

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

March 21, 2012

WORCESTER CITY HALL – LEVI LINCOLN ROOM

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

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Nancy Tran, Division of Planning & Regulatory Services
Kathleen Donovan, Department of Inspectional Services
K. Russell Adams, Department of Public Works & Parks
Michael Traynor, Law Department

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Anne O’Connor called the meeting to order at 5:39 p.m.

APPROVAL OF THE MINUTES

The Planning Board held the minutes from the February 29, 2012 meeting.

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

Public Hearing

1. 0 (aka 13) Woodcliffe Avenue – Definitive ‘Frontage’ Subdivision (PB-2012-008)

Attorney Jonathan Finkelstein and engineer Robert O’Neil, representatives for Matthew D. O’Mara, stated that the petitioner sought to subdivide the parcel into Lots X, Y and Z and to construct a single-family residential dwelling on each of the three lots. Mr. Finkelstein stated the Zoning Board recently approved a variance request for 4.9’ of relief from the frontage requirement (65’) for Parcel X with the condition that the vegetative border in the rear of the parcels is maintained. He further described that the subdivision is an amalgam of properties on Woodcliffe Avenue and Julian Avenue, the latter of which runs through the lots but is no longer on the official map.

Mr. Adams from DPW and Ms. Donovan from Inspectional Services had no comments.

Ms. Bold confirmed that the Zoning Board approved 4.9’ of relief from the frontage requirement for Parcel X at its January 30, 2012 meeting. She indicated the property was ineligible for an ANR because of insufficient frontage and was therefore, before the Planning Board as a Frontage Subdivision. Ms. Bold stated that DPRS recommended approval with the condition that six (6) final revised plans be submitted updating the following missing annotations:

1. Label zoning district;
2. Locations, names, dimensions of streets abutting lots in Frontage Subdivision
 - Label Woodcliffe Avenue as public and provide width of the street;
3. Location and species of proposed street trees and/or individual trees or wooded areas to be retained
 - Label wooded areas to be retained;
4. Provide a locus map showing the proposed subdivision, scale 1”-1,000,’ or other suitable scale, shall be shown on the title sheet;

Ms. Bold also said DPRS recommended approval of the following waivers:

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

Chair O’Connor asked for clarification regarding the labeling of wooded areas to be retained. Ms. Bold replied that areas where vegetation will be retained and augmented were not shown on the site plan.

Mr. Traynor from the Law Department had no comments.

Debbie Carey, Director of Mass Audubon, said neighbors were concerned that the subdivision would affect access to the Broad Meadow Brook sanctuary off of Woodcliffe Avenue. After hearing Mr. Finkelstein and Mr. O’Neil present the site plan, she believed that neighborhood connection to the trail system would not be negatively impacted.

Chair O’Connor asked Mr. O’Neil to show the location of the trailhead. He said he did not delineate it on the site plan but added that it is located on a portion of Woodcliffe Avenue that is no longer on the official map and begins on a lot that the petitioner does not claim to own.

Mr. Arthur N. Caissie, owner of 2 Woodcliffe Avenue, objected to the petition allowing for the three-lot subdivision because of the potential increase in noise nuisances such as motorbikes. He stated he did not receive proper notification regarding the petition. Mr. Fontane said Mr. Caissie did not receive notification

because he was not a direct abutter or an abutter to an abutter within 300' to the subject property. Mr. Finkelstein said Mr. Caissie's property was the red house at the end of Woodcliffe Avenue.

Chair O'Connor asked if there were any issues regarding a fire hydrant. Mr. Finkelstein said there were no issues because the fire hydrant present is not located on one of the proposed lots.

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 approve the Definitive Frontage Subdivision and requested waivers of the minimum frontage requirements and Section IX and X of the Subdivision Control Law on the condition that six (6) copies of revised plans be submitted addressing the following:

- 1) The structure on Parcel X be constructed and the lots X, Y, and Z be delineated in accordance with the final approved Definitive (Frontage) Subdivision Plan by Planning Board;
- 2) The vegetative buffer in the rear of the parcels is maintained per final revised plans;
- 3) Three copies of final revised plan are submitted to the Division of Planning & Regulatory Services prior to issuance of a building permit with the following changes:
 - a. Label address of property on plan: *Proposed Parcels X, Y, Z – 0 Woodcliffe Avenue* in addition to the MBL numbers already provided;
 - b. Revise note to plan indicating that the applicant is seeking 4.9-ft of relief from the frontage requirements;

and provided it is in compliance with all governmental codes.

Standard Conditions of Approval

- All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Commissioner of Inspectional Services.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

List of Exhibits.

- Exhibit A: Definitive Frontage Subdivision Application; received February 16, 2012; prepared by Jonathan Finkelstein.
- Exhibit B: Definitive Subdivision Plan; dated February 13, 2012; prepared by Robert O'Neil.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: 0 Woodcliffe Avenue; dated March 14, 2012.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; dated March 16, 2012.

2. 30 Glennie Street – Definitive Site Plan Approval (PB-2012-006)

Michael Andrade of Graves Engineering, representative for Grove Street Properties, LLC, described the subject property as being a 1.5 acre parcel with an approximately 14,000 SF building and two parking areas. The petitioner requests approval to construct a 2,500 SF building on the southern portion of the site for use as an office. Mr. Andre said there will be minor revisions to grading and layout of the parking lot to accommodate the building. The project would provide parking in excess of what is required, include utility improvements and implement stormwater management. He added that the property recently received Conservation Commission approval on February 27, 2012.

Mr. Adams from DPW said his department issued a letter dated March 16, 2012 identifying two comments (1) to mitigate 10, 25 and 100-year storm peak flows and (2) provide detail for the Stormceptor. He indicated that the revised plans presented to the Conservation Commission address DPW comments and recommended approval with the condition that the revised plans be submitted to and be on file with the Planning Board.

Ms. Donovan from Inspectional Services had no comments.

Ms. Bold said DPRS staff recommended the following changes to the site plan:

1. Provide description of the exterior materials and elevations of the proposed and existing buildings;
2. Provide location, size and arrangement of all signs and lighting, if any. All signs shall comply with the City's Sign Ordinance;
3. Provide landscaping compliant with the Zoning Ordinance along Glennie Street where parking is adjacent to the street – minimum 2 trees and shrubs;
4. Correct the owner's name from Grove Street Properties, LLC, to Grove Street Properties II, LLC; and
5. Provide a continuous consistent fence along the entire southern property line.

Mr. Andrade said there were no objections to DPRS staff suggestions, however, said the fence belongs to an abutter and will be pushed back to remove encroachment on the subject property.

Upon hearing Mr. Andrade's response, Ms. Bold said DPRS recommended approval with the condition that six (6) copies of a revised plan address staff comments #1-4.

Mr. Mitra asked how many employees will be stationed in the proposed office building. Mr. Andre replied that he did not know but estimated that there will be at least six employees.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Site Plan with the condition that six (6) copies of revised plans be submitted addressing DPRS and DPW comments above with the exception of the fence (#5).

Standard Conditions of Approval

- All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.

- The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Commissioner of Inspectional Services.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received February 3, 2012; prepared by Grove Street Properties, LLC.
- Exhibit B: Definitive Site Plan; dated February 27, 2012; prepared by graves Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 30 Glennie Street; dated March 16, 2012.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 30 Glennie Street; Definitive Site Plan – PB-2012-006; dated March 16, 2012.

3. Ellie Way – Definitive Site Plan Approval (PB-2012-007)

Hossein Haghanizadeh of HS&T Group, representative for petitioner Chau M. Nguyen, said the Definitive Site Plan is for the construction of a single-family home on a lot with 15% or more slope. He added that there would be no off-street parking as there will be a two-car garage on-site.

Believe that all comments are addressed by staff.

Mr. Adams had one comment regarding the provision of utility information on the plan (i.e., water, sewer and drain services). However, he stated that the note indicating use of 6” SDR 35 PVC for sanitary and drainage house connections is sufficient; therefore DPW had no conditions of approval.

Ms. Donovan from Inspectional Services had no comments.

Ms. Bold said DPRS had the following comments on missing annotations:

- Label available utilities, easements, whether streets are public or private, owners of abutting owners within 300 feet and distances from adjacent buildings. Provide a summary of zoning classification for what is required, existing and proposed;
- Provide building height in stories and feet, its elevations and proposed exterior materials to be used;
- Label minimum yard dimensions;
- Label dimensions and construction materials for proposed driveway and pathways;
- Provide a tree within the property boundary to satisfy the 2006 subdivision plan approval requirement. Show location of required tree in the front yard setback as approved in the May 3, 2006 Planning Board meeting; and
- Label planting types and materials used as well as dimensions of fence and existing retaining wall.

Mr. Traynor from the Law Department had no comments.

Mr. Truman expressed his discontent with the site plan and said that that it was missing a significant amount of information. He asked if the driveway extends into the street because the plan shows it as ending at the property line. Mr. Truman said the quality of the plan was lacking and recommended a continuance. Mr. Haghanizadeh replied that the construction will install a 2' radius curb cut and indicated that the plan will be appropriately revised. Mr. Truman then asked if there were water and sewer utilities available. Mr. Haghanizadeh said a revised plan should show the utilities.

Mr. Rolle concurred with Mr. Truman's opinion of the plan quality and expressed his desire to continue the item. He indicated that incomplete plans should not be submitted to the Board, however, was amenable to a motion on the plans as the annotations are minor. Mr. Mitra and Chair O'Connor agreed with Mr. Rolle's statement and said the Board should see plans with less labeling issues in the future.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the plan with six copies of a revised plan showing compliant landscaping and addressing missing plan annotations as stated above.

Standard Conditions of Approval

- All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Commissioner of Inspectional Services.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received February 15, 2012; prepared by Chau M. Nguyen.
- Exhibit B: Site Plan; dated November 11, 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: 10 Ellie Way; dated March 6, 2012.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 10 Ellie Way; Definitive Site Plan – PB-2012-007; dated March 16, 2012.

Other Business

4. Street Petition – Ockway Street – Accept as Public

Mr. Adams said the street petition before the Board is for a private way conversion and stated that DPW recommended Ockway Street as Priority 1.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to recommend Ockway Street as Priority 1.

5. Request for Setting a Performance Bond – Arboretum Subdivision, Bittersweet Blvd.

Mr. Adams stated that DPW recommended a bond amount of \$760,000 for Bittersweet Boulevard in the Arboretum Subdivision. He then asked the Law Department if a work completion date should also be recommended. Mr. Traynor said DPW and the Board should recommended release of the covenant and set a work completion date.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to release the Bittersweet Boulevard covenant, recommend a \$760,000 bond and set the work completion date for June 1, 2013.

Mr. Adams stated that DPW recommended a covenant release, bond amount of \$760,000 and June 1, 2013 work completion date for Bittersweet Boulevard in the Arboretum Subdivision.

6. Board's Meeting Schedule 2012-2013

The Board reviewed the proposed meeting schedule and had no objections.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the 2012-2013 Planning Board meeting schedule.

7. ANR Plans

a. Endicott Street (AN-2012-007)

Ms. Bold said the proposed subdivision was along a public street and that the lots do not meet the minimum frontage requirements for the zoning district. However, she stated that the subdivision was permitted if both buildings on-site were in existence before adoption of the Subdivision Control Law in 1939. The applicant submitted information demonstrating that both structures were constructed in 1890; therefore, DPRS recommended endorsement of the ANR.

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

b. Lancaster/Harvard (AN-2012-008)

The proposed subdivision was for two lots with a 103.31' frontage on Lancaster Street and 102.67' frontage on Harvard Street. Both lots are located on public ways and met the minimum frontage requirements in a BO-1.0 district (40'); therefore DPRS recommended endorsement of the ANR.

Upon a motion by Mr. Mitra and seconded by Mr. Truman, the Board voted 4-0 to endorse the ANR.

c. Amherst Road / Willowbrook Lane (AN-2012-006)

The applicant proposed to convey Parcel A (unbuildable lot) to Lot A and retain Lot B as-is. Both lots retain minimum required frontage and are located on private ways.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to endorse the ANR.

d. Monmouth Road / Willowbrook Lane (2012-010)

Ms. Bold said the lots are located on two private streets and meet the minimum frontage requirement (80') in a RS-10 zone. Lot 1 will provide 125' of frontage and Lot 2 125.02.'

Chair O'Connor asked if both ways were paved. Mr. Adams from DPW said he did not view the streets. After an internet search for the aerial view, Ms. Donovan said both Monmouth Road and Willowbrook Lane were paved.

Upon a motion by Mr. Mitra and seconded by Mr. Truman, the Board voted 4-0 to endorse the ANR.

***Editors note:** Due to staff error, the ANR for 3 Monmouth Road was signed by the Planning Board on March 21, 2012 without proper 48-hour advertisement. A new ANR with minor changes has been submitted will be appropriately advertised with the City Clerk before the April 11, 2012 Planning Board meeting.

8. Signing Decisions

ADJOURNMENT: Upon a motion by Mr. Rolle and seconded by Mr. Truman the Board voted 4-0 to adjourn the meeting at 6:19 p.m.