

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

FEBRUARY 7, 2007

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM

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

Staff Present: Robin Bartness, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Michael Traynor, Law Department
K. Russell Adams, Department of Public Works
Jody Kennedy-Valade, Code Department

REGULAR MEETING (5:30 PM)

CALL TO ORDER

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

APPROVAL OF THE MINUTES

Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve the January 17, 2007 Planning Board minutes.

REQUESTS FOR WITHDRAWALS OR CONTINUANCES

- 1. 6 May Street (PB-06-163) – Parking Plan:** John Reil, representative for the applicant and owner, Quek Chen Kwee, requested a continuance in order to make the necessary revisions to the plan. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the Parking Plan to March 7, 2007 and extend the constructive grant deadline to March 8, 2007.

UNFINISHED BUSINESS

- 2. 36 Quaboag Street (PB-06-141) – Definitive Subdivision:** Seth Toch, representative for the applicant, presented the plan. Mr. Adams indicated that the Water Operations division of the Department of Public Works had an additional comment regarding the blow-off release valve. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to close the public hearing. Upon a motion by Margaret Guzman and seconded by

Nicole Xifaras Parella, the Board voted 5-0 to approve the Definitive Subdivision with the following conditions:

- **A blow-off assembly must be installed at the new end of pipe.**
- **Label Floodplain Overlay District on Sheet 1 of 6. Lot 3B is partially located in flood zone AE.**
- **Remove language on Sheet 1 of 5 in lower left-hand corner requesting a waiver from 30' roundings.**
- **Consult with the Law Department to provide the necessary documentation for the drainage easement.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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 and a Mylar must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to waive the following requirements of the Definitive Subdivision Regulations:

- **Waiver from the requirement to provide sidewalks on the cul-de-sac of Quaboag Street.**
- **Waiver from the 100' cul-de-sac diameter requirement in order to provide an 80' diameter.**
- **Waiver from the pavement width requirement of 60'.**

3. 3 & 7 Pocasset Street / Lots 1 & 2, Ockway Street (PB-06-147) – Definitive Site Plan:

Kevin Quinn, representative for the applicant, presented the plan. Chair Shea submitted for the record a Disclosure of Appearance of Conflict of Interest letter as required by Massachusetts General Law: C 268 §23(b)(c). Mr. Adams inquired about the area shown as Parcel A and Parcel B on Sheet 1 of 4 of the Definitive Site Plan. Mr. Traynor informed the Board that a private way cannot be altered through Site Plan Approval because private ways are off-site and outside of the Board's purview. Mr. Traynor also stated that entities with private rights along the private way may pursue those rights outside of the site plan review process. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- **Remove proposed rounding lines labeled Parcel A and Parcel B on the plan.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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. 20 Passway Three (PB-06-161) – Definitive Site Plan: Cory Brodeur, representative for the applicant, presented the plan. Mr. Brodeur indicated that the driveway had been lengthened to 54’ and that the submitted architectural plans show a common entrance to the two-family detached dwelling units. Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- **Label the proposed structure “two-family detached dwelling” on plan instead of two single-family detached dwellings.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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 and must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

5. 15 Ararat Street (PB-06-165) – Definitive Site Plan: Stephen Madaus and Seth Toch, representatives for the applicant, presented the plan. Mr. Adams requested 2-foot curb returns for the northerly driveway and requested that the existing aprons be defined. Mr. Madaus informed the Board that the parcel had been split-zoned in the past with the intention of preserving a strip of land in the RL-7 zoning district as a buffer between the MG-1 and RL-7 zoning districts. Ms. Bartness indicated that the Division of Planning and Regulatory Services would be amenable to the omission of the requirement that the zoning classification summary include the RL-7 zoning district requirements. Ms. Bartness also indicated that the total square footage of ground area coverage should include a breakdown of the percentage of impervious and pervious surface for the site. Mr. Madaus indicated that the site plan already showed the height in feet of the proposed building. Ms. Bartness suggested that the revised site plan show the full extent of the existing wooded buffer area along the northwestern edge of the site. Ms. Bartness also indicated that the plantings abutting the existing residential use should be planted more thickly. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to continue the Definitive Site Plan to February 21, 2007 to allow the applicant sufficient time to make the necessary revisions.

NEW BUSINESS

PUBLIC HEARINGS

- 6. Zoning Map Amendment - 1097 Pleasant Street (RS-7 to BL-1.0)** Allyn Jones, owner of the property, presented the petition. Candith Gammal, an abutter, expressed concerns about the possibility of a restaurant use on the site and stated that the area is clearly residential and is already heavily trafficked. Dennis Bombard, an abutter, stated that he would like the zone to remain unchanged. Frederick Cary, an abutter, expressed opposition to the proposed zone change. Ms. Bartness stated that the site can accommodate the existing use and that the use could be expanded or changed upon grant of a Special Permit from the Zoning Board of Appeals. Chair Shea stated that the neighborhood appears to have sufficient business uses and that the expansion of the BL-1 zone does not suit the neighborhood. Ms. Guzman stated that she opposed the extension of the zone line because future possible business uses would be in close proximity to existing residences' backyards and stated that the expansion does not provide for a natural flow of uses. Ms. Parella stated that the proposed zone change is not a good long term zoning decision. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to close the public hearing. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to recommend denial of the Zoning Map Amendment.
- 7. Private Street Removal from the Official Map –Coonan Street:** Scott Cashman recused himself. The Board took up the private street removal petitions for Coonan Street, Kendig Street, and Attleboro Street contemporaneously. Joe Boynton, and Jeffrey Cunningham, representatives for the petitioner presented the petition. Mr. Boynton indicated that the slopes are steep on these private streets and portions thereof. He also stated that the petition to remove a portion of Attleboro Street was filed upon a recommendation to do so from the Planning Board upon approving a site plan for single-family attached dwelling units on November 30, 2005 abutting Attleboro Street. Mr. Adams stated that the DPW has concerns with the effect removal of a portion of Attleboro Street would have on the ability of the City to maintain previously approved utilities in connection with the November 30, 2005 site plan approval. Mr. Traynor indicated that the City will need an easement to access the proposed utilities. Mr. Boynton stated that the applicant would be willing to place the sewers in a certain portion of the street in order to facilitate maintenance. Mr. Traynor stated that sewers generally follow the centerline of a way. Mr. Boynton stated that Kevin Quinn, engineer for the project, was not present at the meeting and that he would like to consult with him prior to any agreements. Denise Brunsole, an abutter to Kendig Street, stated that she wanted to know which part of Kendig Street was proposed to be removed from the official map and stated that she did not oppose the petition. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to close the public hearing for Coonan Street. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve the private street removal of Coonan Street from the official map.
- 8. Private Street Removal from the Official Map –Kendig Street:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue

the hearing of the Kendig Street petition to March 7, 2007 to allow the petitioner time to discuss the engineering and easement concerns with the Department of Public Works.

- 9. Private Street Removal from the Official Map –Attleboro Street:** Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to continue the hearing of the Attleboro Street petition to March 7, 2007 to allow the petitioner time to discuss the engineering and easement concerns with the Department of Public Works.

PUBLIC MEETINGS

- 10. 13 Boyden Street (PB-06-171) – Definitive Site Plan:** Thomas Michalak, representative for the applicant, presented the petition. Mr. Michalak stated that the existing retaining wall will be preserved. Mr. Adams indicated that the applicant must provide separate piping for the sanitary and surface connections via a twin inverter sewer per the Department of Public Works memo dated January 10, 2007. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted to approve the Definitive Site Plan with the following conditions:

- **Indicate on the plan that both driveways will be paved.**
- **The zone line shown on the site plan does not match the zone line depicted in the City of Worcester GIS database. Please correct or clarify difference.**
- **Provide zoning summary classification and requirements for both RL-7 and RG-5 for what is required and proposed.**
- **Label number of bedrooms of proposed dwelling units.**
- **Provide dimensions and construction materials of driveway.**
- **Provide separate piping for the sanitary and sewer connections.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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.**

- 11. Lots 10-14, Sophia Drive (PB-07-01) – Definitive Site Plan:** Seth Toch and Steven Gallo, representatives for the applicant, presented the plan. Ms. Bartness acknowledged that while not required by the Zoning Ordinance, the Division of Planning and Regulatory recommended that the parking spaces shown on the side of each unit be paved. She stated that providing an additional paved parking space will encourage homeowners to park outside of their front yard setback, thus, protecting the sidewalk for pedestrian use. Chair Shea stated that the grass parking spaces pose a safety issue. He also stated that the Board members had

observed vehicles hanging over the sidewalk for the Arboretum Subdivision model unit and that it illustrated both the aesthetic and safety issues posed by not providing two paved parking spaces. Ms. Bartness stated that the developer would be setting a precedent for the future parking spaces of 300 units. In addition, Ms. Bartness referred the Board to the site plan standards for review set forth by Article V of the Zoning Ordinance including: 1.) Adequacy and arrangement of pedestrian traffic access and circulation...and overall pedestrian convenience and 3.) Location, arrangement, appearance, and sufficiency of off-street parking and loading. Ms. Guzman expressed concerns with mud and erosion of the grass parking spaces especially in the winter and spring months. Ms. Guzman made a motion to deny the Definitive Site Plan; the motion failed for lack of a second. Mr. Traynor stated that it is the Planning Board's role to review developments and make reasonable conditions of approval. Mr. Gallo stated that a paved parking space would be added for each unit on the site plan. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-2 (John Shea and Margaret Guzman opposed) to approve the Definitive Site Plan with the following conditions:

- **Label a 9'x 18' paved parking space contiguous to the paved driveway instead of the proposed grass parking space for each unit.**
- **Label existing and proposed easements.**
- **Provide reference to ANR plan for Lots 13 & 14 Sophia Drive, signed on 12/20/06 (Plan Book 851, Plan 121).**
- **Label any existing trees in excess of 9 inches in diameter.**
- **Label construction materials of the proposed driveways.**
- **Label construction materials and dimensions of any sidewalks.**
- **Provide the correct address on both the application and site plan.**
- **Remove Arboretum Village title from plan.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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.**

12. 1256 West Boylston Street (PB-07-02) – Definitive Site Plan: Andrew Liston, representative for the applicant, presented the plan. Mr. Liston indicated that the plan had gone before the Conservation Commission. He also stated that the parking would be provided by a two-garage. Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- Provide a 5-foot cover on the house water service which runs under the box culvert to prevent freezing per Department of Public Works, Water Operations Division memo dated January 26, 2007.
- Obtain Department of Public Works agreement for proposed 2-inch type K copper water main per Department of Public Works, Water Operations Division memo dated January 26, 2007.
- Remove the manholes from the sanitary connection per Department of Public Works memo dated February 1, 2007.
- Provide clean-outs for the sanitary connection every 100 feet per Department of Public Works memo dated February 1, 2007.
- Label plan “Definitive Site Plan”.
- Both owners must be party to the application. James Chirchigno has signed the application, but Leonard Chirchigno, co-applicant, must also sign the application.
- Label West Boylston Street as public.
- Provide dimension of West Boylston Street.
- Provide dimensions of driveway, curb cuts and sidewalk.
- Provide construction materials of driveway, curbs and sidewalk.
- Label existing trees to remain, if any.
- All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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.

13. **17 Otter Trail (PB-07-03) – Definitive Site Plan:** Josh Reinke, representative for the applicant, presented the plan. Zigmond Prostak, an abutter, expressed concerns about fill that was dumped on a nearby sewer line as part of the project. Mr. Prostak also inquired if there would be any future grading on the site. Mr. Adams informed the Board that he was not aware of any sewer problems in that area. Mr. Reinke informed Mr. Prostak that the site work had already been completed and that there would be no further grading in relation to the current application. Upon a motion by Margaret Guzman and seconded by Anne O’Conner, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions:

- List owner on the plan.
- Label location of two parking spaces, driveways, curbs, curb cuts, and sidewalks.
- Label construction materials of driveways, curbs, curb cuts, and sidewalks.

- All work must conform to the standards contained in the City of Worcester, Department of Public Works, 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 fence, 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.

OTHER BUSINESS

14. APPROVAL NOT REQUIRED (ANR) PLANS:

ANR-6471: Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 5-0 to hold ANR Plan #6471, Woodcliffe Street in order to view the site.

ANR-6472: Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 5-0 to endorse ANR Plan #6472, Lots 1A-A9 Sophia Drive.

ANR-6473: Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR #6473, North Street.

ANR-6474: Upon a motion by Scott Cashman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR #6474, 60 Paine Street.

ANR-6475: Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #6475, Blake Street.

ANR-6476: Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR #6476, Myrick Street.

ANR-6477: Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to endorse ANR #6477, Harrison Street.

ANR-6478: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR #6478, Mallard Road.

ANR-6479: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR #6479, Sophia Drive.

ANR-6480: Upon a motion by Margaret Guzman and seconded by Nicole Xifaras Parella, the Board voted 5-0 to endorse ANR #6480, Gibbs Street.

ANR-6482: Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR #6482, Burncoat Terrace.

ADJOURNMENT

Chair Shea adjourned the meeting at 7:40 PM.