

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

**June 30, 2010
WORCESTER CITY HALL – LEVI LINCOLN ROOM**

Planning Board Members Present: Anne O'Connor, Chair
Scott Cashman, Vice 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
K. Russell Adams, Department of Public Works & Parks
Jody Kennedy-Valade, Department of Inspectional Services
Michael Traynor, Law Department

REGULAR MEETING (5:30 PM)

CALL TO ORDER:

Chair Anne O'Connor called the meeting to order at 5:37 PM.

APPROVAL OF MINUTES

Upon a motion by Scott Cashman and seconded by Andrew Truman, the Board voted 5-0 to approve the minutes from the June 2, 2010 Planning Board meeting.

POSTPONEMENTS/CONTINUATIONS:

- 1. 358 Shrewsbury Street – Special Permit – Flexible Parking Overlay (PB-2010-031):** Ms. Bold stated that the petitioner's representative, in a letter dated June 22, 2010 (Exhibit A, below), requested a continuation and a Public Hearing deadline extension to July 21, 2010 to provide sufficient time to notify all the abutters. Upon a motion by Mr. Cashman and seconded by Mr. Rolle, the Board voted 5-0 to continue the hearing to July 21, 2010.

Exhibit A: Continuation request from HS&T Group addressed to the Planning Board; dated June 22, 2010; received June 2, 2010.

UNFINISHED BUSINESS:

Public Hearing

- 2. 7 Argyle Street – Definitive Subdivision Plan (PB-2010-028):** Ms. Bold read out the letter dated June 30, 2010 (Exhibit F, below) by the Attorney Longden representing the petitioner and requesting Leave to Withdraw Without Prejudice. Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 5-0 to approve the petitioner's request to Leave To Withdraw Without Prejudice.

- Exhibit A: Definitive Subdivision Plan Application, received April 30, 2010.
- Exhibit B: Definitive Subdivision Plan; dated April 23, 2010, received April 30, 2010; engineer – HS&T Group Inc.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff; dated May 28, 2010, updated June 24, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated May 28, 2010.
- Exhibit E: Letter to the Planning Board from Dunn McGee & Allen, LLP on behalf of Sean M. Murtha of 44 Terrace Drive, abutter; dated June 1, 2010, received June 2, 2010.
- Exhibit F: Leave to Withdraw request from Robert E. Longden on behalf of the petitioner, dated June 30, 2010.

- 3. A portion of Pierce Avenue (Burncoat Gardens Phase IV) – 81-G Street Opening (PB-2010-022):** Charles Scott of CFS Engineering, representative for Goldthwaite Holdings, LLC, stated that the petitioner is seeking to construct a ~378 foot paved roadway from Varney Street northerly, 30-foot wide, install a sidewalk on one side of the street, install curbing, grassed shoulders, utilities and drainage. Mr. Scott stated that he has met with the abutter Paul Quinn and that he appeared satisfied with the plan. He stated that Mr. Quinn was not able to attend the meeting due to a family emergency. Mr. Scott stated that he submitted revised plans that showed removal of the wall in the right-of-way and addition of rip-rap to protect the slopes, and inclusion of drainage connections per DPW&P request. Ms. Bold recommended approval of the petition if the plans meet DPW&P standards. Mr. Adams stated that he was satisfied with the changes. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 5-0 to approve 81-G Street Opening for a portion of Pierce Avenue (Burncoat Gardens Phase IV) with a condition that final revised plan and a mylar be submitted to the Division of Planning & Regulatory Services.

- Exhibit A: M.G.L. Chapter 41, § 81G Street Opening Application, received April 15, 2010.
- Exhibit B: M.G.L. Chapter 41, § 81G Street Opening Plan; dated March 11, 2010, received April 15, 2010; revised June 24, 2010, received June 24, 2010; engineer – CFS Engineering.
- Exhibit C: M.G.L. Chapter 41, § 81G Street Opening Plan – Drainage Report; received April 15, 2010; engineer – CFS Engineering.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated May 27, 2010, updated June 25, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated May 28, 2010.

Public Meeting

- 4. 51-67 Goldthwaite Road (Burncoat Gardens Phase IV) – along a portion of Pierce Avenue – Definitive Site Plan (PB-2010-023):** Mr. Scott stated that the issues and their resolutions are identical to item #3. Joel Peters, an abutter, asked if a traffic study and environmental impact statement were conducted. Mr. Adams stated that the DPW&P’s traffic division reviewed the petition and determined that it did not warrant any mitigation devices. He said that the traffic division based its assessments on a manual estimating number of trips generated per day by the proposed use. Ms. Bold stated that the Definitive Site Plan application has an environmental impact summary section where the petitioner checked potential impacts of the development. She offered to send a copy of the application to the

abutter. Ms. Bold stated that per the application, the petitioner approximated 20-68 vehicle trips per day. Mr. Fontane asked if the DPW&P was aware that Varney Street is the only shortcut from the High School area to Burncoat Street. Mr. Adams said yes and stated that the traffic engineer reviewed and analyzed the entire Goldthwaite development. Mary Duffy stated that traffic on Varney Street is heavy and that she sometimes has to wait 5 minutes to get out of her driveway. She recommended performing a traffic count before proceeding. Chair O'Connor stated that the petitioner is proposing to add only five lots and that in her opinion it would not warrant an additional traffic study. Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 5-0 to approve the Definitive Site Plan for 51-67 Goldthwaite Road (Burncoat Gardens Phase IV) – along a portion of Pierce Avenue.

- Exhibit A: Definitive Site Plan Application, received April 15, 2010.
- Exhibit B: Definitive Site Plan; dated March 11, 2010, received April 15, 2010; revised June 24, 2010, received June 24, 2010; engineer – CFS Engineering.
- Exhibit C: Definitive Site Plan – Drainage Report; received April 15, 2010; engineer – CFS Engineering.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated May 27, 2010, updated June 25, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated May 28, 2010.

5. 666 Lincoln Street – Definitive Site Plan (PB-2010-024): Jonathan Finkelstein, representative for George Cadette, the applicant, stated that the applicant is seeking to construct a 2,200 SF building consisting of a 1,200 SF Dunkin Donuts restaurant with a 300 ft + long drive-through lane and 1,000 SF of retail space on a property with 15% slope or more. Also present was Kevin Quinn, the project engineer. Mr. Quinn stated that the drive-through entrance will be 247-ft from the intersection of Plantation Street and Lincoln Street in the northern portion of the site. He stated that parking will be independent of the drive-through lane and that there will be pedestrian access from a sidewalk on Plantation Street. He added that the applicant reduced the width of lanes and parking based on staff's comments. He stated that the Conservation Commission already heard the petition and issued an order of conditions. Mr. Adams stated that the petitioner did not address DPW&P comments: provide 2 foot radius curb returns for the driveway entrance; and provide a City of Worcester standard detail for the grease interceptor. He was amenable to having these as conditions of approval. Ms. Bold recommended approval of the Definitive Site Plan with a condition that six copies of final revised plans including missing annotations, per staff's memo, are submitted. Upon a motion by Mr. Mitra and seconded by Mr. Cashman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions if approval:

- Six (6) copies of the Definitive Site Plan be submitted showing the following modifications and providing the following information:
 - Provide 2 foot radius curb returns for the driveway entrance
 - Provide a City of Worcester standard detail for the grease interceptor
 - Label existing crosswalks on Lincoln and Plantation Streets
 - Label proposed lot line to be subdivided
 - Label book and page numbers of the site

- Exhibit A: Definitive Site Plan Application, received April 27, 2010.
- Exhibit B: Definitive Site Plan; dated April 26, 2010, received April 27, 2010; revised March 10, 2010, received June 14, 2010; revised June 16, 2010, received June 17, 2020; engineer – Quinn Engineering, Inc.
- Exhibit C: Definitive Site Plan – Hydrology and Stormwater Management Report; dated February 23, 2010, revised April 21, 2010, received April 27, 2010; engineer – Quinn Engineering, Inc.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated May 21, 2010, updated May 28, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated May 28, 2010.

6. 115 Highland Street, 117 Highland Street, 55 North Ashland Street; 1, 5 and 9 Ormond Street – Amendment to the Parking Plan (PB-2010-026): Attorney Joe Boynton, representative for Steven and Irene John, is seeking to construct a 900 square foot addition for 36 seats in the restaurant and extend the accessory parking lot to include eighteen (18) additional off-street parking spaces. Mr. Boynton stated that he submitted final revised plans which included the following changes: reduction of the proposed fence from six to eight feet to address Mr. Reynold’s expressed concern regarding noise and addition of trees. Mr. Adams stated that DPW&P reviewed the submitted drainage calculations and that he finds the proposed drainage plan acceptable. He stated that the petitioner also needs to show catchbasins and erosion controls during construction on revised plans. Ms. Bold stated that staff recommends approval of the application and approval of a waiver for one interior parking tree. Mr. Traynor stated that approving the plan would incorporate approval of the waiver, for which a separate vote is not needed. Upon a motion by Mr. Cashman and seconded Mr. Truman, the Board voted 5-0 to approve the Amendment to the Parking Plan with the following conditions of approval:

- Six (6) copies of the Definitive Site Plan be submitted showing the following modifications and providing the following information:
 - Provide catchbasins.
 - Provide erosion controls during construction.

- Exhibit A: Amendment to Parking Plan Application and a cover letter, received April 27, 2010.
- Exhibit B: Amendment to Parking Plan; dated April 26, 2010, received April 27, 2010; revised May 25, 2010, received May 28, 2010; revised June 15, 2010, received June 16, 2010; engineer – Lenard Engineering, Inc.
- Exhibit C: Amendment to Parking Plan – Predevelopment and Post Development Hydrologic and Hydraulic Report; received June 16, 2010; engineer – Lenard Engineering, Inc.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated May 28, 2010, updated June 24, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated May 28, 2010.

NEW BUSINESS:

Public Hearing

- 7. Leland Street – To Remove Private Way from the Official City Map:** D&A Industries Realty Corp., owner of property at 1085 Millbury Street and 18 Leland Street, the petitioner, requested to remove the entire length of Leland Street, a private way for 250+ feet which is in a BL-1.0 zoning district. The petitioner was not present. Mr. Traynor stated that the Board could open the public hearing and hear the testimony on the matter without the petitioner being present. If the abutters had questions, though, the petitioner would not be able to respond. Ms. Bold stated that in terms of connectivity, staff believed the proposed removal of Leland Street from the official map would not have a negative impact on local traffic access or circulation as it does not connect to any streets. She stated that the following parcels abut Leland Street: 1085 Millbury Street, 18 Leland Street, 300 Granite Street, 60 St. Louis Street, and 62 Saint Louis Street. She stated that the only parcel that derives its frontage from Leland Street is 18 Leland Street, the petitioner. Also, the parcel at 300 Granite is owned by the City of Worcester Street Department, and has frontage on Leland Street, Granite Street and Millbury Street. Ms. Bold stated that the proposed removal of Leland Street would allow the petitioner to further develop the existing two parcels at 1085 Millbury Street and 18 Leland Street with little impact to the other abutting parcels that do not have frontage on Leland Street. Ms. Bold stated that for this petition, the Planning Board is the final voting authority on the matter, not the City Council. Mr. Cashman asked why the petition is addressed to the City Council. Mr. Traynor stated that all petitions are addressed to the City Council.

Charles Fegreus of 64 Saint Louis Street stated that his family lived on this parcel for 5 generations. He asked if the equipment the petitioner is proposing to rent is heavy, and if there will be any smoke from it. He asked if a buffer will be proposed. He asked who will own the property once street is removed. He asked what will happen to the sewer line on Leland Street. Mr. Traynor responded that first questions are to the petitioner, who is not present. With respect to buffering, these are the issues that will be addressed through a Site Plan Approval process. He stated that 64 Saint Louis Street property does not have frontage on Leland Street. He stated that a person of interest who can object to the petition has to have frontage on Leland Street and has to have a deeded right to access the street. Mr. Cashman stated that only the applicant and the City of Worcester own parcels of land with frontage on Leland Street. Mr. Fegreus expressed frustration with the fact that he had to be late to attend to a family business in order to attend to the meeting, while the petitioner did not show up. Joyce Bronzo of 1091 Millbury Street expressed the same concern as Mr. Fegreus. Chair O'Connor stated that the Planning Board policy is to allow for one continuation when a petitioner does not show up. Mr. Fontane stated that his staff will contact the petitioner. Mr. Cashman asked about the agenda for the upcoming meeting, and Ms. Bold stated that there are approximately 12 new items and 3 continued items. Upon a motion Mr. Cashman and seconded by Mr. Truman, the Board voted 5-0 to continue the item to August 18, 2010.

- 8. Goldthwaite Road (Burncoat Gardens – Phase I) – Special Permit - Extension of Time - (PB-2010-029):** Items #8 and #9 were taken contemporaneously. Charles Scott of CFS Engineering, representative for Goldthwaite Holdings, LLC, is seeking Extension of Time for Special Permit – Cluster Development for the construction of thirty-three (33) Single-Family Detached Dwellings, on a parcel located in RS-7 (Residence, Single-Family) and RG-5 (Residence, General) Zoning Districts, approved on June 4, 2008. Mr. Scott stated that on June 4, 2008, the Board granted a Special Permit for 2 years and a Site Plan approval for 1 year. He stated that it is a large-scale project and given the current economic situation, he requests an extension for 2 years for both Special Permit and the Site Plan. Ms. Bold sought clarification

from the Law Department whether or not a 2-year extension of time for the Site Plan Approval is allowable. Mr. Traynor indicated that it is acceptable for good cause.

Joan Conte of 135 Longmeadow Avenue asked if it is possible to preserve more trees given the recent Asian Longhorned Beetle tree devastation. Mr. Scott responded that Burncoat Gardens is a cluster subdivision in compliance with the open space preservation requirement of the Zoning Ordinance, and that about 50% of the site will be preserved as open space. He stated that the developer had 5-6 meetings with the neighbors and that it took a long time to get to an agreement. Both Mr. Cashman and Chair O'Connor stated that they remembered the final plan to be a good compromise between all parties. Ms. Bold stated that in a cluster subdivision, a maximum of 40% of the site may have impervious surface. She stated that cluster developments allow for tighter clustering of the lots to reduce area dedicated to roads. Mr. Scott stated that no Asian Longhorned Beetle susceptible tree species will be planted.

Jo Hart asked where the access points to the site will be. Mr. Scott stated that there will be two points of access – at the intersection of Hillsboro Road and Longmeadow Avenue and another one at Goldthwaite Road, thus pointing out that not all traffic will go through Varney Street.

Virginia Losapio of 12 Varney Street stated that she lived there for 46 years and that Varney Street used to be a dead-end street. She stated that the street has seen a large increase in traffic and that there are no sidewalks on Varney Street making it unsafe to walk on. She stated that people living at the development will not use Goldthwaite Street, but will use Varney Street because it is the shortest way to get out. Mr. Cashman stated that Varney Street is not part of this consideration at this point and suggested contacting her City Council with respect to sidewalks issue. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 5-0 to approve the Special Permit Extension of Time for 2 years provided it is built in accordance with the Definitive Site Plan approved on June 4, 2008.

- Exhibit A: Special Permit Application – Extension of Time, received May 4, 2010.
- Exhibit B: Special Permit Plan - Extension of Time; dated April 9, 2008, received May 4, 2010; engineer – CFS Engineering.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 11, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 16, 2010.

Public Meeting

- 9. Goldthwaite Road (Burncoat Gardens – Phase I) – Definitive Site Plan - Extension of Time (PB-2010-030):** Items #8 and #9 were taken contemporaneously. Charles Scott of CFS Engineering, representative for Goldthwaite Holdings, LLC, is seeking Extension of Time for a Definitive Site Plan for the construction of thirty-three (33) Single-Family Detached Dwellings, as part of a cluster development in a parcel located in an RS-7 (Residence, Single-Family) and RG-5 (Residence, General) Zoning Districts, approved on June 4, 2008. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 5-0 to approve the Definitive Site Plan Extension of Time for 2 years provided it is built in accordance with the Definitive Site Plan approved on June 4, 2008.

- Exhibit A: Definitive Site Plan Application – Extension of Time, received May 4, 2010.
- Exhibit B: Definitive Site Plan - Extension of Time; dated April 9, 2008, received May 4, 2010; engineer – CFS Engineering.

- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 11, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 16, 2010.

10. 244-270 Providence Street – Parking Plan (PB-2010-033): Craig Miller, representative for Worcester Housing Authority, petitioner, stated that the petitioner is seeking to construct a 28 space parking lot associated with a multi-family low-rise residential use. He stated that the proposal would make the parking lot conform to the Zoning Ordinance’s off-street parking requirements – 2 parking spaces for each of the 14 units. Ms. Bold summarized staff’s memo which discussed screening of the dumpster, access to the swing set, pedestrian walkway across the driveway, and missing plan annotations.

Mr. Miller stated that the applicant is not proposing a pathway to the relocated swing set as it will be located in a grassy area close to the buildings. He stated that keeping this grassy area will reduce maintenance costs. Mr. Miller stated that in the WHA experience, waste hauling companies tend to damage the fence enclosing the dumpster and asked to consider enclosing the dumpster’s sides and the rear, but not the front. He stated that the dumpster is in the rear of the building not visible from the street. He also stated that the residents might encounter issues with opening the gate. Mr. Cashman stated that he thinks it is a reasonable condition of approval to have the applicant screen the dumpster for a residential use where residents will see it. Chair O’Connor stated that dumpster screening is a common condition of approval and that the applicant needs to demonstrate hardship for the Board to consider not setting this condition of approval. Ms. Kennedy-Valade stated that the play area needs to be accessible per ADA rules. Mr. Truman stated that the petitioner will need a paved or gravel pathway to the play area. Mr. Miller was amenable to that. Mr. Rolle suggested using the word ‘crosswalk’ as opposed to ‘walkway’ for a condition of approval. Mr. Adams stated that he has received drainage plans and that DPW&P does not have any comments. Mr. Truman asked if the parking spaces are ADA complaint. Mr. Miller stated that one of the parking spaces will be ADA compliant.

Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted 5-0 to approve the Parking Plan with the following conditions of approval:

- That the existing vegetative buffer in the rear of the parcel remains in perpetuity to provide buffer to the surrounding residential area
- That the dumpster is screened with a six-foot wood, or similar material, fence
- That one shade tree, that is an Asian Longhorned Beetle resistant species, is planted in the rear of the site close to the proposed parking lot to replace the tree that is to be removed for the parking lot expansion
- That a striped crosswalk across the driveway is provided from the parking lot the building in the western portion of the site (#262-270) to promote safer crossing
- That an additional light pole with a shielded light structure is provided in the western portion of the parking lot as only one light pole is currently provided
- That one parking space will be ADA complaint
- That six copies of the final revised plans are submitted with the above-mentioned proposed changes and labeling/annotation items in the staff’s memo:
 - Label Providence Street as public
 - Correct Zoning Requirements Table – minimum required frontage is 125 feet, minimum front and rear yard setback is 15 feet, minimum side yard setback is 10 feet

- Label the names of owners of properties up to abutters of abutters within 300 feet of the applicant's property lines
- Delineate the entire property line on the plan or include a sheet that fits the entire parcel.
- Label existing open space on the entire site
- Label pathway/s leading from the proposed new location of the swing set to the building/s on site
- Label the construction material of the proposed parking lot.

- Exhibit A: Parking Plan Application and the cover letter, received May 12, 2010.
- Exhibit B: Parking Plan; dated May 5, 2010, received May 7, 2010; engineer – Waterfield Design Group.
- Exhibit C: Parking Plan Drainage Report; dated May 6, 2010, received May 12, 2010; engineer – Waterfield Design Group.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 18, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 17, 2010.

11. 6 May Street – Parking Plan (PB-2010-034): Morris Bergman, representative for Kwee Real Estate Investments, LLC, petitioner, stated that the petitioner is seeking to construct a fourteen (14) space parking lot associated with an existing automotive business and redevelopment of an existing building for a retail use. John Riel, project engineer, was also present. Mr. Bergman stated that a Special Permit granted by the Zoning Board of Appeals in 2008 lapsed and that the ZBA granted a new Special Permit on June 21, 2010 with conditions. He stated that the petitioner is seeking to convert a building, formerly a garage, into a retail use. Mr. Adams stated that the petitioner needs to provide a minimum 24 ft aisle width for parking space #1; provide City of Worcester standard details; provide erosion controls during construction; and provide drainage information for the proposed parking lot such as change from the pervious to impervious area and how the petitioner is proposing to mitigate peak rates of flow to meet the City's stormwater management policy. Ms. Bold stated that the applicant submitted revised plans yesterday. She stated that the revised plans show compliance with the 24-ft aisle width by making one off-street parking space compact. The plans also incorporated all of the DPRS staff comments with respect to labeling. Mr. Cashman asked how many parking spaces are required. Ms. Bold responded that 17 off-street parking spaces are required and 14 spaces are proposed. She stated that the Zoning Board of Appeals granted relief of the 3 spaces. Mr. Cashman asked where the snow storage area will be located. Mr. Bergman responded due to the steep topography, the rear of the site can not be used for storing snow. Mr. Riel stated that the snow will be stored along the southerly property line, and the remainder will be removed from the site. He said that there is a note on the plan stating this. Mr. Cashman asked if the applicant meant to locate the parking space #7 in front of the dumpster. Mr. Riel said yes and stated that the dumpster will be emptied early in the morning or at night. Mr. Cashman stated that he did not like this arrangement. Mr. Adams stated that because the drainage calculations are not shown, he can not recommend approval of the item. Mr. Bergman suggested that DPW&P approval be a condition of approval. Chair O'Connor stated that the Board was advised against this by the Law Department. Upon a motion by Mr. Rolle and seconded by Mr. Cashman, the Board voted 5-0 to continue the item to July 21, 2010.

12. 0 Mount Avenue – Definitive Site Plan (PB-2010-035): Jeff Howland, representing Murkland Development Company, Inc., petitioner, stated that the petitioner is seeking to construct one (1) single-family semi-detached (duplex) dwelling on a property with 15% slope or more. Mr. Howland stated that

he will retain the existing hedges on Boxford Street side of the lot. Mr. Adams stated that he is not sure if it is appropriate for the owner to grant an easement on the abutting property, owned by the same person. Mr. Traynor stated that this issue can be addressed when the lots are sold. Mr. Adams stated that the applicant addressed DPW&P comments to his satisfaction. Mr. Howland stated that an ANR for the property was signed by the Planning Board on April, 2010 but not recorded, because the buildings' footprints were changed and that a new ANR will be submitted. He stated that the book and page number of the ANR will then be shown on the final revised plans. Mr. Truman stated that the basement elevation seems to be 608-ft which is a significant drop from the driveway. Mr. Howland responded that instead of stepping the units drastically, the decision was made to keep the units at the same size and to have a drive-in garage on the first floor of one of the units. Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 5-0 to approve the Definitive Site Plan with the following condition of approval: That six copies of the final revised plans are submitted showing ANR book and page numbers, and final location of the lot lines (both zero lot lines for the duplex and property lot lines).

Exhibit A: Definitive Site Plan Application, received May 13, 2010.

Exhibit B: Definitive Site Plan; dated May 13, 2010, received May 13, 2010; engineer – JH Engineering Group LLC.

Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 14, 2010, updated June 30, 2010.

Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 17, 2010.

13. 26 -28 Dayton Street – Definitive Site Plan (PB-2010-036): Robert Longden, representative for South Middlesex Non-Profit Housing Corporation, applicant, stated that the applicant is seeking a Definitive Site Plan approval for a 16 room lodging house in an RG-5 zoning district. Also present was Tony Haghanizadeh, project engineer. Mr. Longden stated that there is no planned expansion of the house, and that the goal is to improve the functionality and appearance of the site. Mr. Haghanizadeh stated that the applicant is proposing to demolish the existing garage and to cut down 2 trees in order to provide 4 additional parking spaces. Ms. Bold stated that lodging houses are required to obtain Site Plan Approval. She said that the existing lodging house was permitted by-right prior to 1991. She stated that DPRS staff has 4 comments with respect to dumpster screening, tree replacement, and other annotations and that the applicant submitted revised plans yesterday. Mr. Haghanizadeh showed revisions to the plans to the Board.

Frankli Zdruli of 48 Fruit Street expressed concern about the proposal. He asked if the lodging house is a shelter. Ms. Bold read out the lodging house definition from the Zoning Ordinance – “Lodging House is a dwelling or that part of a dwelling where sleeping accommodations are let, with or without kitchen facilities, to four (4) or more persons not within the second degree of kindred to the person conducting it, and shall include rooming houses, boarding houses and tourist homes, but shall not include hotels, motels, inns, sorority, fraternity and cooperative residences, dormitories, or convalescent homes, nursing homes, rest homes, or group residences licensed or regulated by agencies of the Commonwealth.” Ms. Bold stated that the lodging house use has been approved, and that the applicant is before the Board for the Site Plan Approval. She added that lodging houses require an annual license commission approval and suggested Mr. Zdruli contact the License Commission with any concerns about operation of the lodging house. Mr. Zdruli asked if sex-offenders can live in the lodging house and who will ensure the safety and wellbeing of his family. Chair O’Connor stated that the Board is reviewing the site plan, and not the lodging house operations, and suggested he find out the agency running the lodging house, as it is registered with the State, and contact the director with his concerns.

Margaret Simmons of 32 Dayton Street was concerned that if the garage is demolished, people will use the driveway on her abutting property to access the site. Mr. Haghanizadeh stated that there will be a 5-foot landscaped buffer along the property line. Ms. Simmons stated that she would prefer a fence along the property line separating her lot from the applicant's. She stated that in winter some people drive into her driveway and call people in the lodging house. Mr. Haghanizadeh stated that he was amenable to erecting a 6-ft stockade fence along the western property line to the house. Ms. Simmons stated that the property owner does not maintain the trees well and that the tree limbs fall on her property. Chair O'Connor stated that the applicant is proposing to remove the trees. Ms. Simmons expressed hope that the lodging house residents will be good neighbors.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions of approval:

- That six copies of the final revised plans are submitted with the changes:
 - Label the plan "Definitive Site Plan"
 - Provide full name of owner/applicant
 - Provide a six-foot stockade (or simulated stockade) fence surrounding the dumpster
 - Provide a six-foot stockade (or simulated stockade) fence along the western property line from the corner of the property to the corner of the existing building
 - Plant shrubs in front of the stockade fence facing Fruit Street
 - Provide two trees to replace the two trees to be removed.

Exhibit A: Definitive Site Plan Application, received May 13, 2010.

Exhibit B: Definitive Site Plan; dated May 6, 2010, received May 13, 2010; revised June 29, 2010, received June 29, 2010; engineer – HS&T Group, Inc.

Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 25, 2010.

Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 17, 2010.

14. 41 Lancaster Street – Amendment to the Parking Plan (PB-2010-037): Attorney Todd Brodeur, representative for Epiphany Vera, applicant, stated that the applicant is seeking to construct a 17-space parking lot associated with a professional office use. Mr. Brodeur showed renderings of the proposed house and stated that the applicant hopes to make this site an anchor for the Highland Street business corridor. Ms. Bold recommended approval of the application. Mr. Cashman complimented the applicant on his plan and stated that it is a vast improvement of what is there presently. Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 5-0 to approve the Amendment to the Parking Plan.

Exhibit A: Amendment to the Parking Plan Application and the cover letter, received May 14, 2010.

Exhibit B: Floor plans by Tuck and Tuck Architects, dated May 11, 2010; elevation renderings by Tuck and Tuck Architects, dated May 11, 2010 and September 28, 2009; building section by Tuck and Tuck Architects, dated February 24, 2010; all received May 14, 2010.

- Exhibit C: Amendment to the Parking Plan; dated September 18, 2009, received May 14, 2010; engineer – Land Planning Inc.
- Exhibit D: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 10, 2010.
- Exhibit E: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 17, 2010.

15.3 Forestdale Road – Definitive Site Plan (PB-2010-042): George Valeri, the applicant, is seeking to convert the existing single-family detached dwelling to a lodging house with nine (9) bedrooms and two (2) off-street parking spaces on a property with 15% slope or more. Mr. Valeri stated that the only changes to the building would be the required sprinkler system and central fire station alarm. Mr. Valeri asked the Planning Board to make a decision, as opposed to continuing to the next meeting per DPRS staff recommendation, because, as he stated, the seller was growing increasingly restless and that the deal might fail if the item is not decided upon at this meeting. Chair O'Connor made it clear to the applicant that if the Zoning Board of Appeals places conditions of approval that will significantly change the site plan, the applicant will have to come back for an amendment to the site plan to the Planning Board with a new filing. Mr. Valeri stated that he understands that. Mr. Fontane stated that currently the Zoning Ordinance allows concurrent application for both Planning Board and Zoning Board of Appeals. Ms. Bold stated that the Zoning Ordinance requires all lodging houses to have a Site Plan Approval, which looks at such issues as traffic, landscaping, physical layout of the site, dumpster placement, and more. She stated that the Zoning Board of Appeals considers whether or not to grant parking relief. Ms. Bold summarized staff's memo with respect to plan annotations.

Philip Davis of 131 Lincoln Street was concerned that the driveway at 3 Forestdale Road will not accommodate the cars well. He stated that it would fit maximum 2 cars, and in winter it would be more difficult. Mr. Valeri stated that based on his management of other lodging house properties, he thinks most people who will live in his lodging houses do not own a vehicle. He stated that the parking relief issue will be discussed by the Zoning Board of Appeals.

Mark Tetreault of 5 Forestdale Road expressed concern with the proposed use, lack of parking, and steepness of the hill. Mr. Valeri proposed to stay after the meeting to talk to the neighbors.

Mr. Cashman thanked the abutters for expressing their concerns, and stated that the Planning Board is not the body to hear concerns about parking relief petition. Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted 5-0 to approve the Definitive Site Plan with the following conditions of approval:

- That six copies of the final revised plans are submitted with the changes:
 - Provide building setback requirements for RG-5 zoning district and provided setbacks in the zoning summary.
 - Label location of existing trees on site in excess of nine (9) inches in diameter.
 - Label height of existing building and number of stories.
 - Label Forestdale Road as public and label width of roadway.
 - Label height of existing wall on abutting property line.

- Exhibit A: Definitive Site Plan Application, received June 9, 2010.
- Exhibit B: Definitive Site Plan; dated June 3, 2010, received June 9, 2010; engineer – Burke Engineering Services.
- Exhibit C: Memo to the Planning Board from the Division of Planning and Regulatory Services staff, dated June 25, 2010.
- Exhibit D: Memo to the Planning Board from the Department of Public Works & Parks staff, dated June 17, 2010.

OTHER BUSINESS:

16. Avery Estates Subdivision – Bond Reduction Request: Ms. Bold stated that Avery Investment Properties, LLC submitted a letter on June 8, 2010 (Exhibit A, below) requesting a full bond reduction and City's acceptance of the Brookline Street, Wyola Drive and Avery Path. Mr. Adams recommended the release of the \$203,500.00 bond from the existing \$248,500.00 bond for a remaining recommended performance bond in the amount of \$45,000.00 based on the fact that street, drain, and water related work for Avery Path was not 100% complete. Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted 5-0 to release \$203,500.00 bond from the existing \$248,500.00 bond for a remaining recommended performance bond in the amount of \$45,000.00.

- Exhibit A: Bond reduction request letter for Brookline Street, Wyola Drive and Avery Path from Avery Investment Properties addressed to the Planning Board; dated June 8, 2010; received June 9, 2010.

17. Providence Street – Abandonment and discontinuance of portion of a public street: Ms. Bold stated that on January 23, 2008, the Planning Board voted to approve the Definitive Site Plan application filed by Liberty Investment Properties. The application involved construction of a four-story 45,052 square foot +/- hotel on property located at 277 Providence Street, Worcester, Massachusetts with conditions. This site plan has expired and the hotel was not constructed. She stated that the intersection of Providence Street and Millbury Street (formerly Ballard Street) was modified during the reconfiguration of Rte 146 and created a larger developable parcel of land owned by the Commonwealth (DCAM) which was advertised for disposition. Through this process, DCAM selected Millbury Savings Bank as the purchaser/developer for this parcel of land to construct a bank branch with a drive through. This disposition was conducted with the assumption that the old Providence Street (never officially discontinued) would be discontinued, with half of the right of way being added to the land area of the parcel. Preliminary concept plans call for this portion of the site is to provide the drive through lanes for the bank. Ms. Bold stated that DPRS staff recommends approval of the abandonment and discontinuance of portion of the Providence Street. Mr. Adams stated that DPW&P is amenable to this petition. Mr. Rolle asked what effect this petition will have on Gibbs Street. Ms. Bold responded that Gibbs Street is a paper street covered mostly in vegetation. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 5-0 to recommend approval of the abandonment and discontinuance of a ~203 feet portion of Providence Street, a public street.

18. ANR Plans:

- **AN-2010-029, Shannon Street:** Upon a motion by Mr. Cashman and seconded by Mr. Mitra, the Board voted 5-0 to endorse ANR Plan AN-2010-029.
- **AN-2010-030, Pleasant Street:** Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted 5-0 to endorse ANR Plan AN-2010-030.
- **AN-2010-031, Briarcliff Street and Firglade Street:** Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 5-0 to endorse ANR Plan AN-2010-031.
- **AN-2010-032, Sunnyview Heights and Scenic Drive:** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 5-0 to endorse ANR Plan AN-2010-032.
- **AN-2010-033, Taconic Road, Wigwam Hill Drive and Wauwinet Road:** Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 5-0 to deny endorsement of ANR Plan AN-2010-033 – Taconic Road, Wigwam Hill Drive and Wauwinet Road because, despite the three lots having minimum required frontage, it was determined that the way does not provide sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to proposed lots #2 and #3.
- **AN-2010-034, Johnson Street:** Upon a motion by Mr. Truman and seconded by Mr. Cashman, the Board voted 5-0 to endorse ANR Plan AN-2010-034.
- **AN-2010-035, Terrace Drive and Valley Hill Drive:** Upon a motion by Mr. Mitra and seconded by Mr. Truman, the Board voted 5-0 to endorse ANR Plan AN-2010-035.
- **AN-2010-036, Blackstone River Road:** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 5-0 to endorse ANR Plan AN-2010-036.
- **AN-2010-037, Gardner Street:** Upon a motion by Mr. Cashman and seconded by Mr. Truman, the Board voted 5-0 to endorse ANR Plan AN-2010-037.

ADJOURNMENT:

Upon a motion by Stephen Rolle and seconded by Andrew Truman, the Board voted 5-0 to adjourn the meeting at 8:15 pm.