

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

**April 2, 2008  
WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM**

**Planning Board Members Present:** John Shea, Chair  
Margaret Guzman  
Nicole Xifaras Parella

**Staff Present:** Joel Fontane, Division of Planning & Regulatory Services  
Judy Stolberg, Division of Planning & Regulatory Services  
Lara Bold, Division of Planning & Regulatory Services  
Russ Adams, Department of Public Works  
Jody Kennedy-Valade, Department of Code Enforcement  
Michael Traynor, Law Department  
Jennifer Healey, Law Department

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

**CALL TO ORDER**

Chair Shea called the meeting to order at 5:45 PM.

**APPROVAL OF MINUTES**

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to approve the minutes of the March 19, 2008 meeting.

**UNFINISHED BUSINESS**

- 1. 687 Millbury Street (PB-2008-001) – Amendment to Definitive Site Plan:** Huy Nguyen, who is seeking to amend a previously approved site plan by modifying the parking layout and making changes to the parking lot and landscaping for a building with five apartments and five commercial retail store fronts, said the engineer for the project was not present but he opted to proceed. A revised plan dated April 1, 2008 was given to the Board. It showed a reduction in compact spaces and addition of arbor vitae in the legend per Ruth Gentile's memo. Chair Shea told Mr. Nguyen that it is the Board's long standing policy not to accept plans at a meeting however, they did look at it. Mr. Adams stated the revised plan had somewhat addressed DPW&P's issues from Joseph Borbone's memo dated March 30, 2008. He went on to say that the revised plan shows angled parking directly across from the westerly opening and those spaces should be 90-degree spaces. He also said it appeared that the handicapped access would not meet ADA requirements because of a mound created by the elevation of the building when it was constructed. Ms. Kennedy Valade echoed Mr. Adams' comment relative to handicapped accessibility and stated handicap accessibility must meet AAB standards. Chair Shea and Ms. Guzman both commented on the amount of trash they saw on the site when they viewed it and said it was offensive and suggested the

applicant place enclosed dumpsters on the site in compliance with city codes. Ms. Bold said the comments in Ruth Gentile's memo dated April 1, 2008 had been addressed. Ms. Guzman expressed frustration with the existing landscaping saying it is not a viable buffer. She also suggested the applicant take advantage of the expertise in DPW&P and Code Enforcement in order to make the plan acceptable to the Board. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to continue the Amendment to Definitive Site Plan Approval to April 16, 2008 for plan revisions and to extend the deadline for constructive grant to May 7, 2008 at the request of the applicant.

**2. 435 Shrewsbury Street (PB-2008-019) – Amendment to Definitive Site Plan:** Attorney Samuel DeSimone and Kenneth Strom, representing the applicant, presented the plan to construct a 13,806 square foot office building. Mr. DeSimone stated the Zoning Board of Appeals had approved a Special Permit for relief of one space from the loading space requirement and a Special Permit for relief from the landscape buffer requirement. Mr. DeSimone said the ZBA had conditioned approval on the rendering submitted and revised landscaping plan and asked the Planning Board to keep in mind the Zoning Board of Appeals conditions of approval during its deliberations. Ms. Bold said a revised definitive site plan should incorporate the revised landscaping, including the seasonal planting schedule for the window boxes and should note the date and specific approval of the Zoning Board of Appeals. She said the applicant was requesting a waiver of the interior tree requirement as well. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to approve the Amendment to Definitive Site Plan with the following conditions:

- **The interior tree requirement for 1 tree for every 10 parking spaces is waived.**
- **Six copies of the revised plan incorporating the revised landscaping, including a schedule of plantings for window boxes, and listing the date and specific approval of the Zoning Board of Appeals be submitted to the Division of Planning and Regulatory Services prior to release of the decision.**
- **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.**

**3. 514, 542 & 558 Southbridge Street (PB-08-23) – Definitive Site Plan:** Attorney Robert Longden and Ben Smith, representing the applicant, presented the plan to construct a supermarket and two retail buildings. He said the Zoning Board of Appeals had approved a Special Permit to allow retail sales in MG-2.0 and ML-1.0 districts and a Special Permit to increase the number of compact parking spaces to more than 25%. City Councilor Barbara Haller spoke in support of the project and its potential positive impact on the further revitalization of the area. She stated that there had been neighborhood meetings and neighbors' suggestions were incorporated into the design. She said the particular site had been a blight on the neighborhood for many years and the project has the overwhelming

support of the neighborhood residents. Mr. Longden indicated that it is hoped that the facades will provide a model for future buildings on Southbridge Street because they have been designed with windows, brick and architectural features to make them attractive and user friendly. He said they are seeking a pharmacy use for the proposed building on the Washburn Street side of the property which would most likely incorporate a drive-thru window. He also stated that no access to Washburn Street is planned at this time, but should a pharmacy with a drive-thru be proposed as a tenant, a Special Permit or zone change would be required for the drive-thru because it would transverse the RG-5 zone. Mr. Longden said 29 of the compact spaces would be 9'x16' spaces and the remainder 8'x16' compact spaces. Chair Shea noted that the parking summary did not accurately reflect the size of all the spaces. Mr. Longden also said exiting traffic would be right turn only onto Southbridge Street. Ms. Bold said most of the comments in her memo dated March 26, 2008 had been addressed. Regarding the number of interior trees, she said there were only 14 interior trees but 16 are required. Mr. Smith said two trees could be placed on the proposed eastern parking buffer that does not have any landscaping. However, Ms. Bold said if the two additional trees are placed in that buffer, then snow cannot be stored there according to the Ordinance. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, it was voted 3-0 to approve the Amendment to Definitive Site Plan with the following conditions:

- **Label complete, current address of project: 514, 542, 558 Southbridge Street.**
- **Cotton Realty Trust and Southbridge Street Realty Corp are still listed as owners of 514 and 558 and 542 Southbridge Street, respectively in City of Worcester assessing records and Zoning Board of Appeals application. Include all current owners on site plan. Label distance of proposed structures to rail lines.**
- **Remove symbol for existing structure that will be demolished that appears on Building 3 on Sheet C-2.**
- **Indicate location of proposed HVAC equipment in relation to abutting residential uses.**
- **Indicate location of proposed emergency power generators, if any.**
- **Correct the Zoning Summary/Zoning Analysis table:**
  - **While the required dimensions vary by zoning district, the existing and proposed dimensional setbacks should be organized in one column. For example, while there are different frontage requirements for each zoning district, there is only one existing and proposed frontage dimension.**
  - **The frontage of this property is located on Southbridge Street; the length of the parcel along Washburn Street should be considered the exterior side yard.**
  - **Label exterior side yard setback requirement, existing, and proposed dimensions.**
  - **Provide the dimensions of adjacent structures on the same block within 150 feet of the subject property that are used to calculate front yard setback requirement (based on front yard alignment clause).**
  - **Include required, existing, and proposed height of buildings in feet and stories.**
- **Label total square footage of impervious and pervious surfaces.**
- **Label loading spaces as such and provide dimensions of loading spaces.**
- **Provide a van-accessible access aisle width of 8 feet.**

- **Label width and materials of sidewalk.**
- **Indicate that the proposed compensatory flood storage will be loamed and seeded.**
- **Label height of all proposed retaining walls. Provide a lighting plan showing no more than 1-foot candle width spillage onto abutting residential uses.**
- **Provide details on type of light fixtures to be used. It is recommended that lights be shielded and directed downward. It is further recommended that the light closest to the residential properties fronting Washburn Street be high pressure sodium as opposed to a metal halide light.**
- **One interior tree is required for every 10 spaces that do not abut a landscape buffer area. Sixteen interior trees are required; fourteen are provided; two additional interior street trees should be shown on plan.**
- **Another street tree is required for the front landscape buffer along Southbridge Street to meet the requirement that street trees be planted 20-25 feet on center.**
- **Label how five foot setback will be landscaped on the eastern portion of the property adjacent to Price Rite where 9 parking spaces are located. It is recommended that shrubs be added.**
- **Clarify type and height of fencing to be used to screen dumpsters.**
- **Label existing vegetation on existing conditions page including any trees with 9 inch diameter or more.**
- **Provide note that excess snow storage will be removed from site or label location of proposed snow storage. Snow storage may not be located in required landscape buffer areas.**
- **Note 1, Sheet C-5 should be changed to notify the proper entity.**
- **The interior tree requirement for 1 tree for every 10 parking spaces is waived to allow 14 interior trees rather than the required 16 interior trees.**
- **Two additional trees be placed elsewhere on the site to be approved by staff at the Division of Planning & Regulatory Services.**
- **Replace the double grated catch basin with 2 complete catch basins.**
- **Utilize 8" DR18 PVC pipe for all of the catch basin connections.**
- **Provide City of Worcester Standard Details.**
- **Note on the plan that excess snow will be removed from the site and label the snow storage areas on the site.**
- **Parking summary should be corrected to show the 29 9'x16' compact spaces.**
- **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 Division of Planning & Regulatory Services prior to release of the decision.**

## NEW BUSINESS

- 4. Avery Estates Subdivision (PB-2008-024) – Amendment to Definitive Subdivision Plan:** Ben Clark, representative for the developer, Harry Avery, presented the plan to amend the previously approved 12-lot definitive subdivision plan by lowering the proposed elevations of Wyola Drive, Avery Path and Brookline Street. He submitted copies of agreements from abutters to allow grading on their property. He said the applicant is also requesting the following waivers: (1) Waiver from Subdivision Regulations, Section 9(E) (1) requiring the maximum centerline grade for a straightway 10%. (Applicant wishes to provide 12.75% between STA 2+85.37 to 4+51.60 and 10.52% from 8+66.75 to the end of Brookline Street.); and (2) Waiver from Subdivision Regulations, Section 9(E) (4) to provide 3% leveling areas for a distance of 100 feet where existing streets intersect with a subdivision street or where streets intersect within a subdivision. (Applicant wishes to provide leveling areas of 3.5% and 4% for a distance of 50 feet on Avery Path.) Ms. Bold cited standard easement language from her memo dated March 26, 2008 that should be incorporated as a condition of approval. Mario Silva-Rosa, 78 Wyola Drive, questioned what would happen to a tree that seems to straddles his property line and the right of way. Mr. Avery explained that some of the front yards extend into the right of way. Mr. Silva-Rosa also mentioned a stream that appeared in his front yard. Mr. Adams said that it was most likely surface water runoff because the property had been clear cut. He indicated this should disappear when the project is completed. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, it was voted 3-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, it was voted 3-0 to approve the Amendment to Definitive Subdivision with the following conditions:

- **Properly executed easements to the City of Worcester in all ways shown on the Definitive Site Plan for all purposes for which ways are commonly used in the City and properly executed easements to the City of Worcester in and over all lands not included within the ways which are shown on the plan to be devoted to drainage or other common use. Wherever a drainage easement is shown, there shall also be an easement to discharge and dispose of said drainage whether within or without the subdivision. A sum of money sufficient to pay recording fees shall accompany the easements. Said easements are to be duly recorded prior to start of construction.**
- **DPW&P must approve the grading interaction between the discharge point of the detention basin, and the proposed retaining wall.**
- **Invert on Sheet 6 should be 612.32 not 512.32.**

At this point, the Board realized the requested waivers had not been incorporated into the approval. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, it was voted 3-0 to reconsider. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, it was voted 3-0 to approve the Amendment to Definitive Subdivision with the following conditions:

- **Properly executed easements to the City of Worcester in all ways shown on the Definitive Site Plan for all purposes for which ways are commonly used in the City and properly executed easements to the City of Worcester in and over all lands not included within the ways which are shown on the plan to be devoted to drainage or other common use. Wherever a drainage easement is shown, there shall also be an**

easement to discharge and dispose of said drainage whether within or without the subdivision. A sum of money sufficient to pay recording fees shall accompany the easements. Said easements are to be duly recorded prior to start of construction.

- **DPW&P must approve the grading interaction between the discharge point of the detention basin, and the proposed retaining wall.**
- **Invert on Sheet 6 should be 612.32 not 512.32.**
- **Waived Subdivision Regulations, Section 9(E) (1) requiring the maximum centerline grade for a straightway 10%. (Applicant wishes to provide 12.75% between STA 2+85.37 to 4+51.60 and 10.52% from 8+66.75 to the end of Brookline Street.)**
- **Waived Subdivision Regulations, Section 9(E) (4) to provide 3% leveling areas for a distance of 100 feet where existing streets intersect with a subdivision street or where streets intersect within a subdivision. (Applicant wishes to provide leveling areas of 3.5% and 4% for a distance of 50 feet on Avery Path.)**

5. **25 Eskow Road (PB-2008-013) – Definitive Site Plan:** Attorney Patricia Gates and Chris Ferguson, representatives of the applicant, presented the plan to construct an 8,450 square foot building, 500 square foot guardhouse, storm drainage system and seventeen parking spaces in conjunction with a fuel oil/delivery business on property with 15% or more slope. Mr. Ferguson stated that there would be a net reduction in pavement and less stormwater run-off to the wetlands. Ms. Gates said the Zoning Board of Appeals had approved a Special Permit for open lot storage. She said due to the nature of the project, the Fire Department had been consulted and was satisfied with the plan. Ms. Bold said the frontage on Eskow Road should be included in the zoning summary. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to approve the Definitive Site Plan with the following conditions:

- **Zoning summary should reflect frontage provided on Eskow Road.**
- **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 be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

## **OTHER BUSINESS**

**Quabog Subdivision – Accept Covenant:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, it was voted 3-0 to accept a covenant pursuant to M.G.L. c.41, s.81U to obtain the Planning Board's endorsement of its approval of the Definitive Subdivision Plan.

### **APPROVAL NOT REQUIRED (ANR) PLANS:**

- 1. AN-2008-024:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR # AN-2008-024 Wildwood Avenue.
- 2. AN-2008-025:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR # AN-2008-025 New Bond Street.
- 3. AN-2008-026:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR # AN-2008-026 Lincoln Street.
- 4. AN-2008-027:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR # AN-2008-027 Barber Avenue.
- 5. AN-2008-028:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR # AN-2008-028 Clement Street.

### **ADJOURNMENT**

Chair Shea adjourned the meeting at 7:30 PM.