

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

**March 31, 2010
WORCESTER CITY HALL – LEVI LINCOLN ROOM**

Planning Board Members Present: Anne O’Connor, Chair
Stephen Rolle, Clerk
Andrew Truman
Satya Mitra

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Luba Zhaurova, Division of Planning & Regulatory Services
Jody Kennedy-Valade, Department of Inspectional Services
Jennifer Beaton, Law Department
Michael Traynor, Law Department

REGULAR MEETING (5:30 PM)

CALL TO ORDER:

Chair O’Connor called the meeting to order at 5:40 PM.

APPROVAL OF MINUTES:

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve February 24, 2010 and March 10, 2010 minutes.

POSTPONEMENTS/CONTINUATIONS:

- 1. Zoning Map Amendment (ZA-2010-003) – 7 Tacoma Street, 9 Tacoma Street, 59 Tacoma Street, 60 Humes Avenue, and a portion of 19 Tacoma Street:** Donna M. Truex of Bowditch & Dewey Attorneys, representative for Great Brook Valley Health Center, petitioner, requested continuance of the item to April 14, 2010 in order to allow the petitioner time to hold a neighborhood meeting prior to the hearing. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to continue the petition to April 14, 2010.
- 2. Salisbury Street (formerly known as 727 Salisbury Street) – Amendment to a Special Permit for a Continuing Care Retirement Community (PB-2010-010):** Ms. Bold informed the Board that Todd E. Brodeur of Fletcher, Tilton, and Whipple, representative for Bailin & Associates, Inc, petitioner, requested, in writing, continuance of the item to April 14, 2010 in order to allow sufficient time for the applicant to correct the legal advertisement error due to incorrectly stated address in the application. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to continue the petition to April 14, 2010.

3. **90 & 100 Barber Avenue – Definitive Site Plan (PB-2009-025):** Matthew Brassard of Brassard Design & Engineering, Inc., representative for Higgins Armory Museum, petitioner, requested Leave to Withdraw due to delay in project funding and substantial design-related changes. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the petitioner’s request to Leave to Withdraw.

UNFINISHED BUSINESS:

Public Hearing/Meeting

4. **10 Gardner Street – More-than-one-Building on a Lot Plan (PB-2010-007):** The Board took this item and Definitive Site Plan (PB-2010-006) contemporaneously. Todd Rodman of Seder & Chandler, LLP, representative for Main South Community Development Corporation, presented the petition. Also present were Matthew Brassard, Steven Teasdale, and William Broad. Mr. Rodman stated that Phase IV is the final residential phase of the Gardner-Kilby-Hammond project that would include 22 dwelling units on 7 lots located in 8 buildings all owned by the Main South Community Development Corporation. The project involves \$6.5 million in funding. He stated that the proposed buildings would have a third habitable floor. He also added that the previous projects and phases of this project demonstrate the Main South CDC attention to details. Ms. Bold listed DPRS and DPW&P comments from the staff memos. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to close the Public Hearing for the More-than-one-Building on a Lot Plan. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve More-than-one-Building on a Lot Plan. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- Submit eight (8) copies of final revised plans with the following changes:
 - Use a minimum 12” RCP pipe for manhole connections into the Right-of-Way.
 - Replace the onsite sanitary manholes, for buildings #3 and #8, with cleanout risers.
 - Connect the sanitary connections to the main, not to the manhole.
 - Provide each proposed building a separate sanitary connection to the main.
 - Only catchbasins should have a grate. Drywell #7 should have a solid cover.
 - Add the date of the originally submitted plan, and revised plans.
 - Label all permanent monuments.
 - Reference to at least two (2) permanent public highway monuments outside the project.
 - Label expressly the trees to be retained and their species on the landscaping plan.
 - Indicate the zoning district/s of each parcel.
 - Indicate the Book and Page number or Land Court Certificate number of each parcel.
 - Label floor area ratio, total floor area, total square feet of ground area coverage.
 - Label the proposed pervious areas on the Landscaping Plan.

Standard Conditions of Approval

- 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.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

5. **25 Hammond Street, 152 Beacon Street, 30/32 Hammond Street, 0 Tainter Street, 10 Gardner Street and 22 Kilby Street as part of Gardner-Kilby-Hammond – Phase IV - Definitive Site Plan (PB-2010-006):** See item #4 above. The two items were taken contemporaneously.

Public Meeting

6. **40 Harlow Street – Definitive Site Plan (PB-2009-091):** Jonathan Finkelstein, representative for the Murray Marketing, Inc. petitioner, presented the item. Also present was Joseph Murray, petitioner. Mr. Finkelstein stated that the petitioner is seeking to replace the southern side of the existing static face of the free-standing non-accessory sign with a LED substrate and to replace existing sign framing with more substantial structural members to support the weight of the LED screen. Ms. Bold stated that the sign was constructed prior to the Zoning Ordinance regulations of 1991 and now needs to comply with current regulations. She stated that staff suggests two changes to the plan – to label it “Definitive Site Plan” and to add date and conditions of approval of the Zoning Board of Appeals. Mr. Finkelstein was opposed to the staff's condition to include the date and conditions of ZBA approval, as it was not a requirement of the definitive site plan approval. Mr. Traynor confirmed that while preferable it is not a requirement of the site plan to label the ZBA considerations. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- Six (6) copies of final revised plans are submitted to the Division of Planning and Regulatory Services labeled “Definitive Site Plan.”

Standard Conditions of Approval

- 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.
- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

NEW BUSINESS:

Public Hearing

- 7. Zoning Ordinance (Adopted April 2, 1991) Amendment (ZA-2010-004) - Relative to a temporary moratorium on the erection, enlargement and relocation of wall, illuminated, digital and non-accessory signs:** Mr. Fontane stated that the proposed moratorium was drafted in response to a March 9, 2010 City Council order recognizing the need to revise the City's sign ordinance that: "The Planning Board be and is hereby requested to consider an exemption for new businesses and façade program participants from proposed sign moratorium and further, request that during the moratorium that new businesses be excluded from installing digital signs." Mr. Fontane stated that the Zoning Board of Appeals had expressed concern with the number of variances and digital sign applications they had to consider recently. Mr. Fontane stated that the proposed ordinance would, if adopted, prohibit during the effective period, the issuance of building permits, special permits and variances for the erection, enlargement or relocation of any wall sign, illuminated sign, digital display sign or non-accessory sign in any zoning district in the City. While the moratorium would prohibit the specified sign types mentioned, it would not affect signs legally permitted prior to March 15, 2010 nor would it affect all signs. Mr. Fontane stated that the moratorium does not pertain to changes related to maintenance or standard operation of existing signs. The ordinance also allows for renovation and repair related to abatement of public safety issues and reconstruction, without expansion, of any structure damaged or destroyed by casualty. Mr. Fontane stated that as currently proposed, the sign moratorium would not affect the following accessory sign types so long as the following sign types were not illuminated and contained no digital display: awning signs, freestanding (pole or monument) signs, marquee signs, portable signs, projecting signs, temporary signs, and window signs. Mr. Fontane recommended that the moratorium be amended to include only non-accessory signs and all digital display signs, whether accessory or non-accessory, since these sign types are a key focus of regulatory change considerations.

Chair O'Connor stated that she is in favor of a moratorium for non-accessory and digital signs only. Mr. Rolle asked how long ago the sign ordinance was updated. Mr. Fontane responded that the ordinance was created in 1963 and was last amended in the early 1990s. Mr. Rolle acknowledged that the current ordinance does not recognize the current technological advances in signs. Mr. Mitra asked what the main reason behind proposing a moratorium was. Mr. Fontane stated that his office has been working on the comprehensive ordinance amendment draft for one and a half years and that it is coming to the culmination of the process. As the result, some members of the building community are interested in getting sign permits before the change in the ordinance. Mr. Mitra asked if there is a good chance that the new ordinance would be adopted by September 30, 2010. Mr. Fontane responded that his goal is to release the ordinance in April 2010 and to start the public comment and public hearing process, but that he cannot control the length of the process. Mr. Mitra asked if the existing illuminated signs would be affected by the proposed ordinance. Mr. Fontane responded that no one will be required to remove existing installations, but making certain changes to signs would trigger compliance. Mr. Mitra stated that he is in favor of the moratorium on non-accessory and digital signs as long as it expires in September 30, 2010. Mr. Truman asked if the current non-accessory digital signs require a special permit. Mr. Fontane responded that non-accessory and digital non-accessory signs require a Special Permit, but that not all accessory digital signs require a Special Permit.

Ralph St. Germain, owner of a local sign company, spoke against the moratorium. He stated that he believes regulating aesthetics is not valid and that the moratorium would stifle small businesses, would cause empty stores, and that most effective form of advertisement is on-premise signs. He stated that the

real issue is lack of enforcement of the current regulations. He stated that the duration of the proposed moratorium is too long and will negatively affect small businesses in the City.

Leonard Ciuffredo spoke in support of the moratorium. Mr. Ciuffredo stated that he recently ended his service on the Zoning Board of Appeals, that he recommended the moratorium to Councilor Lukes and that his intention was to respond to the large number of non-accessory and digital petitions the Boards had to consider over the past eight months. He stated that his suggested the moratorium for non-accessory and digital signs only in order to provide the City reasonable amount of time to consider safety implication of such signs.

Councilor Lukes spoke in favor of the moratorium and confirmed that she carried Mr. Ciuffredo's concern to the City Council. She stated that the moratorium would provide an opportunity for important pro-active planning and for an extensive public hearing and comment process for the sign ordinance amendment.

Joseph Murray, member of Outdoor Advertising Board, spoke against the moratorium. Mr. Murray expressed concern and doubt that the new sign ordinance would be enacted soon. He stated that there has not been a new billboard built in the City since 2006. He added that the City is not being inundated by the billboards and that the Zoning Board of Appeals seems to deny all petitions. He then stated that he would sue the City if the moratorium is approved, because non-accessory signs are only prohibited by its message/content which is unconstitutional. He cited several legal cases.

Michael Lanava spoke on behalf of the Worcester Regional Chamber of Commerce. He stated that the Chamber was against the moratorium and that it would send a message that the City is anti-businesses. He further stated that there is no guarantee that the moratorium will not be extended and that the sign ordinance will be completed by fall. He stated that he believes all billboard sign applications should be considered on a case-by-case basis and non-accessory and digital signs play an important role in the city.

Colin Novick spoke in favor of the moratorium. He stated that the City has done moratoriums before and made it work. He provided an example of a City moratorium on large subdivision in 1980s to allow for development of an open space plan. He stated that law suits mentioned by previous speakers are scare tactics and added that in his opinion the City's current sign regulations are too liberal. He finished by saying that safety should be an important topic to discuss.

Jonathan Finkelstein spoke against the moratorium. He stated that "aesthetically unacceptable signage" does not make sense because digital signs have to do with technology, not aesthetics, and that aesthetics is a subjective term. Chair O'Connor stated that aesthetics are mentioned in the purpose section, and that regulations show later in the text. Mr. Finkelstein recommended denial of the moratorium because, he stated, there was no basis for it and because there is no evidence that shows that non-accessory and digital signs are not safe or not aesthetically pleasing. Mr. Finkelstein asked why non-accessory signs are singled-out. Mr. Fontane responded that non-accessory signs are different from accessory signs as they are their own use, are substantially larger, and therefore should be regulated differently. He stated that there is an unbiased digital signs impact study underway that would provide timely information to inform the City. He added that the reason behind the moratorium is to provide space and time to thoughtfully deliberate on the legislative policy. Mr. Fontane also stated that the Zoning Ordinance provision in section 1 mentions aesthetics, thus making the moratorium purpose consistent. Mr. Finkelstein asked the Board, if it were to recommend approval of the moratorium, to consider an

exemption for signs that have already received approvals from the Zoning Board of Appeals and the Planning Board and just need building permits.

Andrew Serrato of the Serrato Sign Company spoke against the moratorium. He asked if the new billboards will need a Special Permit per the proposed sign ordinance. Mr. Fontane responded that he cannot comment on the proposed ordinance as it has not been released yet. Mr. Serrato stated that permitting process for billboards should not change and that he sees the real problem to be lack of enforcement of the current ordinance. He stated that the DCU center has a digital sign. He stated that the business community wants to get people off the highway to spend the money in the City and that many digital billboards are pleasing to see and that some studies show a dramatic increase in business as a result of installing these signs.

David Glispin, a president of Sunshine Sunny Corporation, stated that he does a lot of sign work in the City. He spoke in favor of moratorium as it would provide space for pro-active planning. He stated that he worked with the City's Economic Development Division on Patriot's Place project. He stated that he would be willing to work with the City on developing an ordinance that meets the needs of the residents and business community. He stated that he is in favor of planning and that there is a way to achieve digital regulations without a strict moratorium. He stated that he finds Murray brothers' digital billboards to be aesthetically pleasing.

Samuel Rosario stated that while he served on the Planning Board, he spoke against the issue of proliferation of temporary signs, as the enforcement seemed to be lacking. He spoke against the moratorium because he believed that singling out only certain types of signs is inappropriate. He stated that the summer season is time for increase in business activity and freezing sign permits is inappropriate. Mr. Rosario suggested creating a Task Force that might help with the enforcement issues. He recommended that the proposed ordinance delegate the authority to consider the billboard signs and structures to the Zoning Board of Appeals and offered his help with developing the ordinance.

David George, chair of the Zoning Board of Appeals, spoke in support of the moratorium. He stated that it is a valid land-use tool which allows for a smooth transition from the current to the new regulations. He stated that he supports a narrow scope of the moratorium for only non-accessory and digital signs, but not wall or illuminated signs.

Damien Jacob of Worcester Sign Company spoke against the moratorium. He stated that the moratorium was triggered by his applications to the Zoning Board of Appeals for Special Permits for non-accessory wall signs. He stated that his business model is based on the current City regulations for signs and that he will sue the City if it approves the moratorium, because it does not treat everyone fairly. He stated that he does not think the City needs more time and spoke against government interference.

Keith E. Scott stated that he was neither in favor nor against the moratorium. He expressed safety concerns with respect to billboards on Interstate Highways 290 and 190.

Hazel Hopkins stated that she is a sign permit consultant and has worked with many municipalities developing ordinances. She stated that she is opposed to the moratorium because it creates hardship to local businesses and the sign industry, but is not opposed to the sign ordinance revisions. She asked why the draft was not yet completed. Mr. Fontane responded that the Division of Planning and Regulatory Services has worked on the draft for over a year and is now finishing it up. He stated that the division is

small, consisting of 5 people, who staff three City boards. Ms. Hopkins stated that she cannot remember a municipality that needed a moratorium to revise a sign ordinance.

Mr. Germain stated that if the main issue is with aesthetics and people don't like a sign, they can look the other way. He noted that people who spoke in opposition of the moratorium appear to have standing, while people who are in favor of it do not have standing.

Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 4-0 to close the public hearing.

Chair O'Connor stated that the City Council hearing will provide more opportunity to be heard and that the discussion may be narrowed in scope. She stated that she would be opposed to the moratorium to be extended beyond September 2010 and was in favor of the moratorium on non-accessory and digital signs only. Mr. Rolle stated that the hearing demonstrated the need for a revised sign ordinance to regulate new technologies with planning principles in mind. He stated that he is in favor of the moratorium on non-accessory and digital signs. He stated that he would be opposed to a moratorium that extends over six months. Mr. Truman asked how long it will take to ordain the new sign ordinance. Mr. Fontane responded that he cannot answer that question accurately as it is not within his Division's control. He stated that his goal is to release the draft ordinance to the City Council within a month, after which time it will go through public comment and hearing process at the City Council and the Planning Board. He stated that he hopes the new ordinance will be ordained by September 30, 2010. Mr. Traynor stated that the moratorium is set to expire on September 30, 2010 or an earlier date if the new ordinance comes into effect earlier. He stated that the moratorium cannot be extended, but a new moratorium would need to go through the same public process. Mr. Mitra thanked the public for coming out to be heard. He stated that he did not believe the City was anti-business and that he was in favor of the moratorium because of a valid reason from the planning perspective.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 3-1 (with Chair O'Connor, Mr. Rolle and Mr. Mitra voting yes, and Mr. Truman voting no) to recommend approval of the moratorium as amended by the Planning Board to pertain to only digital and non-accessory signs.

- 8. Olean Estates Subdivision - Amendment to Definitive Subdivision (PB-2010-011):** As required by M.G.L. c. 268A, §23(b)(3), Mr. Mitra made the following disclosure in order to dispel any appearance of potential conflict of interest: that he does business with the Dunn McGee and Allen, LLP law firm on issues unrelated to the proposed Amendment to the Definitive Subdivision and that he does not believe that it would impact his decision. Joseph W. Allen, representative for Alireza S. and Mahmoud Soheili Arshadi, petitioners, stated that the subdivision was originally approved in 2004. He stated that the petitioners are planning to construct infrastructure this year and are now seeking to waive the provisions of Section VI (I)(2) with respect to sunset date and to establish a new sunset date. Mr. Allen stated that no physical changes are proposed at this time, and that the reason for the requested extension is due to current economic conditions. Ms. Bold stated that staff recommends approval of the petition with a condition that the required trees to be planted on site be Asian Longhorn Beetle resistant species. Ms. Bold also stated that she received a letter from Colin Novick, 135 Olean Street, dated March 31, 2010, who could not stay for this hearing, which asked the Board to re-consider the original waiver granted for the trees and a sidewalk. DPW&P was not present to comment. Mr. Allen stated that the petitioner is proposing a sidewalk on one (northerly) side of the road and that the construction has already commenced.

Richard French of 63 Stark Road expressed concern about the construction noise that he has been hearing since the original permit was granted. He stated that extending the sunset date defeats the purpose of having a sunset date. He asked the Board to deny the request.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to close the public hearing. Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to approve the request for a waiver of the provisions of Section VI(I)(2), Worcester Subdivision Regulations, with respect to sunset date, to approve the extension of the Amendment to Definitive Subdivision, and to establish a new sunset date of March 31, 2013 per the recommendation of DPW&P with the condition that the required trees to be planted on site be Asian Longhorn Beetle resistant species.

Public Meeting

- 9. Lot 3 Paine Street (aka 122 Paine Street) - Definitive Site Plan (PB-2010-008):** Hossein Haghanizadeh of H.S.&T., representative for Brittan Square Realty LLC, petitioner, stated that the petitioner is seeking to construct a single family semi-detached dwelling with a two-car garage for each dwelling unit on property with a 15% or more slope. Mr. Haghanizadeh stated that he submitted revised plans and drainage calculations today, addressing the comments of the Division of Planning and Regulatory Services' memo. Ms. Bold stated that because the plans were submitted today, staff did not have sufficient time to review them and to update the memo. Ms. Bold stated that staff had recommended submission of revised plans including annotation changes, per staff memo to the Board, recommending Asian Longhorned Beetle resistant tree species and labeling proposed erosion and sedimentation control devices. Mr. Haghanizadeh stated that in his experience he was never required to submit drainage calculations for duplexes. Ms. Bold stated that the trigger for the Site Plan was the fact that it is on the 15% slope thus making drainage calculation an important part of the Board's consideration. She clarified that the DPW&P reviewed proposed drainage and did not have any comments about it.

Larry Taylor, an abutter, stated that he did not have a chance to review the revised plans because they were only submitted today. He asked if there are regulations with respect to backing out of a garage onto a street. Ms. Kennedy-Valade stated that there are no regulations for low density residential uses like a duplex. Mr. Taylor stated that he did not think there was enough room for cars to park. Ms. Kennedy-Valade stated that the proposed duplex meets off-street parking requirements of the Zoning Ordinance of two spaces per dwelling unit. Chair O'Connor asked if the applicant met all Site Plan requirements. Ms. Bold said that the applicant met the requirements with respect to density and parking requirements.

Ann Dolan of 121 Paine Street stated that in her opinion there is not enough room for a car to park in the front of the building. Ms. Kennedy-Valade stated that the applicant is providing a 2-car garage for each proposed unit which complies with the regulations. Ms. Bold informed Ms. Dolan that duplexes are a by-right use and that review was limited to site considerations for 15% slope and that the Board's authority did not include design review. Ms. Dolan stated her reservation about the appearance of the proposed dwelling whose roofline does not match the character of the 1-family and 3-family dwellings in the existing established neighborhood. She also had concerns about the removal of mature trees and potential damage due to blasting and excavation during construction. She stated that she would like to be notified of the excavation and to see what insurance is offered in case the construction causes damage to the surrounding properties. Mr. Traynor stated that the state law has notice requirements before and after blasting. Ms. Dolan stated that she was concerned about loss of parking spaces on the street and that

many of her neighbors depend on them. She also stated that a school bus currently parks there. Ms. Kennedy-Valade suggested that Ms. Dolan call police about the school bus.

Mr. Truman confirmed that the DPW&P did not see the revised plans. Mr. Truman asked when copies of staff memos go out to the applicants. Ms. Bold stated the memos are e-mailed or faxed to the applicants the same time they are mailed to the Planning Board, usually on Friday before the Wednesday meeting. Chair O'Connor asked if the Board can approve the application with a provision that DPW&P approves it as well. Mr. Traynor stated that he would advise against it. Mr. Haghanizadeh stated that the DPW&P reviewed the project earlier and did not have any comments, and that the applicant is not proposing any change in the engineering, but just added erosion controls. Mr. Truman stated that he had not seen the revised plan and would like to continue the meeting. Chair O'Connor stated that she is not comfortable voting on the item without DPW&P present. Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to continue the item to April 14, 2010.

10. 6 Hillcroft Avenue - Definitive Site Plan (PB-2010-009): James Finlay of Finlay Engineering, representative for Britney Realty LLC, the applicant, is seeking to construct a single family dwelling on a property with 15% or more slope. He stated that the applicant will be providing runoff controls and mud control from the tires. Jesse Knott of 9 Hillcroft Street stated that he is concerned with the proposed tree removals and with the high water table issues. He asked who he should call if there is an issue during the construction. Ms. Kennedy-Valade gave him her contact information. Mr. Truman asked if the applicant is proposing a retaining wall. Mr. Finlay stated that he is not yet sure. Mr. Truman asked if the retaining wall might interfere with the drivers' visibility. Mr. Finlay responded that the wall will slope with the grade and therefore will not obstruct visibility. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions:

- Submit six (6) copies of final revised plans with the following changes:
 - Provide a drain connection to the surface water main.
 - Label height in stories and feet of proposed structure.
 - Label number of bedrooms of proposed structure.
 - Label proposed erosion and sedimentation control devices.
 - Put a note on the plan that the front yard, excluding the driveway, remain as open space.
 - Put a note on the plan that a tree be planted on each side of the driveway with Asian Longhorned Beetle resistant trees.

Standard Conditions of Approval

- 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.

- All work shall be done in accordance with the final approved Definitive Site Plan on file with the Division of Planning and Regulatory Services.

OTHER BUSINESS:

11. Olean Subdivision – Work Completion Date: Ms. Bold stated that DPW&P recommended a new work completion date of September 1, 2010 to which Division of Planning and Regulatory Services is amenable. Mr. Traynor stated that he would recommend extending the work completion date even further if staff is confident that the work will be done by that date. He stated that the intent of the work completion dates is to make developers complete infrastructure work. He suggested that staff speak internally about the policy with respect to establishing realistic work completion date extension in order to avoid extra work. He stated that he would recommend an extension of the work completion date to September 1, 2011. Mr. Allen responded that he would be amenable to that extension. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to extend the work completion date to September 1, 2011.

12. Arboretum Estates Subdivision: Ms. Bold informed the Board that DPW&P did not yet have time to review the submitted request for a release of the Planning Board Covenant at Book 10782, Page 166. The item was continued to April 14, 2010.

13. New Board Meeting Schedule: Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to approve the proposed 2010-2011 Board Application Deadline and Meeting Schedule.

14. ANR Plans:

- **AN-2010-011, Marissa Circle:** Upon a motion by Stephen Rolle and seconded by Andrew Truman, the Board voted 4-0 to endorse ANR Plan AN-2010-011.
- **AN-2010-012, Mount Avenue/Boxford Street:** The item was held.
- **AN-2010-013, 1200 Main Street:** Upon a motion by Stephen Rolle and seconded by Andrew Truman, the Board voted 4-0 to endorse ANR Plan AN-2010-013.
- **AN-2010-014, 100-120 Front Street:** Upon a motion by Stephen Rolle and seconded by Andrew Truman, the Board voted 4-0 to endorse ANR Plan AN-2010-014.

15. Meetings broadcasting: Mr. Fontane informed the Board that the meetings will be broadcast live beginning next meeting on April 14, 2010.

ADJOURNMENT:

Upon a motion by Andrew Truman and seconded by Stephen Rolle, the Board voted to adjourn the meeting at 8:40 pm.