

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

**AUGUST 17, 2011**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

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

**Staff Present:** K. Russell Adams, Department of Public Works & Parks  
Kathleen Donovan, Department of Inspectional Services  
Joel Fontane, Division of Planning & Regulatory Services  
Michael Traynor, Law Department  
Luba Zhaurova, Division of Planning & Regulatory Services

**BOARD SITE VISITS**

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

**CALL TO ORDER**

Chair Anne O’Connor called the meeting to order at 5:30 p.m.

**APPROVAL OF THE MINUTES**

Upon a motion by Stephen Rolle and seconded by Andrew Truman, the Board voted 4-0 to approve the minutes of 4/13/2011; 4/20/2011; 5/25/2011 and 6/1/2011.

**UNFINISHED BUSINESS**

**Public Meeting**

- 2. 9 May Street & 3 Silver Street – Amendment to Definitive Site Plan Approval (PB-2011-029):**  
Robert Forbes, engineer, appeared on behalf of the petitioner, Worcester Common Ground. He stated that he is seeking an approval for an Amendment to Definitive Site Plan for the construction of an interlocking steel sheet pile wall for drainage purposes. Mr. Adams stated that DPW&P would like to see the retaining wall extended to the sidewalk. Mr. Forbes stated that his client would be amenable to that. Mr. Forbes stated that the wall’s blocks are 2-ft tall, but that the wall will extend to a height of 4.5 ft at times. Mr. Fontane asked why the retaining wall is proposed to be located so close to the property boundary. Mr. Forbes stated that the reasons are the driveway location and the 8% slope.

James Levin, an abutter and owner of 5 May Street stated that he and Steven Patton, Executive Director of Worcester Common Ground, were not able to reach an agreement that would allow for a provision of a berm across the driveway connecting the 9 May and 5 May Street building, instead of a proposed retaining wall. He stated opposition to the proposed modification.

Mr. Fontane listed a number of plan annotations that were missing, such as catch basin locations, erosion control methods, as-built drainage systems, and more (Exhibit C). Mr. Truman asked that spot grades be shown on the plan and was concerned with sight lines being blocked if the wall is extended to the sidewalk. Mr. Forbes stated that the wall would be no higher than 2 ft at the sidewalk level.

Mr. Rolle stated that he is “troubled by a solution that creates a problem for a neighbor.” Mr. Forbes stated that the best solution from the engineering perspective for drainage on site was to create a berm perpendicular to the driveway, connecting the buildings at 9 May Street and 5 May Street.

Mr. Levin stated that he would like to see a 1-ft return if the wall is built. Mr. Patton stated that he needs an approval of the application “expeditiously” and that the investors would not allow easements on his property.

Chair O’Connor recommended a continuation of the item in order to allow the applicant sufficient time to submit revised plans showing changes suggested by staff and to consider alternative solutions.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to continue the meeting to 9/14/2011.

List of Exhibits:

- Exhibit A: Amendment to Definitive Site Plan Application; received on June 2, 2011; prepared by Stephen Patton.
- Exhibit B: Concrete Block Wall Site Plan Plan; dated May 10, 2011, revised July 27, 2011 prepared by Prime Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding the proposed Amendment to Definitive Site Plan dated August 15, 2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding the proposed Amendment to Definitive Site Plan dated August 15, 2011.
- Exhibit E: Request for Continuation from Stephen Patton, applicant’s representative to the Planning Board dated July 20, 2011.

**NEW BUSINESS**

**Public Hearing**

3. **222 June Street – More Than One Building On a Lot (PB-2011-036):** The More Than One Building On a Lot (PB-2011-036) and Definitive Site Plan (PB-2011-036A) were heard contemporaneously. Attorney Robert Longden, representative for 222 June Street, LLC, petitioner,

stated that the petitioner is seeking to construct eight (8) multi-family low rise dwellings (total of 32 units), with the construction of five (5) single-family dwellings along June Street coming in for a later amendment. Also present were Carl Foley, the owner, Jay Finlay of Finlay Engineering, and Robert Michaud, traffic engineer. Mr. Longden provided a history of the site and zoning map amendments associated with this area. He stated that the elevations of the proposed building demonstrate that the buildings would be consistent in character with the existing buildings at 55 Botany Bay Road development, but that the development would be less dense than the 55 Botany Bay Road development. He stated that the proposed lighting would not spill-over on the neighboring property and that the proposed development would be accessed via Botany Bay Road.

Mr. Adams asked that revised plans show the catchbasin connection pipe on the plan. Mr. Fontane asked if the plans are showing the two new fire hydrants requested by the Fire Department for the Special Permit hearing. Mr. Longden said yes.

Mr. Rolle asked that the petitioner provides a pedestrian connection to the site from the sidewalk, so as to avoid pedestrians walking on the driveway. Mr. Longden stated that the applicant is amenable to that. Mr. Machaud suggested a pedestrian connection along the side of the driveway off of Botany Bay Road.

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

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approved the requested More Than One Building On a Lot Plan with the following conditions of approval:

- That six (6) copies of final revised plans are provided to the Division of Planning & Regulatory Services prior to the release of the decision with the following:
  - o Label the catchbasin connection pipe on the plan. It is labeled correctly in the detail (8" DR18 PVC);
  - o Provide a pedestrian connection to the site from the sidewalk;
  - o Label location, size, and height of any proposed signs for the residential development;
  - o Provide lighting plans demonstrating that light spillover shall not exceed one candlefoot width onto abutting properties;
  - o Add the following title to the plan – More than One Building on a Lot Plan;
  - o Provide a note indicating the total area of the development, including recreation and wetland areas;
  - o Reference to at least two (2) permanent public highway monuments outside the project;
  - o Provide a statement on the plan that the applicant will provide, at no cost to the City, all facilities shown on the plan including but not limited to roadways, curbs, bounds, drainage systems, earthworks, except as otherwise noted.

#### List of Exhibits:

Exhibit A: Definitive Site Plan Application; received July 14, 2011; prepared by Atty. Robert Longden on behalf of 222 June St. LLC, trustee Carl Foley.

- Exhibit B: More than One Building on a Lot Application, received July 14, 2011; prepared by Atty. Robert Longden on behalf of 222 June St. LLC, trustee Carl Foley.
- Exhibit C: Definitive Site Plan; dated 5/9/11 revised 7/8/2011 prepared by Finlay Engineering Services.
- Exhibit D: Rendering; dated July 14, 2011 prepared by Ray Renzoni -Architectural Innovations.
- Exhibit E: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: 222 June St – Definitive Site Plan and More than one Building on a Lot plan; dated August 16, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; re: Definitive Site Plan -222 June St.; dated 8/10/2011.
- Exhibit G: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; re: More than One Building on a Lot Plan -222 June St.; dated 8/10/2011.

4. **222 June Street – Definitive Site Plan (PB-2011-036A):** More Than One Building On a Lot (PB-2011-036) and Definitive Site Plan (PB-2011-036A) were heard contemporaneously. See above.

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

- That six (6) copies of final revised plans are provided to the Division of Planning & Regulatory Services prior to the release of the decision with the following:
  - o Label the catchbasin connection pipe on the plan. It is labeled correctly in the detail. (8” DR18 PVC)
  - o Provide a pedestrian connection to the site from the sidewalk;
  - o Label location, size, and height of any proposed signs for the residential development;
  - o Provide lighting plans demonstrating that light spillover shall not exceed one candlefoot width onto abutting properties;
  - o Add the following title to the plan – More than One Building on a Lot Plan;
  - o Provide a note indicating the total area of the development, including recreation and wetland areas;
  - o Reference to at least two (2) permanent public highway monuments outside the project;
  - o Provide a statement on the plan that the applicant will provide, at no cost to the City, all facilities shown on the plan including but not limited to roadways, curbs, bounds, drainage systems, earthworks, except as otherwise noted.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application; received July 14, 2011; prepared by Atty. Robert Longden on behalf of 222 June St. LLC, trustee Carl Foley.
- Exhibit B: More than One Building on a Lot Application, received July 14, 2011; prepared by Atty. Robert Longden on behalf of 222 June St. LLC, trustee Carl Foley.
- Exhibit C: Definitive Site Plan; dated 5/9/11 revised 7/8/2011 prepared by Finlay Engineering Services.
- Exhibit D: Rendering; dated July 14, 2011 prepared by Ray Renzoni -Architectural Innovations.
- Exhibit E: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: 222 June St – Definitive Site Plan and More than one Building on a Lot plan; dated August 16, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; re: Definitive Site Plan -222 June St.; dated 8/10/2011.
- Exhibit G: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; re: More than One Building on a Lot Plan -222 June St.; dated 8/10/2011.

## Public Meeting

5. **405, 413, and 415 Grafton Street– Amendment to Definitive Site Plan Approval (PB-2011-032):** Robert O’Neil, engineer and representative for Rodney J. Perro, the applicant, stated that the applicant is seeking to prepare the currently vacant lots for future development (no buildings are proposed at this time) including a stepped retaining wall approximately 18 ft in height on a property with 15% or more slope. Mr. Adams stated that the width of the driveway will need to be determined when the use of the property is determined and the applicant comes back for an amendment. Ms. Donovan stated that the plan meets the minimum setback requirements of 5-ft, because the height of the wall near Grafton Street is less than 6-ft in height, and, therefore, is not considered a structure. Ms. Zhaurova listed several missing annotations on the plan and recommended approval of the application with recommendations (Exhibit C). She stated that the Board cannot grant approval for work off-site if off-site grading is proposed, and that the applicant needs to demonstrate the authority to grade on or access the lot from abutting properties. She stated that staff suggests that the abutters may either sign the Definitive Site Plan as co-applicants or the applicant submit a signed temporary grading easement for the record. Mr. Truman asked if the applicant felt confident that a solid board fence can be mounted on top of the retaining wall. Mr. O’Neil said yes. He stated that all slope areas will be loam-and-seeded.

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

- That if off-site grading is proposed, the applicant shall demonstrate that he has the authority to grade on or access the lot from abutting properties, such as a signed temporary grading easement for the record;
- That six (6) copies of final revised plans are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the following items included:

- o Correct the dimensional requirements for RG-5 zoning district: other uses;
- o Clarify the location of the proposed 6-ft high solid board safety fence;
- o Clarify whether the existing 6-ft stockade fence and existing chain-linked fence will be retained or removed;
- o Clarify if the landscape bed will have plantings in it, and if so – provide a landscaping table;
- o Indicate the proposed erosion and sedimentation control devices for controlling erosion and sedimentation during the construction process as well as after in the area between the property line and the proposed retaining wall;
- o Name the “Retaining Wall” in the key/legend.

List of Exhibits.

Exhibit A: Definitive Site Plan Application; received 6/9/2011; prepared by Rodney J. Perro.

Exhibit B: Definitive Site Plan; dated 6/2/2011; prepared by Robert D. O’Neil.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 405, 413 and 415 Grafton Street; dated 8/16/2011.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 405, 413 and 415 Grafton Street; dated 8/16/2011.

Exhibit E: Request from Attorney Donald O’Neil to extend the Planning Board’s decision deadline to September 16, 2011; dated August 15, 2011.

- 6. 141 Massasoit Road – Parking Plan Approval (PB-2011-034):** Carl Hultgren of Quinn Engineering, Inc., representative for Shrewsbury Homes, Inc., the applicant, stated that the applicant is seeking to construct a parking lot with 12 off-street parking spaces accessory to the proposed clinic use. Ms. Zhaurova listed missing plan annotations and stated that given change of use on site, the applicant needs to comply with the landscaping requirements (Exhibit C). Mr. Adams stated that the applicant needs to: 1) Provide an outlet structure for the subsurface infiltration system; 2) Provide a minimum 12 inch RCP pipe for the drainage connection into Massasoit Road; 3) No interior building drains are to be pumped into the proposed subsurface infiltration system (Exhibit D). Mr. Quinn stated that the applicant is amenable to the proposed conditions of approval by staff. Mr. Rolle stated that he felt that access to the proposed handicapped parking space is a little tight.

Upon a motion by Mr. Role and seconded by Mr. Mitra, the Board voted 4-0 to approve the requested Parking Plan with the following conditions of approval:

- That six (6) copies of final revised plans are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the following items included:
  - o Provide an outlet structure for the subsurface infiltration system;
  - o Provide a minimum 12 inch RCP pipe for the drainage connection into Massasoit Road;

- o No interior building drains are to be pumped into the proposed subsurface infiltration system;
- o The parking lot must comply with the landscaping requirements of the Zoning Ordinance. Parking areas should be set back 5-ft and landscaped when adjacent to residential property and a public street. Areas along public sidewalk edges should also be properly landscaped.
- o Move dumpster to an alternate location further away from the abutting single-family dwelling at 5 Short Street;
- o Label Massasoit Road as public;
- o Correct the required front yard setback (in the notes and on the plan) to min 10 ft (Sheet 1);
- o Label the dimensions of the lot and the building;
- o Label both curb-cuts;
- o Clearly delineate parking areas (i.e. including the driveway);
- o Clarify if the southern and northern portions of the parking lot will be connected in the rear of the building;
- o Provide the size of the existing free-standing sign;
- o Provide information on any new proposed signs, if any;
- o Include a note that the existing sign and new signs, if any, will comply with the Zoning Ordinance;
- o Label curbing;
- o Label the height and material of the existing and proposed, if any, fences;
- o Label the sidewalk on Massasoit Road, its dimension and materials;
- o Provide a better quality copy of the plan showing existing conditions.

List of Exhibits.

- Exhibit A: Parking Plan Application; received 7/7/2011; prepared by Shrewsbury Homes, Inc.
- Exhibit B: Parking Plan; dated 6/30/2011; prepared by Quinn Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 141 Massasoit Road - Parking Plan; dated 8/16/2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 141 MASSASSOIT ROAD - Parking Plan– PB-2011- 034; dated 8/10/2011.

Mr. Truman left the meeting.

- 7. 500 Lincoln Street and 10 Country Club Boulevard – Amendment to Definitive Site Plan Approval (PB-2011-035):** John Kucich of Bohler Engineering, representative for Realty Financial Partners, the applicant, stated that the applicant is seeking to construct an additional 6,000 SF retail

building in the area previously identified as a “future outlot” in Phase B. Mr. Adams stated that that the applicant should provide direct catchbasin connections (Exhibit E). Ms. Zhaurova stated that staff recommended approval of the application with a condition that six revised plans are submitted showing missing annotations and a provision of an additional tree (Exhibit D).

Jo Hart asked where the pedestrian entrance to the site would be. Mr. Kucich pointed out a sidewalk connection from the Country Club Boulevard.

Mr. Rolle stated that he liked the placement of the new building and that it improved the site overall. Mr. Kucich stated that there would be no overall increase in an impervious surface on site.

Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 3-0 to approve the requested Amendment to Definitive Site Plan with the following conditions of approval:

- That six (6) copies of final revised Definitive Site Plan are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the following items included:
  - Provide direct catchbasin connections. If a bend in the connection is required, a manhole should be installed;
  - Rename the plan: “Amendment to Definitive Site Plan”;
  - Provide a parking table indicating the number of standard, compact and handicapped spaces for each use on site;
  - Provide a summary of the proposed signage on site (type and area) and provide a note stating that overall signage for the site will comply with the Zoning Ordinance regulations;
  - Provide one additional tree for the interior off-street parking spaces;
  - Show parking spaces and snow storage areas (not to overlap the proposed landscaped areas) on the Landscape Plan (sheet 10 of 14);
  - Provide a trash receptacle outline as is shown for Kohl’s store;
- That six (6) copies of final revised renderings are submitted renaming the building’s sides with respect to the compass directions (as opposed to front/rear).

#### List of Exhibits.

- Exhibit A: Amendment to Definitive Site Plan Application; received July 14, 2011; prepared by RFP c/o Bohler Engineering.
- Exhibit B: Amendment to Definitive Site Plan; dated 7/14/2011; revised 8/16/2011; prepared by Bohler Engineering.
- Exhibit C: Rendering of the proposed building; dated 6/28/2011; prepared by Signature Architects Incorporated.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 500 Lincoln Street and 10 Country Club Boulevard; dated 8/15/2011.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 500 LINCOLN STREET - Definitive Site Plan Amendment– PB- 2011-035; dated 8/10/2011.

## OTHER BUSINESS

8. **Rustic Drive Extension Subdivision – Request for Extension of Work Completion Date:** Mr. Adams stated that the subdivision is near completion (within next couple of weeks) and that he suggested the Board not take action on this request. Mr. Traynor concurred, stating that work completion date extension has more to do with the internal process. The Board did not take action.
9. **Phoenix Street – To Make Public (ST-2011-017):** The Planning Board, to whom was referred the petition of Councilor Michael J. Germain, to make public the entire length of Phoenix Street, having considered the same at its meeting on August 17, 2011 voted 3-0 to recommend a Priority #4 designation based on a recommendation from the Department of Public Works and Parks.
10. **Simone Street - To Make Public (ST-2011-018):** The Planning Board, to whom was referred the petition of Salvatore Antonio Mustica, to make public a 395.16-ft long portion of Simone Street, having considered the same at its meeting on August 17, 2011 voted 3-0 to recommend a Priority #4 designation based on a recommendation from the Department of Public Works and Parks.
11. **Brookline Street - To Make Public (ST-2011-019):** The Planning Board, to whom was referred the petition of Avery Investment Properties, LLC, to accept a 924.93-ft long portion of Brookline Street (part of Avery Estates Subdivision), private (developer's) street, as public, having considered the same at its meeting on August 17, 2011 voted 3-0 to recommend a Priority #1 designation based on a recommendation from the Department of Public Works and Parks.
12. **Wyola Drive - To Make Public (ST-2011-020):** The Planning Board, to whom was referred the petition of Avery Investment Properties, LLC, to accept a 707.00-ft long portion of Wyola Drive (part of Avery Estates Subdivision), private (developer's) street, as public, having considered the same at its meeting on August 17, 2011 voted 3-0 to recommend a Priority #1 designation based on a recommendation from the Department of Public Works and Parks.
13. **Avery Path - To Make Public (ST-2011-021):** The Planning Board, to whom was referred the petition of Avery Investment Properties, LLC, to accept a 200.00-ft long Avery Path (part of Avery Estates Subdivision), private (developer's) street, as public, having considered the same at its meeting on August 17, 2011 voted 3-0 to recommend a Priority #1 designation based on a recommendation from the Department of Public Works and Parks.
14. **Arboretum Drive – Decree Public & Rename To Plantation Parkway (ST-2011-022 & 23):** Mr. Traynor recommended that the Board recommends to the City Council to name, as opposed to rename, the street Plantation Parkway, as the street is not currently on the Official City map, and therefore, does not have an official name. The Planning Board, to whom was referred the petition of Michael V. O'Brien, City Manager, to decree public a 1,418-ft way that is not on the Official Street Map, and to name it Plantation Parkway, having considered the same at its meeting on August 17, 2011, voted 3-0 to recommend a Priority #1 designation based on a recommendation from the Department of Public Works and Parks.
15. **ANR Plans**
  - **30-38 Carpenter Avenue – Public Street (AN-2011-031):** Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the board voted 3-0 to endorse AN-2011-31.
  - **Moreland Street & Orrisson Street – Public Street (AN-2011-032):** Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the board voted 3-0 to endorse AN-2011-32.

**ADJOURNMENT:** Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 3-0 to adjourn the meeting at 7:35 p.m.