

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

JUNE 6, 2007

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM

Planning Board Members Present: Scott Cashman, Vice-Chair
Anne O'Connor, Clerk
Margaret Guzman
Nicole Xifaras Parella

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Robin Bartness, Division of Planning & Regulatory Services
Ruth Gentile, Division of Planning & Regulatory Services
Michael Traynor, Law Department
Carrie Holtan, Law Department
K. Russell Adams, Department of Public Works
Jody Kennedy-Valade, Department of Code Enforcement

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Cashman called the meeting to order at 5:55PM.

APPROVAL OF THE MINUTES

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to approve the May 2, 2007 minutes.

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to approve the May 16, 2007 minutes.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

1. **Zoning Map Amendment – 14 Coburn Avenue:** Ms. Bartness informed the Board that the petitioner requested a continuance to June 20, 2007. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to continue the hearing to the June 20, 2007.

UNFINISHED BUSINESS

PUBLIC HEARINGS

2. **Zoning Map Amendment – Southbridge Street, College Street, and Caro Street:** Patricia Gates and Matt Smith, representatives for the petitioner, presented the petition. Ms. Gates stated that the petitioner sought an amendment to the zoning map in the area of

Southbridge Street and College Street across the parcels located at 804 & 852 Southbridge Street, 24 College Street, and 12, 14, 16, 18, 20 and 22 Caro Street from RG-5 (Residential General) to BG-4 (Business General). She stated that the petitioner seeks to develop a mixed-use retail/hotel center on the currently vacant land. She also stated that the petitioner had met with the College Hill Neighborhood Association and had developed a legend and use table to go along with the plan for this area. In addition, she stated that the College of the Holy Cross wants to develop this area with non-academic amenities and therefore a mixed use retail and housing development was considered. Ms. Gates stated that the proposed zone change and proposed mixed-use development considered goals of the College Hill Neighborhood plan that was developed by the City of Worcester along with neighborhood residents. The College Hill Neighborhood Plan contained the following recommendations among others: that the College of the Holy Cross add parking, dormitories on campus and make improvements to the parks. In addition, she stated that many alternatives exist to amend the zoning map in this area by extending existing abutting zoning districts such as the RL-7 zoning district or several manufacturing zones but that the BG-4 zone would allow for proposed mixed-use development without impingement on the abutting residential zones by extending an abutting manufacturing zone and without requiring additional review by the Zoning Board of Appeals for most business uses. Mr. Fontane stated that the BG-4 zone is consistent and compatible with the other zones in the area and that the proposed development would be allowed by-right. Councilor Haller stated that the process has been inclusive, that the neighborhood is in support of the project and that she will advocate for parking relief for this project. Ms. Guzman stated that she was encouraged by the redevelopment of the area. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to recommend approval of the zoning map amendment.

PUBLIC MEETINGS

3. **Lot 4 Ascension Street (PB-07-52) – Definitive Site Plan:** Ben Clark and Hussein Haghanizadeh, representatives for the applicant, presented the plan. Mr. Clark stated that the project consists of eight townhouse units (single-family attached dwelling units) in two buildings. He also stated that the project has received relief of 1.71 feet from the frontage requirement from the Zoning Board of Appeals. The Department of Public Works requested that the plans include the City of Worcester typical detail for standard driveway curvature. Ms. Bartness stated that the stairs from the decks on the east side appear to be encroaching on the abutting property and that the applicant must provide renderings showing the stairs after being reconfigured. She also stated that the applicant must submit an application for More Than one Building on a Lot. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- **Provide renderings of the project with the reconfigured stairs that do not encroach onto the adjacent property.**
- **Provide typical detail of City of Worcester standard for driveway curvature.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction**

Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.

- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

4. **103 & 105 Norfolk Street (PB-07-53) – Definitive Site Plan:** Ben Clark and Hussein Haghanizadeh, representatives for the applicant, presented the plan. Mr. Clark stated that the project consists of two lots with four dwelling units on a property with 15 % or more slope. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

NEW BUSINESS

PUBLIC HEARINGS

5. **Zoning Map Amendment – 84, 90 & 91 Lamartine Street (AROD):** Kevin McManus, representative for the petitioner, presented the petition. Mr. McManus stated that the petitioner seeks an amendment to the zoning map to overlay an Adaptive Reuse Overlay District onto the existing BG-3 and MG-2 zones to allow the conversion of 40,000 SF of an underused factory building into 1 and 2 bedroom loft- style affordable condominiums in a sustainable “green” building. He also stated that the petitioner has held neighborhood meetings, including meetings with City Councilors and has attended Inter-departmental review team meetings with city staff to present their plans. Mr. McManus also stated that he understands that one immediate abutter is in favor of the plan and one is in opposition. Mr. McManus stated that the AROD is for the use of these underused structures and that a mattress factory had failed here. Mr. Fontane stated that the close proximity of this building to ongoing manufacturing facilities in the area makes a residential use inappropriate here. He also stated that a residential use in this area is inconsistent with a recent decision by the Zoning Board of Appeals to approve Goldstein Scrap's Metals request for special permits to allow open lot storage and salvage and recycling operations for the relocation of their metal recycling facility. Councilor Haller

stated that she was in favor of the AROD and that surveys done in the Green Island Neighborhood have indicated the need for more housing in the area. She also stated that Neil Smith of Goldstein Scrap Metal is not opposed to the residential use. Todd Rodman, representative for an abutter to the site, Angelica Linen, stated that his client has a 16 hour-a-day /7 day-a-week operation with a high truck traffic volume and they are concerned with residential uses nearby not being compatible with this business use. James Bonds stated that the project should be supported as the owner is using his own money to help with the project. Ms. Guzman stated that this area is a manufacturing area and it is difficult to think who would live in this area since the proposed project is for affordable housing that would be competing with the manufacturing uses. Mr. Turchinsky stated that he purchased the building for manufacturing but that he was unsuccessful and now he wants to create affordable housing for those who need it. Ms. Xifaras Parella stated that she feels that the area needs to be studied in order to find the best use for this parcel. Ms. O'Connor stated that there are active businesses in the area and that an AROD might not be the best change for the area. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to deny recommendation of the zoning map amendment.

6. **Zoning Map Amendment – 6 Woburn Street:** Donald O'Neil, representative for the petitioner, presented the petition. Mr. O'Neil stated that the petitioner sought an amendment to the zoning map at 6 Woburn Street from RL-7 (Residential Limited) to MG-0.5 (Manufacturing General). Mr. O'Neil stated that his client has owned the property for a number of years and thought the zone was MG-0.5 and that Zoning maps from 1963 reflect that. Mr. Fontane stated there is a discrepancy between the 1963 zoning map and the 1996 zoning map and that the Director of Code Enforcement and the Planning & Regulatory Services Division have determined that the current location of the zone line is in error. Mr. Maleski questioned why the petitioner is requesting the zone change. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to close the hearing. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 4-0 to recommend approval of the zoning map amendment.

PUBLIC MEETINGS

7. **47 Fourth Street – (PB-07-55) Extension of Time Definitive Site Plan:** The Board took up the Extension of Time for Special Permit (PB-07-56) contemporaneously. Charles Scott and Russell Stewart, representatives for the applicant, stated that the applicant seeks to an extension of time for the Definitive Site Plan and Cluster Special Permit for the construction of a nine-unit townhouse (single-family attached dwelling) on a private way. Mr. Scott stated that applications to extend both the Definitive Site Plan and Special Permit were submitted on April 19, 2007 but that the applicant will submit a new Definitive Site Plan application since the Definitive Site Plan had already expired and, therefore, could not be extended. Ms. Bartness informed the Board that the application for extension of time for Definitive Site Plan was not properly before the Board and therefore no action is necessary.

8. **47 Fourth Street – (PB-07-56) Extension of Time – Special Permit Cluster Development:** The application for Extension of Time – Special Permit Cluster Development was taken up contemporaneously with item # 7 Extension of Time – Definitive Site Plan. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to approve the Extension of Time for the Special Permit for one year.
9. **629 & 633 Salisbury Street (PB-07-57) Parking Plan:** Chris Keenan, representative for the applicant, presented the plan. Mr. Keenan stated that the Jewish Health facility is located on the top of the hill and they are in need of more parking. He also stated that the properties at 629 and 633 Salisbury Street are owned by separate entities. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the parking plan with the following conditions:
- **Label Salisbury Street as Public.**
 - **Provide a clear locus plan that shows street network.**
 - **Provide zoning classification requirements.**
 - **Provide a parking summary for the existing use(s) at 633 Salisbury Street indicating the total number of required parking spaces and parking spaces provided.**
 - **Correct the address on the application to the Jewish Federation in Worcester as it is on the plan.**
 - **Correct the address of the property to include 633 Salisbury Street as well as 629 Salisbury Street.**
 - **Label the distance from adjacent buildings.**
 - **Use a heavier weight line for property lines.**
 - **Provide dimensions of the lot.**
 - **Provide the percentage of lot covered by existing principal and accessory buildings.**
 - **Label entrances and exits.**
 - **Proposed landscaping along Salisbury Street should be a mix of trees and shrubs.**
 - **Provide dimensions of streets and sidewalks.**
 - **Both owners must be party to the application.**
 - **Provide a cross easement giving authority from the co-owner to grant the applicant use of the parking spaces on the plan.**
 - **Applicant must file easement at the Worcester Registry of Deeds.**
 - **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
 - **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
 - **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

10. **41 Lancaster Street (PB-07-58) –Definitive Site Plan:** Jonathan Finkelstein and Ben Clark, representatives for the applicant, presented the plan. Mr. Finkelstein stated that a previous application for a Definitive Site Plan for a lodging house was withdrawn and that the current application seeks Definitive Site Plan approval for a sorority house of 22 beds. He also stated that there is one entrance and one exit for the site with four new off-street parking spaces and four existing off-street parking spaces and that the applicant proposes to plant Arbor Vitae on the west side of the property. Mr. Finkelstein stated that the applicant has also submitted a request to the Zoning Board of Appeals for a Special Permit to allow a sorority house use in an RG-5 zone and a Variance for relief of 11 parking spaces which would be heard at the upcoming June 11, 2007 Zoning Board of Appeals meeting. David Shriberg was concerned with the emptying of the dumpster, snow storage and requested a landscape barrier along his property line. Richard Bohigian was concerned with parking and where the extra cars would park. Carmine Zamarro requested a traffic study. Sandra Soldi was concerned that the truck to empty the dumpster would have to back out onto Lancaster Street. Ms. O'Connor requested to see a plan showing snow storage, the proposed dumpster location and screening along the westerly abutter. Ms. Guzman stated that traffic and snow storage are issues. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to continue the Definitive Site Plan to June 20, 2007, to allow the applicant time to address the Board's issues.

11. **28 Catharine Street/ 38 Oak Avenue (PB-07-61) – Parking Plan:** Chris Keenan, representative for the applicant, presented the plan. Mr. Keenan stated that the applicant seeks Parking Plan approval for a 64-space parking lot which would provide overflow parking for hospital use. Ms. Bartness stated that a portion of the parking lot is in the RG-5 zone and that a hospital use is not allowed in the zone and, therefore, accessory parking for the use is not allowed. Mr. Adams requested that note six be revised to say City of Worcester instead of City of Oxford. Margaret King was concerned about pollution due to more vehicles being in the area. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to continue the Parking Plan at the applicant's request to the June 20, 2007 meeting to allow the applicant sufficient time to make necessary revisions.

12. **47 Mason Street (PB-07-62) – Definitive Site Plan:** Stephen Petro, representative for the applicant, presented the plan. Mr. Petro stated that the applicant seeks approval for a single-family semi-detached dwelling (duplex) on property with 15% or more slope that previously received Definitive Site Plan approval but has since expired. He stated that the only change from the previously approved Definitive Site Plan was that each unit has been enlarged by 18 inches on the sides. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction**

Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.

- **Subject to the Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**

13. 937 – 945 West Boylston Street (PB-07-63) –Definitive Site Plan Amendment:

Lawrence Brodeur and Matthew Smith, representatives for the applicant, presented the plan. Mr. Smith stated the applicant seeks approval for an amended Definitive site Plan for a 14,333 SF Walgreens on a property with 15% slope or more. He also stated that at the time of construction the following modifications were made to the approved Definitive Site Plan: 1.) the sidewalk connecting West Boylston Street sidewalk to the parking lot was shifted approximately 20 feet, 2.) the electric transformer that was anticipated to be in the southeasterly corner of the site was installed in the northwesterly corner of the site, 3.) the plantings atop the wall on the southerly side of the site do not fit in the area as designed due to the limited width, thus all plantings have not yet been placed, 4.) the wall at the southerly side of the site extends further west/northerly than on the approved plan, eliminating a rip-rap slope; grading in this immediate area was modified, 5.) the wall at the westerly side of the site was extended south and lowered in maximum height. Two parking spaces were not installed to minimize the wall height (63 to 61 spaces/48 required; the grades in the immediate area were modified accordingly, 6) clearing of vegetation occurred beyond the “approximate proposed tree line” shown on the approved site plan to accommodate field conditions. The developer has indicated his willingness to add a six-foot high solid vinyl fence one-foot inside the property line in the area that was cleared. Ms. Bartness stated that 50% compact parking on site is a pre-existing approval and should be noted on the plan. She also stated that the slope should be stabilized, that the red maple tree on the top of the retaining wall should be moved and that the landscaping does not match the previously approved Definitive Site Plan. The Department of Public Works requested that their comment about the curb returns be withdrawn. John Hadley was concerned about the retaining wall landscaping along his property line. Robert and Susan Sacco stated that they were pleased with the fence that was abutting their property. Upon a motion by Anne O’Connor and seconded by Nicole Xifaras Parella, the Board voted 3-1 (Scott Cashman opposed) to approve the Definitive Site Plan Amendment with the following conditions:

- **Label plan, Definitive Site Plan.**
- **Add the RL-7 zone and requirements to zoning table.**
- **Make the following corrections to the zoning table:**
 - a) **Minimum SYS for BL-1.0 is 10 feet.**
 - b) **Building height maximum for BL-1.0 is 3+.**
 - c) **Add note in the parking notes after “50% can be compact” that this is a pre-existing nonconformity. The Zoning Ordinance was amended 2/6/07 to only allow 25% compact.**

- **Correct the lines currently labeled 10-foot landscape buffer and 5-foot parking setback along the westerly and a portion of the northerly property lines which are actually the RL-7 zone line.**
- **Increased stabilization methods are needed in order to deter further erosion on the westerly portion of the site.**
- **Move the Red Maple planted on top of the retaining wall along the southerly property line to elsewhere on the site.**
- **The landscaping shown on the site plan amendment does not match what is on the site. Correct the following:**
 - a. **The proposed 4-foot fence along a portion of the northerly property line (Hemingway) is 6 feet in height. Label 6 feet on plan.**
 - b. **The proposed 4-foot fence along the northwesterly property (Saco) is 6 feet in height. Label 6 feet on plan.**
 - c. **Additional landscaping to be placed around the sign foundation to provide screening for the concrete pad.**
 - d. **The landscaping shown along the southerly retaining wall is labeled as Junipers only. There are also several Arbor Vitae planted on top of the retaining wall. Label Arbor Vitaes on plan.**
 - e. **The landscaping shown on the plan near the pedestrian access does not match what is planted. Show correct location of landscaping on the plan.**
- **Erosion control devices should remain in the westerly portion of the site until the slope stabilization issue is addressed.**
- **Erosion control devices should be established for the adjacent site until lawn re-established.**
- **945 West Boylston Street, the adjacent site, is part of this site. Construction debris, dirt piles, and equipment remain on site after the opening of the Walgreen's. Also, part of the structure was removed on this site to accommodate the parking area for Walgreen's. In addition, the lawn area has been regraded and has not been re-established. Also, there are no erosion control measures in place. Walgreen's has been given a temporary Certificate of Occupancy to open even though the site is not complete The Code Department has determined that these issues must be addressed prior to issuing their permanent Certificate of Occupancy.**
- **Approval of the site plan amendment is conditioned upon the adjacent site being cleaned up, erosion controls be put in place and that the lawn be re-established at 945 West Boylston Street.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout**

construction by the applicant to the satisfaction of the Director of Code Enforcement.

- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

APPROVAL NOT REQUIRED (ANR) PLANS:

1. **ANR 6523:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to endorse ANR # 6523, Simone Street.
1. **ANR 6524:** Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # 6524, 40 Merrick Street.
2. **ANR 6525:-**Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to endorse ANR # 6525, 25 Winthrop Street.
3. **ANR 6526:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to endorse ANR # 6526, Columbus Street/Circuit Avenue.
4. **ANR 6527:** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse #6527, 15 Kingsbury Street.
5. **ANR 6528:** Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR # 6528, Knight Street.
6. **ANR 6529** Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 4-0 to endorse # 6529, Corrine Street.
7. **ANR 6531** Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 4-0 to endorse # 6531, (Parcel A) Bullard Street.
8. **ANR 6532** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse # 6532, Dalton Street.
9. **ANR 6533** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse # 6533, Gibbs Street.
10. **ANR 6534** Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to endorse # 6534, 6 Strasburg Street.
11. **ANR 6535** Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 4-0 to endorse # 6535, Westborough Street.
12. **ANR 6536** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to endorse # 6536, 96 & 98 Pocasset Avenue.
13. **ANR 6537** Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 4-0 to endorse # 6537, 17 & 19 Anderson Avenue.

OTHER BUSINESS

Arboretum III Subdivision - Conditional Release from Covenant: Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 4-0 to conditionally release the following lots from the Covenant recorded in Book 40613, Page 153 at the Worcester Registry of Deeds:

Lots 41L&R through 52L&R inclusive – Lilac Lane (Phase 2)

Lots 32L&R through 40L&R inclusive – Pearlbush Lane (Phase 1)

Lots 53L&R through 60L&R inclusive – Holly Terrace (Phase 3)

Hilltop Subdivision (Fourth Street and Eastview Drive) - Bond Release: Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 4-0 to release the \$90,000 bond in its entirety for the Hilltop Subdivision as all work has been performed to the satisfaction of the Department of Public Works.

ADJOURNMENT

Chair Cashman adjourned the meeting at 9:10 PM.