPW&P is recommending a bond release for the remaining bond amount: \$30,000 because all work has been completed. Upon a motion by Mr. Truman and seconded by Mr. Cashman, the Board voted 4-0 for a full release of the remaining \$30,000 bond.
- 12. Carriage House Lane Subdivision:** Per DPW&P's recommendation and upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to extend work completion date to September 1, 2010.
- 13. Walmart Way: Alteration of the Official Map – Accept Layout of a Public Way –** Mr. Adams indicated that on behalf of Dennis Dowdle and Madison Worcester Holdings, LLC, Councilor Clancy had filed a petition to alter the official map to accept the layout of a public way named Walmart Way. He stated that the role of the Planning Board is to make a recommendation to City Council regarding the petition to alter the official map and accept the layout of the public way. Mr. Donahue indicated that renaming a portion of street Walmart Way will allow signage on Route 146 since Mass Highway Division does not allow signage for private entities but only directional signage related to public ways. Mr. Donahue stated that in his client's opinion, accepting Walmart Way as a public street will allow for directional signage at key driving decisions and will help avoid traffic being directed onto local streets. Mr. Fontane apologized on behalf of staff that the petition was not in the Board members' packets and indicated that staff did have the file showing the proposed alteration. Ms. Beaton clarified that the Board has the authority to make a recommendation pursuant to Massachusetts General Law Chapter 41, Section 81G. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 4-0 to recommend that the City Council accept the layout of Walmart Way, a public way and to alter the official map accordingly.
- 14. Zoar Street – To Make Public.** Ms. Bold stated that staff has a memo from DPW, dated December 18, 2009 recommending to make Zoar Street a public street and further recommending a Priority Level 2. Upon a motion by Mr. Truman and seconded by Mr. Cashman, the Board voted 4-0 to accept DPW's recommendation to make Zoar Street public and to recommend a Priority Level 2.
- 15. Meadowbrook Subdivision – Endorsement of Amended Subdivision Plan** Ms. Bold indicated that the Board had voted to approve an amendment to Meadowbrook Subdivision in December 2008 and that final revised plans had been submitted which met the Board's conditions of approval including recommended changes from DPW. The Planning Board endorsed the final revised Amendment to Definitive Subdivision Plans.
- 16. ANR Plans:**
  - **AN-2009-077, East Mountain Street:** Upon a motion by Andrew Truman and seconded by Steven Rolle, the Board voted 4-0 to endorse ANR Plan AN-2009-077.
  - **AN-2010-001, Mill Street:** Upon a motion by Scott Cashman and seconded by Steven Rolle, the Board voted 4-0 to endorse ANR Plan AN-2010-001.

- **AN-2010-002, Denmark Street:** Upon a motion by Steven Rolle and seconded by Andrew Truman, the Board voted 4-0 to endorse ANR Plan AN-2010-002.
- **AN-2010-003, Angelo Street:** Upon a motion by Scott Cashman and seconded by Steven Rolle, the Board voted 4-0 to endorse ANR Plan AN-2010-003.

**ADJOURNMENT:**

Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted to adjourn the meeting at 7:45pm.