

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

July 15, 2009

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, BANX ROOM

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

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Edgar Luna, Division of Planning & Regulatory Services
Jody Kennedy-Valade, Department of Inspectional Services
Jennifer Beaton, Law Department
Russell Adams, Department of Public Works & Parks

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Vice Chair Cashman called the meeting to order at 5:32 PM.

APPROVAL OF MINUTES

Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to approve the minutes from the June 24, 2009 Planning Board meeting.

NEW BUSINESS

Public Meetings:

- 1. 47 Fourth Street – Definitive Site Plan – Extension of Time (PB-2009-028):** Charles Scott, representative for the petitioner, Lee Homes, Inc., presented the plan. Mr. Scott stated that the petitioner was seeking an Extension of Time to the Definitive Site Plan initially approved by the Planning Board on April 19, 2006 and subsequently extended on June 20, 2007 and June 4, 2008. He also stated that the residential project remains unchanged in concept or design. In addition, Mr. Scott stated that in spite of significant marketing efforts to sell the property, the petitioner has not been successful at selling it due to the current down turn in the real estate market; therefore, he is seeking an Extension of Time to allow them time to continue marketing the project. Mr. Cashman expressed concern with the length of time that has lapsed since the initial approval of the project, and approving indefinite Extensions of Time which, so far, have not yielded effective results. He stated that in his opinion, the Planning Board should limit the number of Extensions of Time granted to projects that have not been built within a certain time; after which, the Planning Board should request a complete new application. Mr. Scott stated that Lee Homes, Inc. was planning to increase their marketing efforts in the upcoming months and hoped to sell the site within the next 12 months.

Ms. Bold stated that in addition to the Definitive Site Plan, the proposed project also included a More than one Building on a Lot Plan and a Special Permit for Cluster. She also indicated that the Special Permit would require an Extension of Time soon; otherwise, the petitioner would be required to reapply. Mr. Scott stated that the petitioner was planning to submit Extensions of Time for both in the near future. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to approve Definitive Site Plan Extension of Time for 12 months effective today 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 Commissioner of Inspectional Services.**

2. **Burncoat Gardens – Definitive Site Plan – Extension of Time (PB-2009-029):** Charles Scott, representative for the petitioner, Goldthwaite Holdings, LLC, presented the plan. Mr. Scott stated that the petitioner was seeking an Extension of Time to the Definitive Site Plan approved by the Planning Board on June 4, 2008 to construct a thirty three (33) Single-Family Detached Dwellings, as part of a Cluster Development at Goldthwaite Road, pursuant to Article VIII Cluster Zoning. He also indicated that the proposed development plan remains unchanged from the Definitive Site Plan approved by the Planning Board on June 4, 2008. Mr. Scott further stated that Goldthwaite Holdings, LLC had not been able to commence construction of the project due to the downturn in the real estate market. Nevertheless, he acknowledged that residential market forecasts indicated potential strengthening; therefore, the petitioner is planning to commence construction of the project within the next twelve (12) months. Ms. Bold stated that the proposed project has not changed from the previously approved plan; consequently, she indicated that the Division of Planning and Regulatory Services was recommending approval of the Extension of Time. Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor the Board voted 3-0 to approve the Definitive Site Plan Extension of Time for twelve months effective today 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 Commissioner of Inspectional Services.**

3. **358 Shrewsbury Street – Amendment to Parking Plan (PB-2009-030):** Hussein Haghanizadeh, representative for Antonio Corapi, petitioner, presented the project. Mr. Haghanizadeh stated that the petitioner was seeking approval to amend the Parking Plan previously approved by the Planning Board on August 27, 2007 to implement the following changes:

- a) Reduce the size of the building from 9,067 square feet to 6,546 square feet.
- b) Reduce the number of off-street parking spaces from 21 spaces to 18 spaces.
- c) Add bollards to the site.
- d) Add a retaining wall with planters.
- e) Add five (5) pine trees to the landscaping on site.
- f) Relocate the seating from one side of the building to the front of the buildings on Shrewsbury Street.

Ms. Bold stated that on May 26, 2009, the Division of Inspectional Services issued a Cease and Desist Order to the petitioner, specifically citing that the parking lot had exceeded the paved area, the landscaping plan has been modified, a retaining wall had been installed, and the stockade fencing was not built in accordance with the approved Parking Plan. Mr. Haghanizadeh acknowledged that the petitioner had made modifications to the approved Parking Plan without prior approval from the Planning Board, and without consulting with the Department of Inspectional Services. He also stated that the petitioner was ready to comply with the proper procedures and requirements of the Planning Board in order to bring the modifications into compliance. Dorothee B. Renaldo, an abutter, expressed concern that the six (6) foot stockade fence along her entire property line had not been installed even though it was a previous condition of approval. She also expressed concern with water runoff where landscaping had not been placed. Ms. Bold indicated that the area was shown on the plan to be planted with grass. Mr. Haghanizadeh stated that the petitioner was planning to comply with this previous condition of approval. Anthony Vigliotti, an abutter, stated that he owns two (2) properties abutting the site, and expressed concern that one of these houses was currently missing a fence. In addition, he stated that a significant amount of water runoff from this project has been draining into his property at 356 Shrewsbury Street. Mr. Haghanizadeh stated that the petitioner was planning to replace the missing fencing along the property line owned by Mr. Vigliotti. He also stated that the current water runoff deficiencies on site would be corrected when the building is completed and the roof drainage system has been connected to the Cultec system installed on site. In addition, Mr. Haghanizadeh stated that the petitioner was considering utilizing a section of the building for restaurant uses. Ms. Bold stated the current plan provided sufficient off-street parking for retail and office uses; however, it could not be a restaurant without additional relief. Ms. Kennedy-Valade concurred with Ms. Bold stating that a restaurant use would require one (1) parking space for every two (2) restaurant seats. In addition, Ms. Bold stated that during the project review process, the following issues were also identified:

- a) Clarify whether the lighting pole previously approved to be installed in the western portion of the lot will be installed elsewhere on site.
- b) The October Maple Trees proposed to be installed in the landscaping areas should be replaced with species that are not susceptible to the Asian Longhorn Beetle.
- c) Consider replacing eastern arborvitae along Imperial Road, a shrub which can quickly grow in excess of 5' in height with a lower level planting that will permit visibility into the parking area and allow growth of the proposed street trees, while still providing a full buffer along the sidewalk from the parking area. A lower level evergreen shrub, flowering shrub or ornamental grasses are acceptable alternatives.
- d) Add species and caliper size of the five (5) pine trees to the planting summary.
- e) Label the height and location of the retaining wall, and label the location of the wrought iron fencing, if any.

Upon a motion by Nicole Xifaras Parella and seconded by Anne O'Connor, the Board voted 3-0 to approve the Amendment to Parking Plan with the following conditions:

- **All landscaping, including grassed areas, to be installed by September 1, 2009.**
 - **Provide a minimum 12" RCP connection to the combination main in Imperial Road through a manhole connection.**
 - **Clarify whether the lighting pole previously approved to be installed in the western portion of the lot will be installed elsewhere on site.**
 - **Replace the October Maple Trees proposed to be installed in the landscaping areas with other deciduous, shade trees that are not susceptible to Asian Longhorn Beetle infestation.**
 - **Replace the eastern arborvitae along Imperial Road with a lower level planting that will permit visibility into the parking area and allow growth of the proposed street trees, while still providing a full buffer along the sidewalk from the parking area. A lower level evergreen shrub, flowering shrub or ornamental grasses are acceptable alternatives.**
 - **Add species and caliper size of the five (5) pine trees to the planting summary.**
 - **Label the height and location of the retaining wall, and label the location of the wrought iron fencing, if any.**
 - **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.**
 - **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**
4. **501 Shrewsbury Street – Parking Plan (PB-2009-031):** Barry Lorion and Shelley Hammond, representatives for the petitioner, and Richard Cravedi, petitioner, presented the plan. Mr. Lorion stated that the petitioner was seeking approval to construct a six-hundred and sixty-three (663) SF addition to the existing building, currently used as a food establishment known as The Wexford House. He said that the proposed addition will increase the seating capacity of the restaurant from seventy five (75) seats to one hundred and nine (109) seats. Mr. Lorion also stated that the proposed project will include a total of thirty-five (35) accessory parking spaces; of these, nineteen (19) spaces will be standard, and sixteen (16) spaces will be compact. He further indicated that seven (7) additional parking spaces will be provided for staff at 294 Belmont Street. In addition, Mr. Lorion stated that the petitioner was requesting a waiver for the interior tree requirements due to the limited space on site. Ms. Bold stated that if the requested waiver from the interior tree requirement were to be granted, the petitioner should consider adding planter boxes to enhance the site and reduce the monotony of parking mass. Mr. Lorion stated that although the site already had a planter box, the area could be improved with additional plantings. Ms. Bold indicated that that applicant should correct missing annotations and labels indicated in staff's memo.

Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to waive the parking lot interior tree requirement. Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to approve the Parking Plan with the following conditions:

- **Provide a summary of zoning classification requirements on the Parking Plan.**
- **Re-label Parking Schedule as “Parking Schedule for 501 Shrewsbury Street”**
- **Label the two curb-cuts providing two access points to the site from Warden Street; otherwise, indicate that they will be closed.**
- **Label entrances and exits to the site.**
- **Indicate on the Parking Plan if the light poles shown along Shrewsbury Street provide light to the rear portion of parking lot.**
- **Label the sidewalk’s dimensions and materials on the Parking Plan.**
- **Provide a summary of existing, proposed and required parking spaces on Parking Plan.**
- **Label existing fencing.**
- **Label relief granted by the Zoning Board of Appeals, date granted, and any conditions of approval on the plan.**
- **Re-label “Proposed Definitive Parking Plan” to “Parking Plan Approval.”**
- **Change the General Note #11: Parking spaces provided on-site – 35 and off-site – 7 at 294 Belmont Street.**
- **Label the existing 37th off-street parking space in the southern part of the property.**
- **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.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

OTHER BUSINESS

5. Newburn Road – To Make Public: Upon a motion by Nicole Xifaras-Parella and seconded by Anne O'Connor, the Board voted 3-0 to recommend Priority level #1, based on the recommendation received from the Department of Public Works & Parks.

6. APPROVAL NOT REQUIRED (ANR) PLANS:

- **AN-2009-033, Lincoln, Norton & Paine Streets:** Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR Plan AN-2009-033.
- **AN-2009-034, Dellwood Road:** Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR Plan AN-2009-034.

- **AN-2009-035, Upland Street:** Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR Plan AN-2009-035.
- **AN-2009-036, Tihonet Street:** Upon a motion by Anne O'Connor and seconded by Nicole Xifaras Parella, the Board voted 3-0 to endorse ANR Plan AN-2009-036.

ADJOURNMENT

Chair Shea adjourned the meeting at 6:55 pm.