

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

**SEPTEMBER 17, 2008  
WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, BANX ROOM**

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

**Staff Present:** Joel Fontane, Division of Planning & Regulatory Services  
Lara Bold, Division of Planning & Regulatory Services  
Judy Stolberg, Division of Planning & Regulatory Services  
Luba Zhaurova, Division of Planning & Regulatory Services  
Michael Traynor, Law Department  
K. Russell Adams, Department of Public Works  
Jody Kennedy-Valade, Department of Inspectional Services

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

**CALL TO ORDER**

Chair Shea called the meeting to order at 5:30 PM.

**APPROVAL OF MINUTES**

Upon a motion by Nicole Xifaras Parella and seconded by Margaret Guzman, the Board voted 5-0 to approve the minutes from the August 20, 2008 meeting. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the minutes from the September 3, 2008 meeting.

**REQUESTS FOR WITHDRAWALS OR CONTINUANCES**

1. **2 Barnstable Road – Definitive Site Plan Approval (PB-2008-044):** Donald Bray, sent a letter to the Board requesting this item be continued to December 10, 2008 and the constructive grant date be extended to January 8, 2008. The letter stated the applicant is planning to meet with the Indian Lake Watershed Association and then will be requesting relief from the Zoning Board of Appeals. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to extend the deadline for constructive grant to January 8, 2008 and to continue the item to December 10, 2008.
2. **0-9 Hemans Street (PB-2008-068) – More Than One Building On A Lot:** Definitive Site Plan (PB-2008-067) was taken contemporaneously. Ben Clark stated the applicant seeks to construct 30 multi-family low rise dwelling units (townhouses) on property with

15% or more slope on property located in RG-5 (Residence, General) and MG-2.0 (Manufacturing, General) zones. Ms. Bold informed Mr. Clark that the project cannot be approved in its current configuration because Hemans Court, a private way, cannot be incorporated into the Definitive Site Plan as stated in Ruth Gentile's memo dated September 12, 2008. Mr. Clark requested a continuance to the October 1, 2008 meeting. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to continue the hearing to October 1, 2008.

3. **0-9 Hemans Street (PB-2008-067) – Definitive Site Plan:** See #2 above.

## **NEW BUSINESS**

### **PUBLIC HEARINGS**

4. **Harriet Street – Remove Private Street From Official Map:** Michael Smith, petitioner, is requesting that the entire length of Harriet Street (~ 200 feet), a private way, be removed from the Official Map. Ms. Bold referred to her memo dated September 15, 2008 which recommends approval of the removal if no parties of interest are in opposition. She said staff concluded that none of the abutting properties derive their frontage from Harriet Street and no unbuildable lots would be created. Paul McCarthy said he had no actual objection to the removal of Harriet Street from the Official Map but questioned how the property would be divided. Mr. Traynor advised the Board that Mr. McCarthy's question was beyond the Board's scope and any underlying legal rights were a private matter. Chair Shea advised Mr. McCarthy to seek legal advice from an attorney. No one objected to the removal of the private street. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to remove Harriet Street, a private way, in its entirety, ~ 200 feet, from the Official Map.
5. **Avery Estates Subdivision (PB-2008-064) – Amendment to Definitive Subdivision:** Harry Avery, applicant, requested that the Board establish a new sunset date for this definitive subdivision that was originally approved on September 14, 2005. Steven Foskett asked when the private portion of Brookline Street would be paved. Mr. Avery responded that it would be done in the Spring of 2009. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the Amendment to Definitive Subdivision to the original conditions of approval for the above referenced subdivision under M.G.L. c. 41 §81W by waiving Section VI(1)(2) of the Worcester Subdivision Regulations to establish a new sunset date of September 14, 2010.
6. **327-341 Greenwood Street – Parking Plan Approval:** Richard Duff, representing the Worcester Housing Authority, presented the parking plan to add 18 parking spaces, landscaping and drainage to the existing parking lot. Ms. Bold referenced her memo dated September 12, 2008 which listed some labeling issues to be addressed. Mr. Duff informed the Board that the Zoning Board of Appeals had asked that trees in front of Buildings 331 and 333 be replaced because they did not appear to be healthy. He stated

the WHA had asked the City's forestry staff to examine the trees, which are newly planted, and they found that they were healthy and did not need to be replaced. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to approve the parking plan with the following conditions:

- **That Greenwood Street be labeled as public on the plan.**
- **That the zoning districts be corrected on the plan to include BL-1.0 and ML-0.5.**
- **That the zoning classification summary also include provided dimensional setbacks in addition to required setbacks.**
- **That existing fences and their height be labeled on the plan.**
- **That additional landscaping per the Zoning Board of Appeals' approval be provided on the plan.**
- **That snow storage areas outside of the required rear parking buffer area be provided on the plan.**
- **That relief granted by the Zoning Board of Appeals, including date of approval and conditions of approval, be labeled on the final plan.**
- **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 Commissioner of Inspectional Services.**
- **Eight copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

7. **22 Dean Street/53 Wachusett Street – Parking Plan Approval:** Dennis Rice and Michael Andrews, representing WPI, presented the parking plan for a 22-space parking lot associated with student housing. Ms. Bold referenced Ruth Gentile's memo dated September 15, 2008 which outlined labeling issues. She noted in the memo that a Special Permit from the Zoning Board of Appeals in order to modify parking layout with regard to parking, access aisle widths and landscaping is needed. Arthur Resca asked if there would be any lighting added to the parking lot. Mr. Rice said no. Mr. Resca asked if a dumpster would be located there. Mr. Rice said there was a possibility a dumpster might be located there. Chair Shea reminded him that a dumpster, if located on the lot, should not be located in close proximity to abutting property. Mr. Andrews requested a continuance to October 15, 2008 in order to address the issues from Ms. Gentile's memo and to file an application with the Zoning Board of Appeals. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the item to October 15, 2008.
8. **10 & 12 Boyden Street (PB-2008-069) – Definitive Site Plan:** Jeff Howland, representing the applicant, presented the plan to construct a six unit multi-family low-rise

on property with 15 % slope or more. Ms. Bold informed the Board that the Commissioner of Inspectional Services had determined that the proposed dwelling units do not meet the definition of multi-family dwellings because they do not share a means of ingress and egress. Ms. Valade noted that the proposed units do not meet the definition of a single-family attached dwelling unit because each unit is not located on its own lot. Because the proposed dwelling units do not meet the definition of an allowed use in an RG-5 zone, staff recommended denial of the Definitive Site Plan if the applicant does not seek to reduce the number of units and reconfigure them or redesign the structure. Mr. Howland requested a continuance to October 1, 2008 so that he could discuss the alternatives with his client. Francis Banfill was concerned about the appearance if the site plan was approved. Jacqueline MacNamara was worried about the removal of the trees on the property and possible effects on her property. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to continue the item to October 1, 2008.

### **OTHER BUSINESS**

**Dominion Road – Sewer Petition:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to recommend a Priority 2 based on the recommendation of the Department of Public Works and Parks.

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

1. **AN-2008-065:** Upon a motion by Scott Cashman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to deny endorsement of ANR #2008-65, Luther Avenue, because it was determined that the way did not have sufficient grades and adequate construction to provide for the needs of vehicular traffic.
2. **AN-2008-066:** Staff held ANR #2008-066, Gilman Street, for more information.
3. **AN-2008-067:** Upon a motion by Scott Cashman and seconded by Nicole Xifaras Parella, the Board voted 4-1 (Anne O'Connor voted no) to deny endorsement of ANR #2008-066, Keach Avenue, because it was determined that the way did not have sufficient grades and adequate construction to provide for the needs of vehicular traffic.
4. **AN-2008-068:** Upon a motion by Scott Cashman and seconded by Nicole Xifaras Parella, the Board voted 4-0 (Anne O'Connor recused herself) to endorse ANR #2008-068, Washington Square.

### **ADJOURNMENT**

Chair Shea adjourned the meeting at 6:40 PM.