

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

**March 23, 2011**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Anne O’Connor, Chair  
Stephen Rolle, Clerk  
Satya Mitra  
Andrew Truman

**Staff Present:** Joel Fontane, Planning & Regulatory Services  
Luba Zhaurova, Planning & Regulatory Services  
Kathleen Donovan, Inspectional Services  
Russ K. Adams, Public Works & Parks  
Michael Traynor, Law Department  
Jennifer Beaton, Law Department  
Chief Edward Thomas, Fire Department

**BOARD SITE VISITS**

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

**CALL TO ORDER**

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

**APPROVAL OF THE MINUTES**

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to approve December 15, 2010, January 5, 2011, January 26, 2011 & February 16, 2011 minutes.

**NEW BUSINESS**

**Public Meeting**

**Chair O’Connor recused herself. Mr. Truman assumed the Chair.**

- 1. 100 Wall Street – Definitive Site Plan Extension of Time (PB-2011-006):** Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 3-0 (Ms. O’Connor recused herself) to approved the Definitive Site Plan Extension of Time.

Exhibit A: Definitive Site Plan Extension of Time Application, received February 4, 201, prepared by Kitner Construction, Inc.

Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding 100 Wall Street dated March18, 2011.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 100 Wall Street; dated March 16, 2011.

## Public Hearing

2. **2-32 Camelot Drive – Amendment to More Than One Building On The Lot Plan (PB-2011-004):** James P. Tetrault, James Tetreault of Thompson-Liston Associates, Inc., representative for Moreland Hill Condominium Association, stated that the petitioner is seeking to resurface and slight regrade a driveway and parking area serving numbers 2-32 Camelot Drive. He stated that some catchbasins will be added, but no changes to the buildings are proposed. Mr. Rolle asked if any trees are proposed to be removed. Mr. Tetreault stated that possibly trees in the north-western corner of the project might be removed.

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

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the requested approve an Amendment to Definitive Plan – More than One Building on a Lot with the following condition:

- If any trees are removed as a result of the proposed drainage improvements, they are replaced one-for-one with native deciduous tree species that are Asian Longhorned Beetle resistant;

The Board also approved the petitioner’s request for a waiver of the More Than One Building on the Lot application requirements.

Exhibit A: Amendment to Definitive Plan – More Than One Building on a Lot Application; received January 28, 2011; prepared by James Tetreault on behalf of Moreland Hill Condominium Association.

Exhibit B: Amendment to Definitive Plan – More Than One Building on a Lot Plan; dated October 5, 2010, received January 28, 2011; prepared by James Tetreault of Thompson-Liston Associates, Inc.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 2-32 Camelot Drive - Definitive Plan-More than One Building on a Lot (PB-2011-004); dated March 7, 2011.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 2-32 Camelot Drive - Definitive Plan-More than One Building on a Lot (PB-2011-004); dated March 16, 2011.

3. **1 Fielding Street – Definitive (Frontage) Subdivision Plan (PB-2011-010):** Crystal Carr of HS&T Group Inc., representative for Anthony Corso, petitioner, stated that the petitioner is seeking to subdivide the lot into 2 lots, and that on January 10, 2011, the Zoning Board of Appeals approved a Variance for relief of 5 feet from the frontage requirement for the lot (to be created after subdividing the 1 Fielding Street parcel into 2) along Apricot Street.

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

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve a Definitive “Frontage” Subdivision Plan for a 2-lot Definitive Subdivision, with the following conditions:

- Remove” Approval Under the Subdivision Control Law is Not Required” box from the plan;
- Provide one copy of the Definitive Subdivision Plan drawn on mylar to the Division of Planning & Regulatory Services.

The Board also voted 5-0 to waive the following requirements of the City of Worcester Subdivision Regulations:

- The minimum frontage requirements for each lot otherwise mandated by the Worcester Zoning Ordinance.
- Sections IX and X of the Subdivision Regulations because no new street is being constructed and no improvements to the existing way is required.

Exhibit A: Definitive “Frontage” Subdivision Plan Application; received February 16, 2011; prepared by Anthony Corso.

Exhibit B: Definitive “Frontage” Subdivision Plan; dated February 14, 2011; prepared by HS&T Group, Inc.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 1 Fielding Street (MBL 15-014-00007); dated March 7, 2011.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 1 Fielding Street; dated March 16, 2011.

## Public Meeting

- 4. 1119-1121 Grafton Street – Amendment to Definitive Site Plan (PB-2011-003):** Kevin Quinn of Quinn Engineering, representative for LGN, LLC, stated that the applicant is seeking to amend a previously approved Definitive Site Plan by constructing a drive-through for fast food service, modifying the parking area layout and location, landscaping, and amending the footprint of the previously approved structure. Part of the amendment is to remove encroachment onto the abutting property at 1117 Grafton Street (of Mr. Casella) and moving the building forward 5 feet (the building was already constructed). He stated that the applicant was in front of the Conservation Commission in January due to encroachment into wetland setbacks, and that the Commission informally agreed to the proposed amended plan. He stated that the proposed restaurant would have 22 seats, and the proposed coffee shop – none. He stated that the applicant might seek more off-site parking in the future in order to increase seating. Chair O’Connor asked why the site was constructed not to plan. Mr. Quinn stated that he was not sure, and that there was possibly an error with site layout. Mr. Adams stated that the applicant addressed DPW&P comment in its memo in the most recent revised plans. Ms. Donovan stated that signs cannot be located closer than 5 feet to the property lines.

Mr. Fontane stated that the memo was not revised based on the revised plans which were submitted the day before. He read out staff’s comments from the DPRS memo dated March 22, 2011 (Exhibit C). He stated that with respect to the applicant’s removing 2 street trees from the public right of way, staff recommends the applicant consults with City’s Forester regarding removal of two street trees

shown in initial plans for the site. Ms. Beaton stated that there is a statutory process to follow when removing public trees.

Mr. Truman asked if as a result of moving the building, the drainage on site was 'upsized' to accommodate the increased in impervious surface. Mr. Adams stated that he has not seen the calculations yet, but that this issue will be addressed by the Conservation Commission. Chair O'Connor stated that if Conservation Commission will require a change to layout, the applicant would need to come back for an additional amendment. Mr. Quinn chose to proceed.

Mr. Rolle was concerned with people accessing the parking spaces in the rear of the building since no escape lane was provided. Mr. Quinn stated those parking spaces will be reserved for employee parking. He stated that the proposed uses on site will be complimentary in terms of different parking peaks – a coffee shop, a restaurant, and a nail salon. Mr. Fontane stated that as a condition of Zoning Board of Appeals approval, the parking spaces in the rear will be marked for employee parking only.

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

- That all physical changes approved by the Planning Board, including but not limited to, landscaping, pavement removal, and changing the location of signs, are fully implemented by **May 31, 2011** or prior to final occupancy certificate issued by the Department of Inspectional Services, whichever comes first;
- That the removal of two public street trees be addressed with the City's Forester and such proof submitted to the Division of Planning & Regulatory Services;
- That eight (8) copies of the final revised plans be submitted to the Division of Planning and Regulatory Services prior to release of the decision with the following changes:
  - Label plan Definitive Site Plan;
  - Remove the western most (eighth) parking spaces in the rear of the building;
  - Provide a landscaping table including number and species proposed;
  - Provide a sign along the drive-through on the eastern side of the property to caution incoming traffic of drivers backing out of the employee spaces;
  - Provide a sign stating "employee parking only" for spaces located at the rear of the property;
  - Relocate all proposed signs on the right-of-way onto the site, setback minimum 5 feet from the lot line, and provide dimensions of all signs shown;
  - Remove Assessor's map from the Site Plan;
  - Indicate type of pavement material of the drive-thru and parking spaces on the site plan;
  - List all Conditions of Approval from the Zoning Board of Appeals' recent decisions on the Site Plan and depict all changes accordingly;

- Revise the parking summary as follows:

Category	Unit of Measure	Number of parking spaces required	Number of parking Spaces provided
Personal Service	1,140 SF* (1 per 300SF)	4	
Drive-through	1 per 60SF	1	
Drive-through – retail	1,490 SF* (1 per 300SF)	5	
Drive-through – (no seats proposed)	1 space per 2 seats	0	
Restaurant with alcohol – (22 seats)	3,600 SF* - 1 space per 2 seats	11	
Internal circulation	600 SF	-2	
<b>TOTAL</b>		19	27**

\*Information received from Inspectional Services from the permits obtained by the businesses in the building.

\*\*Parking spaces include those designated as employee only spaces at the rear of the building.

- Exhibit A: 1119-1121 Grafton Street – Amendment to Definitive Site Plan Application received on January 27, 2011, prepared by Quinn Engineering on behalf of LGN, LLC.
- Exhibit B: 1119-1121 Grafton Street – Amendment to Definitive Site Plan received on January 27, 2011; revised March 3, 2011 and March 21, 2011, prepared by Quinn Engineering.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding 1119-1121 Grafton Street dated March 22, 2011.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Zoning Board of Appeals regarding 1119-1121 Grafton Street dated February 25, 2011, revised updated March 11, 2011.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding 1119-1121 GRAFTON STREET Definitive Site Plan Amendment – 2011- 003; dated March 16, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Zoning Board of Appeals regarding 1119-1121 Grafton Street; dated February 11, 2011.
- Exhibit G: Letter from Joseph Gustafson dated March 18, 2011 and received March 21, 2011, expressing opposition to the project.

- Chester Street (MBL:33-030-00103) (aka 8 Winter Hill Drive) – Definitive Site Plan (PB-2011-005):** Michael Andrade of Graves Engineering, Inc., representative for Aiman Contracting Inc., applicant, stated that the applicant is seeking to construct a single-family detached dwelling on a parcel with 15% slope or more. He stated that he filed concurrently with the Conservation Commission. Mr. Adams, with respect to an abutter’s (Jack Foley) concern with “draining of surface

water coming down Chester Street to Parkton and into a culvert/ditch behind [abutter's] house", stated that in his opinion, the applicant is adequately addressing the issue by providing dry-wells for roof run-off. John Atlas, an abutter, had concern with erosion control, construction debris being blown off site, and asked what tree removal and privacy screening is proposed. Mr. Adams stated that the proposed siltation fence separates construction activities if properly maintained. Mr. Andrade stated that clearing will only take place where necessary. Chair O'Connor asked staff to inform Mr. Foley that the review is pending in front of the Conservation Commission as well.

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

- That six (6) copies of final revised plans are submitted to the Division of Planning & Regulatory Services prior to release of the decision with the following changes:
  - Indicate if any trees in excess of nine (9) inches in diameter will be retained.
  - Indicate number of bedrooms on Site Plan.
  - Indicate exterior materials of proposed structure on Site Plan.

Exhibit A: Definitive Site Plan Application received January 1, 2011 prepared by Aiman Contracting, Inc.

Exhibit B: Definitive Site Plan dated January 20, 2011, prepared by Graves Engineering, Inc.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding Chester Street (PB-2011-005) – Definitive Site Plan, dated March 18, 2011

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding Chester Street dated March 16, 2011.

Exhibit E: Letter from Michael Andrade to Joel Fontane regarding Chester Street Definitive Site Application dated January 31, 2011, and received January 31, 2011.

Exhibit F: Email from Michael Andrade to Edgar Luna, and front elevation rendering of the proposed structured received on March 16, 2011.

Exhibit G: Email from Jack Foley to Joel Fontane of Division of Planning & Regulatory Services; re: tonight's Planning Board for 8 Winter Hill Drive; received March 23, 2011.

- 6. 41 Lancaster Street – Amendment to Parking Plan (PB-2011-008):** Todd Brodeur of Fletcher, Tilton, & Whipple, P.C., representative for Epiphany Vera/Marimba Management Services LLC, the applicant, stated that the applicant is proposing to maintain the same building footprint and number and configuration of off-street parking spaces to be in compliance with the Zoning Ordinance. In order to maintain proposed walkways in the front and side yard setbacks as well as the building and parking configuration, the applicant is reducing the rear landscape buffer from five (5) feet to three (3) feet and constructing the project 2 (two) feet back from the Highland Street side. The modifications are necessary as a result of Mass DOT reconfiguring the Highland and Lancaster Streets intersection and related eminent domain takings.

Mr. Adams stated DPW&P support for the project. Chair O'Connor stated that she believes it is one of the best proposals for the site and that she is in favor of the project.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the applicant's request for a fee waiver of \$327.00 and to approve Amendment to Parking Plan with the following conditions:

- That six (6) copies of final revised plans are submitted to the Division of Planning & Regulatory Services prior to release of the decision with the following changes:
  - Provide proposed and maximum required building height (40 ft in a BL-1 zoning district) in the zoning summary table;
  - Provide a landscaping table indicating proposed number and type of species. Proposed species shall be Asian Longhorned Beetle resistant, shall include no more than 25% of any one tree species on site to provide for sufficient species diversity and shall include species that are viable in the northern landscape buffer in a three-foot wide space. Drought resistant ornamental grasses in addition to small drought resistant tree species and/or arborvitae are recommended.

Exhibit A: Amendment to Parking Plan Application with a Cover Letter received February 10, 2011 prepared by Marimba Management Services, LLC.

Exhibit B: Amendment to Parking Plan dated November 25, 2009 and January 19, 2011, prepared by Land Planning, Inc.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding 41 Lancaster Street – Second Amendment Parking Plan, dated March 3, 2011.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding 41 Lancaster Street, dated March 16, 2011.

Exhibit E: Fee Waiver Request from Todd E. Brodeur to the Planning Board; dated February 8, 2011, received February 10, 2011.

- 7. 449 Southwest Cutoff – Amendment to Definitive Site Plan (PB-2011-014):** Nathaniel E. Mahonen, PE of Hannigan Engineering, Inc, representative for Massachusetts Electric Company d/b/a National Grid, applicant, stated that the applicant is seeking to amend a previously approved Definitive Site Plan by adjusting the location of the eastern portion (24 parking spaces) of the new 78 space parking lot and eliminating a previously approved retaining wall on a property with 15% slope or more. He stated that the reason for the amendment was discovery of ledge in that portion of the site and wanting to reduce ledge excavation. The number of parking spaces would remain the same. Mr. Adams withdrew the DPW&P comment (Exhibit E) regarding “replace any “double grate” catchbasins with 2 “stand alone” basins” because, per applicant, they were already built as approved by the Planning Board for the Definitive Site Plan.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the Amendment to Parking Plan.

Exhibit A: Amendment to Definitive Site Plan Application with a Cover Letter dated February 23, 2011, received March 2, 2011, prepared by Hannigan Engineering, Inc.

- Exhibit B: Definitive Site Plan last revised July 30, 2010 (reduced copies), prepared by Hannigan Engineering, Inc.
- Exhibit C: Amendment to Definitive Site Plan dated February 17, 2011, received March 2, 2011, prepared by Hannigan Engineering, Inc.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding 449 Southwest Cutoff –Second Amendment to Definitive Site Plan, dated March 9, 2011.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding 449 Southwest Cutoff, dated March 16, 2011.

- 8. 69 Garrison Avenue – Definitive Site Plan (PB-2011-009):** Al Trakimas of Sitec Engineering, representative for Gateway B LLC, the applicant, stated that the applicant is seeking to construct a single-family detached dwelling on a property with 15% slope or more. He stated that that erosion control as approved by Conservation Commission is shown on the plan. Mr. Adams stated that DPW&P recommends: 1. Remove the proposed stairway from the Right-of-Way; and 2. Provide a surface connection for the proposed structure. Ms. Donovan asked how tall the proposed retaining wall in the front yard setback is. Mr. Trakimas stated that it would be 6.5 feet, and taller for stairs.

Mr. Joseph Kittredge, an abutter, stated that he believed the lot was not big enough to accommodate a house. He stated that the previous retaining wall “was consumed by grade”. He stated that currently drainage from this parcel comes off onto his property. He was opposed to the project and believed that the proposed retaining wall will not hold the slope. Mr. Adams stated that looking at the existing and proposed grades and the existing catchbasin, he does not believe the water flow would “jump over the berm” of Garrison Street. Mr. Truman asked if the applicant was comfortable with making “gradient work for stairwell”. Mr. Trakimas said yes.

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

- That six (6) copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision with the following changes:

*DPW&P Comments:*

- Remove the proposed stairway from the Right-of-Way;
- Provide a surface connection for the proposed structure;

*DPRS Comments:*

- Label Site Plan as Definitive Site Plan;
- Indicate if any trees in excess of nine (9) inches in diameter will be retained;
- Indicate number of bedrooms on the Site Plan;
- Indicate the structure’s proposed exterior materials on the Site Plan;
- Indicate surface material of the proposed driveway;
- Provide exterior elevation of the proposed structure;
- Indicate height of proposed retaining walls.

- Exhibit A: Definitive Site Plan Application received February 11, 2011, and prepared by Gateway B LLC.
- Exhibit B: Definitive Site Plan dated February 3, 2011, prepared by SITEC Environmental.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding 69 Garrison Avenue dated March 18, 2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding 69 Garrison Avenue; dated March 16, 2011.
- Exhibit E: Revised Definitive Site Plan dated March 8, 2011 and received March 10, 2011, addressing comments from the Conservation Commission and the Department of Public Works Engineering Division, prepared by SITEC Environmental.

- 9. 1406, 1408 & 1438 Grafton Street – Definitive Site Plan (PB-2011-012):** Robert Oliva of David E. Ross Associates, Inc., representative for BDSK, LLC, the applicant, stated that the applicant is seeking to construct a 5,277 SF building for a dental clinic and professional office space with 56 associated off-street parking spaces on a property with 15% slope or more. Ms. Zhaurova stated that DPRS staff recommends, in conformance with zoning ordinance, provision of landscape screening in addition to the proposed fencing for the residential use along the westerly boundary of the lot abutting the McNamara property and providing additional landscaping along Grafton Street and on Bonair Road. She read out all staff comments (Exhibit D). The applicant was amenable to that.

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

- That six (6) copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision with the following changes:

*DPRS Comments*

- Provide total square footage of ground area coverage of proposed buildings, labeling square footage of pervious and impervious surfaces;
- Label exterior materials of proposed building;
- Provide a parking summary table for all uses on site;
- Proposed signs including directional and traffic monitoring signs must be located 5 feet back from the lot line. Relocate the stop sign on Grafton Street and the two stop signs on Bonair Road to the owner's property;
- Provide landscape screening in addition to the proposed fencing for the residential use along the westerly boundary of the lot abutting the McNamara property;
- Provide additional landscaping along Grafton Street and on Bonair Road, one additional street tree should be installed on Grafton Street and four street trees should be installed along Bonair Road;
- Snow storage cannot be located in the landscape buffer area on the westerly side of the property or in the landscape buffer area along Bonaire Road, they must be relocated.

*DPW&P Comments*

- Provide a minimum 12" RCP pipe for the connection into Bonair Road.

- Exhibit A: Definitive Site Plan Application; received February 17, 2011; prepared by David Ross Associates, Inc.
- Exhibit B: Definitive Site Plan; dated February, 2011, prepared by David Ross Associates, Inc.
- Exhibit C: Rendering; received February 17, 2011; prepared by Pinnacle Corporation.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 1406, 1408, 1438 Grafton Street ; dated March 9, 2011.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 1406, 1408, & 1438 GRAFTON STREET Definitive Site Plan– PB-2011- 012; dated March 16, 2011.

**10. CSX - Atlanta St, Barbara Ln, Franklin St, Grafton St, Keese St, Plantation St, & Putnam Ln, & Shrewsbury St. parcels (total of 23 parcels - CSX Transportation Inc.) – Definitive Site Plan (PB-2011-007):**

Robert Longden of Bowditch & Dewey, representative for CSX Transportation and CSX Intermodal Terminals, Inc., stated that the petitioner is seeking to expand its intermodal facility in the City as part of the comprehensive state-wide commuter and freight train infrastructure. He stated that the Commonwealth of Massachusetts has reached an agreement with the CSX in 2008 to improve and enhance opportunities for both commuter and freight train. Mr. Longden stated that as part of this agreement, the CSX will move its rail yard in Allston to the existing rail yard in Worcester and that CSX will spend more than \$100M to expand and modernize its facility in Worcester. Mr. Longden stated that as a result of the agreement, up to 20 additional trains Boston to Worcester will be added by 2012. He stated that the freight line system will use double-stacking (i.e. 2-containers per car), which requires bridge modification across the state to provide sufficient clearance. This, in turn, will allow for increased number of containers without increased train traffic, and will result in a reduction of total freight trains coming to the rail yard. He stated that the Worcester lines will connect with lines going to the country’s mid-west and west coast.

Mr. Longden stated that the existing terminal has an entrance onto Franklin Street with truck traffic turning both right and left when exiting the parcel. The site’s new size after acquisition of parcels is now 79 acres. The rail expansion project involved acquiring 17 additional properties (totaling 23 acres) for the project and cost ~\$31 million, with purchases completed by negotiated purchase, and not taken by eminent domain.

Mr. Longden stated that the entire site is zoned MG-2.0. 15-17 Putnam Lane and property along Foch Ave was petitioned to be rezoned to MG-2.0 which is pending in front of the City Council right now. He stated that the proposed use is a by-right use for which a Site Plan Approval is sought due to 15% or more slope.

Mr. Longden stated that he believed there was a thorough and sufficient vetting of the project at the state (Secretary of Environmental Affairs’ review) and local levels (meetings and hearings with the local City officials and neighborhood groups).

Mr. Longden stated that the proposed rail yard would have its main entrance off of Grafton Street in close proximity to I-290 ramp. He stated that as a result of an agreement, the MBTA will install traffic mitigation measures in the area, such as the realignment of the existing ramp off of I-290 immediately opposite the Grafton Street exit/entrance of the site and signalized intersection.

Mr. Longden stated that there will be prohibition on trucks turning left onto Grafton Street. The existing access from Franklin Street for properties such as David Clark Company would be terminated and a new access point from Foch Avenue would be provided. This will also serve as an employee entrance to the terminal. Mr. Longden stated that the third and last entrance to the site will provide access to the maintenance facility and a 10,000 gal fuel storage tank, a Special Permit for which was granted by the Zoning Board of Appeals. He stated that an overpass bridge would be constructed over Franklin Street in order to connect the terminal to the north of Franklin Street with the newly acquired properties to the south of Franklin Street. He stated that all existing buildings on site will be demolished and 4 new ones constructed, all LEED certified.

Mr. Longden stated that the new storm water management system, 24-hr security system, enhanced lighting security with reduced light spillover, and enhanced landscaping will be installed. He stated that with respect to air pollution, as the Environmental Certificate states, the overall pollution will be reduced in the state due to the closing of Allston facility and increased efficiency of the expanded rail yard facility in Worcester which will be using diesel hybrid cranes, double-stacked rail lines and via decreased idling times. He stated that the former M&M tracking company as well as the Shaw's Supermarket parcels were acquired by CSX, which would have been probably used for other commercial or manufacturing uses.

Mr. Longden mentioned other street improvements in the area that would result from this project as well as other CSX commitments, such as contributions to the City's Open Space and Neighborhood funds. He stated that currently there are about 200 trucks entering and exiting at current time, which will increase to 250 trucks each way a day. Ned Bartlett of Bowditch & Dewey commented on the noise study. He stated that the use and source of noise had been present on site for over 150 years. He stated that the source and character of the sound will not be significantly changed as a result of the proposed project due to similar nature of use. He listed features that would reduce the amount of sound, such as less coupling and de-coupling activity, different type of railroad tracks material, quieter cranes, and more. Maurice O'Connell of CSX stated that due to better layout of the site, train movement would be more efficient and should diminish some noises, and that if technology in the future will present an opportunity to reduce noise, the CSX will seriously consider it.

Mr. Longden discussed the staff's proposed conditions of approval. With respect to "That CSX shall submit (quarterly) to the City's Building Commissioner a report related to all noise tracking and monitoring related to bullet #8 of Exhibit O", he suggested that it be modified that "any reports provided to DEP are provided to a Building Commissioner at the same time". He stated that DPRS (re: Definitive Site Plan annotations), DPW&P and Fire Department recommended conditions of approval are acceptable to the applicant. With respect to Exhibit P submitted by Leonard Ciuffredo of Brown Square Civic Organization; received March 23, 2011, would be willing to accept the 1<sup>st</sup> condition from the top and the 3<sup>rd</sup> and 4<sup>th</sup> proposed conditions from the bottom. He requested a withdrawal of the previously requested application waiver for building elevations, as they were submitted to the Board recently. Mr. Adams stated that DPW&P is in different state of review of parts of the entire CSX project, but that the review specific to the Definitive Site Plan has been completed and DPW&P recommends approval with certain recommended conditions of approval per the memo to the Board.

Per Captain Metterville's comment, Mr. Longden agreed to relocate a hydrant originally proposed next to the fuel storage tank. Per Captain Metterville's comment, Mr. Longden agreed to design Foch Avenue in such a way as to accommodate moving radius of 45-ft fire trucks.

David Irving with TransSystems, stated that there is very little grade change near the maintenance building, responding to Captain Metterville's question. Captain Metterville asked what the height of

the retaining wall along Franklin Street would be. Mr. Irving stated that it would vary between 25-40 feet.

Mr. Fontane stated that DPRS staff is recommending approval of the project with three conditions of approval as stated in the memo to the Board and that staff is in favor of suggested amendment of Attorney Logden to the 2<sup>nd</sup> condition of approval. He also asked that 6 copies of final approved plans of all 3 sets, are provided for the record.

Chair O'Connor explained to the audience what the jurisdiction of the Planning Board is with respect to Definitive Site Plan Approval.

William Bilotta, an abutter, asked who would be responsible for the maintenance of the landscaping and for removing graffiti that could be sprayed on the retaining wall along Franklin Street. He suggested that a 6-month maintenance program is implemented as a condition of approval. Mr. Longden stated that landscaping on CSX property will be maintained by CSX, and landscaping in the public right-of-way will be maintained by the City. He stated that CSX will have an enhanced security on site which should prevent graffiti. He stated that the retaining wall will be built into the hillside to support the slope. Mr. Fontane stated that there is a Zoning Ordinance provision that requires ongoing maintenance of landscaping on site.

Leon Bousquet, an abutter, stated that he owns a whole-sale delivery company and used Putnam Lane for access. He asked that the work on the project is done in such a way that Putnam Lane closing takes place last, to postpone the impact on his business. He also stated that last winter a very loud noise was coming off the site that he suspected was coming from snow clearing machines. He stated that he was in favor of the project but that he was hoping CSX would keep the neighborhood informed about activity on site via such methods as AM radio channel. Mr. Longden stated that a supervisor and representatives of Ragnar Benson Construction would be on site during construction.

Denise Jolicoeur of Biscuit Lofts stated that she supports the project overall. She stated that he is concerned with increased truck traffic on site, which would be new for the east end of the rail yard. Her other concerns were with the fact that the new hustlers will make signal sounds from both forward and back movement. She asked that a "reasonable mitigation study" is done specific to the east side of the site to see what other technology opportunities are available to reduce the noise impact on the abutters, such as sound-proof windows. She had concern with impact on future property values.

Mr. Traynor stated that one of the Definitive Site Plan review standards is that the Board looks at the impact on the abutting properties with respect to noise generated by a development, so it would be within the Board's authority to request more information to whatever degree the Board feels it needs to review the site plan. He stated that the Board would have to decide on whether or not information provided through MEPA was sufficient. The Board would have to be very specific as to what information it would look for. He stated that the Board cannot require the applicant to do work off-site unless the parties were in agreement.

Chris Sturton of CSX stated that the noise associated with train loading should be diminished as a result of the project as the tracks will be longer and will reduce breaking-down of the trains and noise associated with it. He stated that multiple public agencies have reviewed and signed off on the project, including state and the City. Mr. Longden stated that per MEPA certificate, the applicant will have to report to the DEP for the first 3 months. In line with the MEPA certificate, CSX has to establish a protocol for responding to noise complaints that it receives from abutters or anyone else with regards to operations of the project, and has to maintain records of all noise complaints, track their resolution and provide reporting to Mass DEP after the 1<sup>st</sup> 3 months of operation, and thereafter

in a frequency determined by MassDEP. Mr. Longden stated that CSX agrees as a condition of approval to share this information with the Director of Inspectional Services. He mentioned that state-of-the-art cranes were designed to be efficient and quiet, and that he is hopeful the operations of the site will not cause concerns. Mr. Truman asked if DEP determined how frequently it wants to see the reports. Mr. Longden stated no, saying that DEP wants first to see how many legitimate complaints come in during the first three months of operations, judge their severity, the need for mitigation and the need for reporting frequency.

Steven Parker, an abutter, requested that the landscaped buffer along Plastics Street be improved with fencing. He also asked if CSX would be using Plastics Street as an emergency access. He expressed concern with poor condition of Plastics Street. Mr. Traynor stated that if the parcel along Plastics Street is owned by CSX, and Plastics Street is a private street, it is likely that CSX owns to the centerline of the street, however, given that it is not a Subdivision Plan, but a Definitive Site Plan, the Board can only consider what is contained within physical parcel boundaries, and not the street. Mr. Parker asked how an abutter could appeal a decision of the Board. Mr. Traynor stated that an appeal period will begin upon an issuance of a Building Permit and that there is no appeal for Definitive Site Plan. Mr. Longden stated that the emergency access on Plastics Street would be used by first responders only to access the site. He stated that the applicant has no intention to improve Plastics Street at present time.

Leonard Ciuffredo, an abutter, and representative for Brown Square Crime Watch Association, stated that he and his neighbors are probably the most affected by the project, excluding Biscuit Loft Condominium Association. He stated that by embracing this project, the "City shows desperation... real lack of vision." He expressed concern with maintenance of landscaping, stating in the last 14 years of more, there was issues with maintenance of landscaping and fencing on site and lack of response to neighbors' concerns with maintenance. He was against a waiver of the interior landscaping requirement. Mr. Ciuffredo requested that the Board continue this meeting until DPW&P completes its review of all the CSX plans. He asked clarification regarding the type of fencing proposed. Chris Sturton, CSX representative, stated that the east end of the terminal and area along Plastics Street will have barbed wire fencing; and that there will be no barbed wire along Franklin Street or on the east side of the facility south of Franklin Street, along Grafton Street. He stated that Plastics Street will have high security tight fencing.

Mr. Ciuffredo asked about the width of the Foch Avenue roadway. He stated that the Memorandum of Understanding between the City, CSX and the state, called for a 45-ft wide roadway to the maintenance building, but that the proposed width appears to be 25 ft. Mr. Longden stated that the reference in the MOU is to Foch Avenue, but that Mr. Ciuffredo is referring to a driveway leading off of Foch Avenue to the site, a private way. Mr. Ciuffredo asked about parking lot driveway entrance on drawing SP-502 and how will it be framed. A CSX representative stated that the area will be planted with grass. Mr. Ciuffredo stated that he would like to see photometric plan showing existing conditions in addition to the proposed one, for the ease of comparison. Mr. Fontane stated that staff typically only requires proposed photometric plans, and that those were acceptable to staff.

Chris Sturton stated that currently the site has 100-ft tall light towers with approximately 8-10,000 watt fixtures. The proposed light towers would be 60-ft tall with less than 8-10,000 watts per tower. Mr. Fontane stated that he believed the spillover on abutting properties was below 1 ft candle.

Mr. Ciuffredo discussed 14 proposed conditions of approval, which he stated he believed were reasonable (Exhibit P). He expressed concern with access of emergency vehicles, air pollution, notification of abutters, proposed 3<sup>rd</sup> party monitoring of air quality, on site snow removal, operation of hybrid cranes from day one, maintenance of landscaping, and more.

Mr. O'Connell stated that Mr. Michael Keeting, a local landscaper, was hired to maintain the landscaping. He stated that CSX has had problems in the past with illegal dumping on CSX property. He stated that he hopes that installation of new security camera and involvement of the City's Police Department and DPW&P to "enforce the law on those issues" will be resolve the issue. He stated that he disagreed that CSX was an absentee landlord. Mr. Longden stated that the CSX has agreed to in the Memorandum of Understanding with the City and the State, that "the CSX will comply with all City ordinance applicable to the maintenance of the Worcester facility". Mr. Longden stated that by not providing the interior landscaping, the total area required for the project was also decreased. He stated that interior landscaping "does not lend itself well to the aesthetics that would normally be required for office or commercial use, and would be detrimental to and impractical to the operations of the site, given the nature of the use".

Marilyn Wellens, not an abutter, stated that she lives in Cambridge, and asked whether landscaping requirements are specific to a zoning district. Ms. Donovan stated no. Mr. Traynor stated that the Board has the authority to waive interior landscaping requirement if so petitioned. Ms. Wellens asked if net state noise emissions can be calculated – amount reduced in Allston and increase in Worcester – to reassure people that total noise pollution will be reduced same way as air pollution is suggested to be reduced as a result of the project. She recommended that the City monitors air pollution and noise levels independently of the applicant. Mr. Traynor stated the Board does not have jurisdiction over air pollution.

Donald Morris, an abutter, submitted documentation regarding noise and air pollution (Exhibit Q). He stated that the Environmental Certificate Form stated that the sound level should not be higher than 10 db above ambient, but that the applicant acknowledged that at times it may be up to 15 dB above ambient sound level. He stated that the report shows that the ambient levels are L90, which would translate to 33 dB in the nighttime. He read out from the Worcester Ordinance stating that "no person shall engage in hoisting except for the hours of 7am-9pm on weekends and Saturdays, or between hours of 9am-7pm on Sundays." He read out documentation related to health risk of diesel exhaust, primarily cancer, due particle inhalation of people living nearby as well as hostler workers. Mr. Longden responded that the City's ordinance has an exemption for trains related to noise standards. Mr. Morris stated that the cranes and hustler trucks are not trains.

George Kerxhalli, resident of Grafton Hill, stated that while double-stacking of loads might reduce the total number of freight trains, it will still increase the number of trucks needed to load and unload the cars, thus increasing air pollution. He asked if there was a Contingent Disaster Operation Plan for the rail yard operations by the City's Fire Department that would require a hazardous response team. Captain Metterville stated that the City has strategic plan for hazardous materials releases along the railyard, but no pre-fire analysis of the CSX terminal as of yet. Mr. Kerxhalli asked to clarify how the New Street will be used by the CSX and the David Clark Company. Mr. Traynor stated that the City will lay out this new street because David Clark Company would lose access to its parcel through reconfiguration of Franklin Street. Mr. Sturton stated that the facility will follow the Federal Homeland Security Plan which he will be happy to share with the City's Fire Department. Mr. Sturton stated that for all its facilities, the CSX develops Emergency Response Plans and Spill Response Plans, shared with local communities.

Jo Hart, resident, asked how many of the 17 parcels purchased by the CSX, resulted in businesses going out of business. Mr. Traynor stated that this question is not pertinent to the Definitive Site Plan Approval review. Ms Hart spoke against the project, because she believed that Grafton Street would not be able to handle an increase in truck traffic. She proposed that the access to the site is constructed under Grafton Street. She asked for clarification on how many and what type of tracks

are proposed to be on the site. Mr. Sturton stated that “W” stands for working tracks, “S” stands for support tracks, and that there will be 3 tracks, 2,000 ft long each. Ms. Hart was against closing of Putnam Lane. She asked if hazardous materials will be transported through Worcester railyard. Mr. O’Connell stated that all goods that passed through Worcester before will continue to travel through the City. He stated that moving good by trains is the safest way to move goods on land. Ms. Hart stated her distrust of CSX releasing records of noise complaints in the future, and stated that a “watchdog” organization is needed to figure out what the complains are. She suggested that the CSX should provide the abutters with “noise-cancelling windows.” Ms. Hart stated that the proposed project will only attract low-wage jobs. Mr. Longden stated, in response to Ms. Hart’s question, that CSX will provide the City with \$1 per loading container, going in or out.

Mr. Truman asked how long the existing use was on this location. Mr. Bartlett stated that the site was used as a rail yard since 1835. Mr. Truman asked what the working hours of the railyard would be. Mr. Sturton stated that the rail yard will be open 24 hours a day, as is in the present time, but that most of activity will take place during the daytime.

Mr. Rolle asked if a traffic study was conducted around the Grafton St. entrance to assess the level of service. Mr. Longden stated that it was done in conjunction with Environmental Certificate Form submitted to the state. Larry Creed of EHM&T, traffic engineer, stated that the study reviewed existing and proposed conditions, and that originally a main entrance off of Barbara Lane was considered, but ultimately a decision was made, based on the community input in part, to have the main entrance off of Grafton Street close to the intersection with I-290. The existing overall average level of service is C. The proposed overall average level of service would be B. Mr. Rolle then summarized that it is an overall improvement in the level of service and stated that he was in favor of the proposed realignment of the east-bound I-290 off-ramp. He asked about truck movement heading west-bound. Mr. Creed stated that as part of the study, tracing of vehicles was done to see where they go after leaving the facility. He stated that the findings were that about 11% of the trucks leaving from the Franklin St. exit were going to other CSX properties in the area to drop off their load. He stated that this traffic would be eliminated by the internal hustler movement on the proposed site. Roughly a third west-bound and a third east-bound trucks come out of the Franklin St. access point and make a right-hand turn and continue on through the Washington Square. The proposed project would direct east-bound traffic almost immediately to I-290 and would not impact the streets. The other third of traffic volume would not change, going through Washington Square to I-290 West.

Mr. Rolle asked whether an assessment was done of queuing at the facility. Russell Helliston of EMH&T stated that the assessment was done, and that many systems will now be automated, and that there is almost no chance traffic would back out on the street, except in a catastrophic event, in which case the terminal would probably be closed anyways. He stated that existing conditions allow a queue of about 6 trucks, and proposed conditions allow for a queue of about 24 trucks.

Mr. Rolle stated that he was in favor of the proposed entrance to the maintenance facility. He asked if the Franklin Street bridge is part of the Site Plan. Mr. Traynor stated that it is not part of the site plan, but that it would be constructed by CSX as a result of an agreement between the City and CSX. Mr. Rolle asked about pedestrian accommodations along this bridge. Mr. Helliston stated that pedestrian access would be provided.

Mr. Mitra discussed the pros and cons of the project as related to the City and the residents and suggested that a monitoring system with respect to noise and air pollution is put in place to be run by an independent body. He stated that he believed it is a good project overall for the City. He also asked what security monitoring system is proposed.

Mr. Sturton stated that there will be security cameras placed strategically throughout the site, and that there will be security management people responsible for security on site. He stated that the cameras will be monitored in the gate building on site as well as in Jacksonville, FL. Access to the facility will be card-reader access at every gate. The facility is part of the Homeland Security System. Mr. Longden stated that he believed the Board lacked authority, in context of a Definitive Site Plan Approval for a by-right use, to place a condition of approval on the applicant to hire a third-party to monitor noise and air pollution level.

Chair O'Connor asked to clarify if the applicant will follow one of the mitigation suggestions of the Environmental Notification Form that coupling and de-coupling of the trains is moved further away from the eastern portion of the site. Mr. O'Connell stated that if a train is more than 4,000 ft long, the eastern portion of the site would be utilized because that train would have to be switched. He said that overall switching would be lessened due to a more efficient layout of the site. Chair O'Connor asked what kind of activity would take place in the eastern portion of the site and if it would differ depending on the time of the day. Mr. O'Connell stated that currently, most of the switching takes place in the eastern portion of the site, but that the proposal will result in an overall reduction, but not complete elimination, of switching in that portion of the site.

Mr. Rolle asked whether or not noise modeling was done to determine the net outcome. Ned Bartlett of Bowditch & Dewey stated that the ENF identified sensitive receptors and that a full modeling of full impact of all noise was done. He stated that the train schedule for foreseeable future will be mostly during the day. He stated that the study showed that the sound level of a departing train exceeds any other sound levels emanating from other activities on site. He stated that there is a potential of incidental, but not continuous, increase in noise levels in the eastern portion of the site, heavily dependent on the train schedule. He stated that this can be addressed through Best Management Practices. Mr. Rolle stated that one of the major changes to the operation of the site is the addition of interior hustlers, and he asked if a noise impact of these machines in particular was done. Mr. Bartlett stated that hybrid hustlers will be operating on diesel engine only one third of the time and that they are fairly quiet machines. He stated that they are equipped with safety devices for personnel which make a sound when there is a movement in any directions. Mr. Bartlett was not sure where these devices would be located on the height of the device. He stated that sound associated with loading and unloading of containers – specific noise identified in the study – would take place during narrow range of hours. He stated that there is a highly variable high ambient noise associated with I-290, City streets, and other industrial operations located in the area, as well as existing and potential increase in the MBTA service, up to 20 new commuter trains.

Mr. Mitra stated his concern with air pollution and asked if CSX will be monitoring it. Mr. Bartlett clarified in reference to previously stated fact that regional air emissions and pollutants will be reduced as a result of the project, and that local emissions will also be dramatically reduced as a result of the project; therefore, no monitoring of air pollutants is proposed. Mr. Mitra asked how the applicant would respond to the information provided by Mr. Morrison earlier regarding air pollution around train terminals. Mr. Longden stated that the facility is to be constructed and operated in such a way as to not present a dangerous environment and that no monitoring of air emissions is proposed by the applicant. He stated that the train terminal is not the only source of emission, but automobile traffic and increased commuter train traffic will contribute to it. He said: "What we are doing and in a way we are doing it is the safest way it can be for the employees, people in the neighborhood, and the environment in general".

Mr. Traynor confirmed that the Planning Board does not have authority to require monitoring. He stated that people's concern seem to relate mostly to the use, its safety and impact. However, the use

in question is already allowed by-right by the Zoning Ordinance. The Definitive Site Plan is legally confined to looking at approved use and how it is development on the site. Mr. Traynor stated that the Board can impose reasonable conditions, but that most of the discussion went beyond what the Board could reasonably condition, such as long-term monitoring of the use.

Mr. Fontane stated that he agrees with the Mr. Longden's proposed modification to the DPRS staff's proposed condition of approval to change "quarterly submittal to the City's Building Commissioner" of a report related to all noise tracking and monitoring, to submittal to the City's Building Commission whenever a report is submitted to the Department of Environmental Management. Chair O'Connor was in favor of this proposed modification.

Mr. Ciuffredo asked that the Board continue the meeting until DPW&P completes its review of the plans. Mr. Adams stated that the plan sets before the Board were adequately reviewed and that the DPW&P is recommending approval. He stated that other volumes not related to the Site Plan, such as Franklin Street bridge and retaining walls, are still being reviewed.

The Board asked if there is a way CSX could post contact information, regarding noise concern protocols. Mr. Longden agreed to posting this information on the Worcester CSX website. Mr. Rolle also suggested that the applicant posts a sign on each side of the railroad with the same information.

Mr. Rolle stated his support for requested waiver of the landscaping requirement, but asked how many trees would be required if another use was on site. Mr. Fontane stated 63-64 trees. Mr. Rolle was in support of the proposed landscaping along Franklin Street, but was concerned with the northern side of the railyard and asked if it was possible to provide landscaping there as well. A CSX representative stated that the retaining wall in that portion of the property would prevent the planting of landscaping. Mr. Longden stated that the tracks closest to the northern property boundary belong to the MBTA. Mr. O'Connell proposed landscaping around the perimeter of the south-western portion of the site and stated that he can work with the DPRS to enhance the landscaping. Mr. Rolle thanked the applicant for the offer.

Mr. Truman asked about the snow removal plan. Mr. O'Connell stated that a contractor would be hired to remove excess snow.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the requested application waivers for 1) Relief of the interior parking landscaping requirement and 2) Relief of application requirement that plans be drawn to scale of not less than 40' to 1"; and to approve Definitive Site Plan with the following conditions:

**1. Sound:**

- a. That CSX will provide the 877-Tell CSX call center 24 hours per day to receive calls with regard to noise concerns, with live staff between 8AM and 5PM;
- b. That within 24 hours of receiving a call with regard to noise concerns, the call information will be forwarded to a local CSX representative;
- c. That the local CSX representative will contact the citizen complainant as soon as reasonably possible but no more than 24 hours later, to discuss the nature and specifics of the complaint;
- d. That the local CSX representative will investigate each complaint to verify whether it is related to CSX Terminals activities by contacting CSX Terminal personnel.

- e. That the local CSX representative will follow up with the citizen complainant within three (3) days to discuss the findings regarding CSX Terminals related activities taking place at the time of the noise incident.
- f. That in the event CSX Terminals determines that its activities are contributing to a significant repetitive adverse off-site noise impact, CSX Terminals will assess the impact and the effectiveness of available and practical mitigation measures.
- g. That promptly after completing its assessment of the impact and the effectiveness of available and practical mitigation measures, CSX Terminals will communicate with the complainant regarding the results.
- h. That CSX will continue to evaluate alternative back-up safety devices on its large equipment, subject to operational safety constraints and federal safety regulations.
- i. That all noise complaints and resulting information on CSX activities at the time of the noise incident will be tracked and monitored through this central call center to identify any patterns or repeat incidents where CSX related activities could be contributing factors.
- j. That all on site generators shall be provided with low sound enclosures to minimize noise.
- k. That CSX-Worcester place signs on its property and notification on its website with information regarding the noise concern protocols as stated above and indicated in Environmental Notification Report dated 12-22-2011 (page 10 of 17).
- l. That CSX shall submit to the City's Building Commissioner a copy of all reports submitted to the Department of Environmental Protection related to all noise tracking, monitoring, and other reporting.

**That Six (6) copies of final revised plans (that include Definitive Site Plan, Volume 3 (Site Utilities & Storm Drainage Plans), & Volume 4 (Erosion Control Plan)) are submitted to the Division of Planning & Regulatory Services prior to issuance of a Building Permit that incorporate into all other plan sets all changes provided in the latest revision to Volume three (3) and four (4) and that include the comments below:**

**2. DPW&P:**

- a. That CSX shall provide a device to prevent the sewer gas, from the combined sewer in Franklin Street, from escaping through the pond #2 outlet structure.

**3. Fire:**

- a. That CSX shall provide 45-foot turning radius for the fire truck vehicles off of Foch Avenue;
- b. That CSX shall move the hydrant location three hundred (300) feet west of the fuel storage facility;
- c. Provide an additional hydrant on the Franklin Street side of the NG line at the end of the "Putnam Lane closure to be filled."
- d. That CSX document, before work commences, how fire apparatus will access the Brown Square Area and points east, during bridge construction and after project completion without increased response time.

**4. Other:**

- a. That any construction entrances to the site east of the Norfolk Street / Franklin Street intersection be permanently closed off on or before 12-31-2012 and not be allowed to be utilized by CSX for site access.
- b. That CSX shall provide enhanced landscaping along the main entrance to the site and abutting properties (by working with the Division of Planning and Regulatory Services).

#### 5. Missing Plan Annotations

- a. On overall Definitive Site Plan (Sheet EX-CS100):
  - Rename “Putname” to “Putnam”;
  - Add 61 Shrewsbury Street parcel to the Property Map (sheet 7 of 46);
- b. Rename sheet 21 of 46 to ‘Existing Conditions’;
- c. Include all 23 parcels on the locus map;
- d. Reconcile parking number annotations with parking table and adjust to account for changes to Foch Ave lot;
- e. Remove the annotation regarding a freestanding sign at the entrance to the site stating that it will be no more than 100 SF per face. Keep the annotation stating that the proposed sign will comply with the current Zoning Ordinance regulations;
- f. Annotate all entrances to the site with the intended use.

Exhibit A: Definitive Site Plan Application; received February 9, 2011 and revised March 17, 2011; prepared by Attn. Robert Longden of Bowditch & Dewey, representative for CSX Intermodal Terminals, Inc. and CSX Transportation, Inc.

Includes:

- Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form; re: CSX Worcester Expansion Project (EEA # 14673); dated December 22, 2010.
- 3 Waiver requests.

Exhibit B: Definitive Site Plan; dated February 9, 2011, revised March 10, 2011; Sheet Sheet EX-CS100 revised March 21, 2011; prepared by TransSystems & Ragnar Benson Construction.

Exhibit C: Site Utilities & Storm Drainage Plans, Volume no. 3; March 10, 2011; prepared by TransSystems & Ragnar Benson Construction.

Exhibit D: Erosion Control Plan, Volume no. 4; dated February 7, 2011; revised February 25, 2011 and March 10, 2011 prepared by TransSystems & Ragnar Benson Construction.

Exhibit E: Building Elevations & Details & Schedules Elevations of 4 new buildings for CSX Intermodal Terminals, Inc. – Crew building, Repair/Roadability Building, Gate Building, Maintenance Building; APDG Trent Clark Architects; dated March 4, 2011 and March 11, 2011.

- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: GRAFTON STREET (CSX TRANSPORTATION) Definitive Site Plan – PB-2011- 007; dated March 16, 2011, revised March 22, 2011.
- Exhibit G: Memorandum from the City of Worcester Fire Department to the Planning Board; re: CSX – Revised Plans; dated March 18, 2011.
- Exhibit H: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Atlanta St, Foch Ave, Franklin St, Grafton St, Plantation St, Putnam Ln. (CSX Transportation Inc.); dated March 22, 2011.
- Exhibit I: Proposed CSX Transportation& CSX Intermodal Project – Concept Plan; dated November 10, 2010; prepared by EMHT.
- Exhibit J: Executive Summary of Agreement Between the Commonwealth of Massachusetts and CSX Transportation. 2010.
- Exhibit K: CSX Worcester Expansion Project. Environmental Notification Form Narrative. November 2010. Appendix F: Memorandum of Agreement: CSX Worcester Intermodal Facility Improvement Project (signed on November 15, 2010).
- Exhibit L: Letter from Attorney Robert Longden to the abutters of the CSX Intermodal Facility, Worcester MA. Dated March 15, 2011.
- Exhibit M: Letter from Mark S. Hoffman of CSX Transportation Joel Fontane, Division of Planning & Regulatory Services; re: CSX Transportation, Inc. and CSX Intermodal Terminals, Inc. Application for Site Plan Approval; dated March 12, 2011.
- Exhibit N: Letter from Alan Jolicoeur of Biscuit Lofts Condominiums to the Planning Board; re: CSX Expansion; dated and received march 21, 2011.
- Exhibit O: CSX Conditions of Approval Re Noise Concerns e-mailed by Atty. Longden March 22, 2011 to Joel Fontane.
- Exhibit P: CSX Site Plan Review – 3-23-2011 – Proposed Conditions; Submitted by Leonard Ciuffredo of Brown Square Civic Organization; received March 23, 2011.
- Exhibit Q: Studies submitted by Donald Morse at the March 23, 2011 meeting, including:
- “Health Risk Study for the Burlington Northern / Santa Fe Railroad Spokane Railyard” by Spokane Regional Clean Air Agency; dated June 16, 2010
  - Graph “Analysis of Option 37 – Move Railyard Emission Sources Further Away from Nearby Residents”; undated.
  - “V. Railyard Operational and Physical Changes”; dated August 2009, pg. 135-150.
  - “Health Risk Assessment for the BNSF Railway Hobart Railyard” by California Environmental Protection Agency; dated November 2, 2007;
  - “2.4.3.1. Occupational Exposure to DE”
  - “Clean Diesel Program for Locomotives and Marine Engines”; EPA 420-F-04-041; May 2004;

- “Health Effects of Diesel Exhaust”; A Fact Sheet by Cal/EPA’s Office of Environmental Health Hazard Assessment and The American Lung Association of California.

Exhibit R: Preliminary Stormwater Management Plan: CSX Intermodal – Worcester; dated February 8, 2011; revised March 9, 2011; prepared by TranSystemes Corporation.

## **OTHER BUSINESS**

**11. Street Petition – Downing Street (a public way) – Abandon & Discontinue a portion of the street from Woodland Street to Florence Street:** Mr. Longden of Bowditch & Dewey, representative for Clark University, stated that the petitioner is seeking to abandon & discontinue a portion of the street from Woodland St. to Florence St. as part of a PILOT (payment in lieu of taxes) agreement between the City of Worcester and Clark University. He stated that this section of the street would be closed to all but emergency vehicles (access provided via easement), and would be used as pedestrian area and open space. In return, Clark University would provide \$75,000 a year for 25 years to the City. Mr. Longden stated that the petitioner did not believe the project would create an adverse affect on abutters. Mr. Adams stated that DPW&P was in favor of the project, but that the terminus of the portion of Downing Street at Woodland Street still has to be worked out. He stated that this work can be done in time for the hearing at the City Council Subcommittee level. Mr. Fontane stated that staff recommends approval of the project.

Attorney Joe Boynton stated that Downing Street is a significant through-street, signalized at Main Street and Park Street intersections, and that closing of the portion of it would divert traffic to Hawthorn Street, which already serves as a cut-through by many people, thus negatively impacting residents. He stated that the neighbors were not informed of the proposal and want to have more time to see the proposed plans and more discussion and consideration of the matter. Mr. Boynton expressed concern with the fact that no traffic study was done to evaluate potential impact of the project on Hawthorn Street and any potential mitigation measures. He requested a continuance of the meeting for these reasons.

Jo Hart opposed the request and stated that “anti-impasses ... cripple the City.”

Mr. Adams stated that there was an internal DPW&P meeting, and that it appeared that the proposal did not warrant mitigation measures or a traffic impact study. Mr. Boynton disagreed with DPW&P conclusions, and stated that they were not well grounded.

David Elwell, of 6 Hawthorne Street, stated that he is overall supportive of the proposal, but asked that the City looks into an issue of partially blocked site lines coming from Hawthorne Street onto Woodland Street, with such measures as removing a few parking spaces at that intersection. Mr. Boynton concurred with that concern.

Mr. Longden stated that the applicant would be supportive of banning parking on Woodland and Downing Street and of requiring a stop sign at the intersection of Charlotte and Woodland Streets, but that given that the City approached Clark University for a PILOT, the applicant does not feel incumbent to pay for traffic studies or mitigation measures.

Mr. Fontane stated that the Council Subcommittee could ask for a traffic study to be conducted, and stated that there is no notification requirement for the Planning Board meeting of a public street closing.

Mr. Rolle was in favor of recommending approval to the City Council with a recommendation that there is a 1) consideration of traffic calming measures, such as stop signs, at intersections along Charlotte, Hawthorne and Woodland Streets area (in the vicinity and east of the Clark University campus) to help mitigate diversion of traffic caused by this change; and 2) a consideration of on-street parking prohibition near intersections along Charlotte, Hawthorne and Woodland Streets area (in the vicinity and east of the Clark University campus) to improve driving sight distances and visibility.

Mr. Adams stated that DPW&P will consider these recommendations.

Mr. Rolle stated that he believes that parking prohibition is a good idea along portions, but not entire length, of Downing Street.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to recommend approval of the petition and to recommend:

- The consideration of traffic calming measures, such as stop signs, at intersections along Charlotte, Hawthorne and Woodland Streets area (in the vicinity and east of the Clark University campus) to help mitigate diversion of traffic caused by this change;
- The consideration of on-street parking prohibition near intersections along Charlotte, Hawthorne and Woodland Streets area (in the vicinity and east of the Clark University campus) to improve driving sight distances and visibility.

Exhibit A: Petition to the City Council to discontinue and terminate a portion of Downing Street by Trustees of Clark University (with a cover letter from Bowditch & Dewey); dated March 17, 2011.

Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding Downing Name (public way) – Abandon & Discontinue a portion of the street from Woodland St. to Florence St. from Official Map; dated March 22, 2011.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Division of Planning & Regulatory Services regarding Downing Name (public way) – Abandon & Discontinue a portion of the street from Woodland St. to Florence St. from Official Map; dated March 23, 2011.

Mr. Mitra recused himself for the rest of the meeting.

**12. Proposed Amendment to Zoning Ordinance Article VI – Floodplain Overlay District -**

**National Flood Insurance Program Compliance:** Mr. Fontaine stated that The U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) has completed a re-evaluation of flood hazards for the City of Worcester. The Department of Public Works has reviewed the Flood Insurance Study (FIS) and the Flood Insurance Rate Map (FIRM), which includes Base Flood Elevations (BFEs). Now that the FIS, FIRM and BFEs are final, the City has received notice from FEMA that it must adopt the appropriate ordinances to be in compliance with the National Flood Insurance Act of 1968, as amended, by July 4, 2011. He stated that staff has worked with the State technical assistance office to develop an amendment to Article VI – Floodplain Overlay District of the Zoning Ordinance to capture the required changes. These amendments to this article are needed to ensure that the City is in full compliance with the National Flood Insurance Program and related regulations. He recommended that the Planning Board vote to adopt this petition as its own and submit to City Council to begin the formal consideration process.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to petition to the City Council the Proposed Zoning Ordinance Amendment - Article VI – Floodplain Overlay District as follows:

- 1) Article VI – Section 4 – Definition and Establishment of the Floodplain Overlay District replace the existing definition of the Floodplain District with the following and inserting the new definition – Base Flood Elevation Data:
  - a. “The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the City of Worcester designated as Zone A, AO and AE on the Worcester County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Worcester County FIRMs that are wholly or partially within the City of Worcester are panel numbers 25027C0595E, 25027C0610E, 25027C0611E, 25027C0612E, 25027C0613E, 25027C0614E, 25027C0616E, 25027C0618E, 25027C0620E, 25027C0638E, 25027C0801E, 25027C0802E, 25027C0806E, 25027C0807E, 25027C0808E, 25027C0809E, and 25027C0826E, dated July 4, 2011. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Worcester County Flood Insurance Study (FIS) report dated July 4, 2011. The FIRM and FIS report are incorporated herein by reference and are on file with the City Clerk, Planning Board, Conservation Commission and the Department of Inspectional Services. “
  - b. “Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.”
- 2) Delete Article VI – Section 6(B)(1) & (2)
- 3) Delete Article VI – Section 6(C)(1) & (2)

- 4) Article VI – Section 6(D)(1),(2),(3) and (4) – Development Permit Application – Compliance
- a. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
  - b. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
  - c. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
  - d. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Exhibit A: Memorandum from Joel Fontane, Planning & Regulatory Services Division, to the Planning Board; Re: Proposed Amendment to Article VI – Floodplain Overlay District National Flood Insurance Program Compliance; dated March 22, 2011.

Exhibit B: Letter with enclosures from Luis Rodriguez, Federal Insurance and Mitigation Administration, to Mayor O'Brien of the City of Worcester; re: FEMA's re-evaluation of flood hazards in the community; dated January 4, 2011.

### 13. ANR Plans:

- **Flower Hill Drive (AN-2011-007):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-007.
- **Dominion & Pocono Road (AN-2011-010):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-008.
- **10 Egan Avenue / Broome Avenue (AN-2011-011):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-011.
- **Stafford Street (AN-2011-012):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-012.
- **Woodcliffe Avenue (AN-2011-013):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-013.
- **South Stowell Street (AN-2011-014):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-014.
- **West Mountain Street (AN-2011-015):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-015.
- **Aitchison Street (AN-2011-016):** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to endorse ANR Plan AN-2011-016.

**ADJOURNMENT:** Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to adjourn the meeting at 10:55 pm.