

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

DECEMBER 14, 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: Lara Bold, Division of Planning & Regulatory Services
Deborah Steele, Division of Planning & Regulatory Services
Kathleen Donovan, Department of Inspectional Services
K. Russell Adams, Department of Public Works & Parks
Michael Traynor, Law Department
Jennifer Beaton, Law Department

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Anne O’Connor called the meeting to order at 5:37 p.m.

APPROVAL OF THE MINUTES

Upon a motion by Andrew Truman and seconded by Stephen Rolle, the Board voted 4-0 to approve the minutes of November 16, 2011.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,
WITHDRAWALS**

1. 37 Fruit Street and 59 William Street – Definitive Plan - More Than One Building On a Lot (PB-2011-036)

List of Exhibits.

Exhibit A: 37 Fruit Street / 59 William Street Parking Plan and More than One Building on a Lot application, prepared by Christopher Bruce, submitted 11/8/2011, dated 11/7/2011.

- Exhibit B: 37 Fruit Street / 59 William Street - Parking Plan & More than One Building on a Lot Plan, prepared by Quinn Engineering, submitted 11/8/2011, dated 11/7/2011.
- Exhibit C: Memorandum to the Worcester Planning Board from the Division of Planning & Regulatory Services, dated December 9, 2011.
- Exhibit D: Memorandum to the Worcester Planning Board from the Department of Public Works and Parks, dated December 1, 2011.
- Exhibit E: Letter to the Worcester Planning Board from K. Cigan Dorman and C. Dorman, dated December 7, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 37 Fruit Street & 59 William Street – Definitive Plan – More Than One Building On A Lot dated December 1, 2011.
- Exhibit G: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 37 Fruit Street & 59 William Street – Parking Plan Application dated December 1, 2011.
- Exhibit H: Email from Carl Hultgren, Quinn Engineering, to Worcester Planning Board requesting a postponement of the item to the January 25, 2012 Planning Board meeting, dated December 14, 2011.

2. 37 Fruit Street and 59 William Street – Parking Plan Application (PB-2011-035)

List of Exhibits.

- Exhibit A: 37 Fruit Street / 59 William Street Parking Plan and More than One Building on a Lot application, prepared by Christopher Bruce, submitted 11/8/2011, dated 11/7/2011.
- Exhibit B: 37 Fruit Street / 59 William Street - Parking Plan & More than One Building on a Lot Plan, prepared by Quinn Engineering, submitted 11/8/2011, dated 11/7/2011.
- Exhibit C: Memorandum to the Worcester Planning Board from the Division of Planning & Regulatory Services, dated December 9, 2011.
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- Exhibit E: Letter to the Worcester Planning Board from K. Cigan Dorman and C. Dorman, dated December 7, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 37 Fruit Street & 59 William Street – Definitive Plan – More Than One Building On A Lot dated December 1, 2011.
- Exhibit G: Memorandum from the City of Worcester Department of Public Works & Parks to

the Planning Board re: 37 Fruit Street & 59 William Street – Parking Plan Application dated December 1, 2011.

Exhibit H Email from Carl Hultgren, Quinn Engineering, to Worcester Planning Board requesting a postponement of the item to the January 25, 2012 Planning Board meeting, dated December 14, 2011.

Items #1, #2 were taken contemporaneously. Lara Bold stated that DPRS has determined that the property is located on the National Register of Historic Places which will require Definitive Site Plan review. Ms. Bold also stated that while not required, it is recommended that the applicant appear before the Zoning Board of Appeals for the requested off-street parking relief and expansion of a pre-existing nonconforming use/structure in order to incorporate any conditions of approval of the ZBA on the final plan.

Ms. Bold stated that applicant has requested a continuance of the two items until the January 25, 2012 Planning Board meeting.

Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 4-0 to continue the 37 Fruit Street & 59 William Street Definite Plan-More Than One Building on a Lot application and Parking Plan application to the January 25, 2012 Planning Board meeting.

UNFINISHED BUSINESS

3. 14 Marshfield Street – Definitive Site Plan (PB-2011-045):

Crystal Carr from HS&T Group, Inc. appeared on behalf of applicant, Robert & Constance Bartelson.

The petitioner is seeking to construct a 2,500 SF commercial use building with six (6) associated off-street parking spaces and other site improvements, on a site with 15% or more slope in an MG-0.5 and RL-7 zoning district. Due to the steepness of the site in the rear, the petitioner is proposing to construct a retaining wall, set back 8-ft from the lot line, which is the required side-yard setback for structures (Note: a wall above 8-ft in height is considered a structure). All development is proposed in the MG-0.5 portion of the site.

Ms. Carr stated they had resolved the issues that DPW had with the plan and that they have reviewed DPRS & DPW memos and have no issues with required conditions.

Mr. Adams stated DPW would recommend approval provided the conditions outlined in their December 2, 2011 are met.

Katie Donovan from Inspectional Services stated she had no comments.

Upon a motion by Mr. Rolle and seconded by Mr. Truman the Board voted 4-0 to approve Definitive Site Plan for 14 Marshfield Street with the following conditions:

- Provide the proposed building height and exterior materials of the building.
- Provide location, size and arrangement of all proposed signs and lighting, if any.
- Additional plantings of native drought-resistant shrubs, such as ‘angel hair,’ to aesthetically shield the proposed use from the abutting residential uses.

- Higher diversity of proposed plants (at a minimum, 4 different types of trees, and 4 different types of shrubs).
- Provide a legend.
- Provide an outlet structure for the subsurface detention system.
- Use a minimum 12” RCP pipe for the manhole connection in Marshfield Street.
- 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.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received 9/22/2011; prepared by Robert & Constance Bartelson.
- Exhibit B: Definitive Site Plan; dated 8/11/2011; revised 9/20/2011 & 11/23/2011; prepared by HS&T Group, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 14 Marshfield Street; dated 10/21/2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 14 Marshfield St. dated October 20, 2011; revised November 16, 2011 & December 2, 2011.
- Exhibit E: Hydrology & Stormwater Manager Report; prepared by HS&T Group; dated October 27, 2011; received November 4, 2011.
- Exhibit F: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: 14 Marshfield Street dated December 2, 2011.

OTHER BUSINESS

4. Quaboag Street Subdivision – Request for a Performance Bond

Mr. Adams stated that DPW recommends a performance bond in the amount of \$47,500 and that the work completion date for project be September 1, 2012. Ms. Beaton from the Law Department clarified that the subdivision is currently secured by a Declaration of Restrictive Covenants which must be released in order to be replaced by the requested performance bond.

Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 4-0 to conditionally release the Declaration of Restrictive Covenant and replace the security with a performance bond in the amount of \$47,500 . The Board also voted to set a work completion date of September 1, 2012 for the subdivision.

Exhibit A: Letter to Worcester Planning Board from Fox Hill Builders, dated November 14, 2011 re: Quaboag St. subdivision requesting a performance bond.

Exhibit B: Memorandum November 29, 2011 from Department of Public Works and Parks to Worcester Planning Board, re: Quaboag Estates Performance Bond recommendations.

5. Stoneleigh Estates Subdivision – Release of the Covenant

Michael Traynor of the Worcester Law Department stated that this subdivision dates back to 1974 and was never constructed, however, there are title issues for the property, therefore he recommends that the Board vote to release the covenant.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra the Board voted 4-0 to release the covenant for Stoneleigh Estates Subdivision.

6. Update regarding the disposition of the historic Fire Alarm & Telegraph Building located at 230 Park Avenue

Lara Bold gave an update for the property. Ms. Bold stated that the City had chosen a developer to restore and redevelop the Fire Alarm Building. The plan is to transfer at no cost the two-story brick building to Spencer Savings Bank who will restore the building. Spencer Savings Bank will establish a retail banking office on the building's second floor and Preservation Worcester will lease the first floor which will also contain community space.

Exhibit A: Memorandum from City Manager, Michael O'Brien to Worcester City Council, November 18, 2011 re: 230 Park Avenue – Fire Alarm Telegraph Building Update.

7. Oak Grove Avenue – Release of Covenant

Attorney Jennifer Beaton of the Worcester Law Department requested that this item be heard. Ms. Beaton stated that she had obtained a request similar to the Stoneleigh Estate Subdivision indicating that a release of a covenant had never been recorded with the Registry of Deeds. Ms. Beaton requested the Planning Board vote to release the covenant in order that it can be recorded with the Registry of Deeds.

Upon a motion by Mr. Mitra and seconded by Mr. Truman the Board voted 4-0 to release the covenant for Oak Grove Avenue.

ADJOURNMENT: Upon a motion by Anne O'Connor and seconded by Andrew Truman, the Board voted 4-0 to adjourn the meeting at 5:51 p.m.