

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

January 26, 2011

WORCESTER CITY HALL – LEVI LINCOLN ROOM

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

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Ruth Gentile, Division of Planning & Regulatory Services
Luba Zhaurova, Division of Planning & Regulatory Services
K. Russell Adams, Department of Public Works & Parks
Kathleen Donovan, Department of Inspectional Services

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Anne O’Connor called the meeting to order at 5:35 PM.

APPROVAL OF THE MINUTES

The approval of minutes was held to the next meeting.

UNFINISHED BUSINESS

Public Hearing

1. Arboretum Phase V (property located at Keach Ave., Marlana Drive, Camellia Court, Forsythia Trail, and Elderberry Circle) – Definitive Subdivision (PB-2010-061): Crystal Carr of HS&T Group, representative for Robert Gallo, the petitioner, stated that the petitioner submitted revised plans addressing drainage infrastructure and other remaining staff comments. Mr. Adams asked that final revised plans show the labeling of the existing manhole, MH-19, in Steele Street as a twin-invert (TIMH). Ms. Gentile stated that DPRS staff recommends approval of the project with a condition that 6 copies of full sets of final revised plans and one mylar are submitted to the DPRS prior to the release of the decision.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve Arboretum Phase V (property located at Keach Ave., Marlana Drive, Camellia Court, Forsythia Trail, and Elderberry Circle) – Definitive Subdivision with the following conditions of approval:

- Six (6) copies of the final revised plan set, and a Mylar plan must be submitted to the Planning and Regulatory Services Division for recording with the following changes:

- Label the existing manhole, MH-19, in Steele Street as a twin-invert (TIMH).
- No building shall be erected in any of the lots labeled Open Space or on lots 139L, 140L, and 140R for a period of three years from the date of completion of the Phase V subdivision ways: Forsythia Trail, Marlana Drive, Keach Avenue, Camellia Court, and Elderberry Circle. During such time, the lots shall be set aside for playground or recreation purposes. This condition shall be endorsed upon the appropriate sheets of the definitive plan set.
- Waiver of the Subdivision Regulations under Item 1 of the Department of Public Works & Parks letter dated January 24, 2011, which is incorporated by reference and made part of this decision (DPWP 1/24/2011 Letter).
- No single species of street tree shall constitute more than twenty-five percent (25%) of the total number of street trees shown on the approved plan.
- The applicant will comply with the operations and maintenance plan submitted by the applicant dated October 11, 2005, as revised December 21, 2010, which revised plan is incorporated by reference and made part of this decision.
- Prior to and continuing during all construction activities, appropriate soil erosion and sedimentation control measures including hay bales and silt fences, shall be installed and maintained subject to the oversight and direction of the Commissioner of Inspectional Services.

- Exhibit A: Arboretum – Phase V – Definitive Subdivision Application and Plan prepared by Lesley Wilson, HS&T Group, Inc, dated July 20, 2010, and received August 11, 2010.
- Exhibit B: Definitive Subdivision Plan, prepared by Lesley Wilson, HST Group.
- Exhibit C: Revised Subdivision Plan (Sheet # 9a) prepared by Lesley Wilson, HS&T Group, Inc. Revised October 25, 2010, and received November 2, 2010.
- Exhibit D: Revised plans prepared by Lesley Wilson from HS&T Group, Inc. dated December 17, 2010 and received on December 17, 2010.
- Exhibit E: Revised sheets of plan set: 2, 4, 7, and 9A prepared by Hossein Haghazadeh from HS&T Group, Inc. dated January 10, 2011, received January 10, 2011.
- Exhibit F: Memorandum from Joseph Borbone, Director of Engineering; Department of Public Works & Parks to the Planning Board, dated September 10, 2010; revised November 4, 2010, December 30, 2010, January 4, 2011 & January 24, 2011.
- Exhibit G: Hydrology & Stormwater Management Report, prepared HS&T Group, Inc, dated July 20, 2010, and received August 11, 2010.
- Exhibit H: Draft Environmental Impact Report (DEIR) prepared by EcoTec, Inc. dated September 9, 2010 and received September 10, 2010.
- Exhibit I: Letter of concern from fourteen (14) abutters to Worcester Planning Board, dated September 15, 2010, and received September 15, 2010.
- Exhibit J: Letter requesting continuance to October 6, 2010 meeting from Crystal Carr, HST to Planning Board dated September 10, 2010.
- Exhibit K: Letter requesting continuance to November 17, 2010 meeting from Crystal Carr, HST to Planning Board, undated, received October 26, 2010.

- Exhibit L: Letter requesting Extension of the Constructive Grant Deadline to December 17, 2010, from Crystal Carr, HST Group, Inc to Planning Board dated November 12, 2010.
- Exhibit M: Letter from abutter Stephen E. Chad to the Worcester Planning Board, dated November 9, 2010, received November 9, 2010.
- Exhibit N: Email from DPRS staff regarding a conversation with Carolyn Hallin, abutter, expressing concerns regarding the existence of a stone wall on site.
- Exhibit O: Letter from the HS&T Group, Inc. addressed to the Division of Planning and Regulatory Services, responding to the comments received at the November 17, 2010 Planning Board meeting from the Division of Planning and Regulatory Services and Department of Public Works and Parks.

REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS, WITHDRAWALS

Public Hearing

2. **195 Vernon Street – More-than-one-Building on a Lot Plan (PB-2010-077):** Present for the meeting were Michael O’Rourke, owner and applicant, and Nick Anatanavic of Coyle Engineering, representative. Ms. Gentile stated, per Exhibit C, that upon further review and consultation with the Law Department, staff respectfully recommends Leave to Withdraw Without Prejudice for the submitted application because the proposed development includes two conforming separate lots with two separate access points and does not necessarily function as one integrated development. She stated that the Law Department found that the proposed overlap of off-street parking and drainage infrastructure between the two lots can be adequately addressed through easements and conditions of approval. Mr. Anatanavic indicated that the applicant requests Leave to Withdraw Without Prejudice. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to close the Public Hearing. Upon a motion by Ms. Truman and seconded by Mr. Rolle, the Board voted 4-0 to approve the petitioner’s request to Leave to Withdraw Without Prejudice.

- Exhibit A: 195 Vernon St / 7 Seva St – More Than One Building on a Lot Application; received November 18, 2010; prepared by AT O’Rourke LLC DBA Michael O’Rourke.
- Exhibit B: 195 Vernon St / 7 Seva St – Definitive Plan – More Than One Building on a Lot Plan & Definitive Site Plan; dated November 10, 2010; prepared by Coyle Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 195 Vernon Street & 7 Svea Street – Definitive Plan and Definitive Plan-More than One Building on a Lot; dated December 29, 2010, revised January 21, 2011.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 195 Vernon Street & 7 Svea Street - Definitive Plan-More than One Building on a Lot; dated December 30, 2010.
- Exhibit E: Request to Leave to Withdraw Without Prejudice 195 Vernon Street & 7 Svea Street - Definitive Plan-More than One Building on a Lot by applicant Michael O’Rourke; dated January 26, 2011.

UNFINISHED BUSINESS

3. **195 Vernon Street – Definitive Site Plan (PB-2010-077A):** Present for the meeting were Michael O'Rourke, owner and applicant, and Nick Anatanavic of Coyle Engineering, representative. Mr. Anatanavic stated that the owner is proposing to construct a new 4-story (high-rise), 8 dwelling unit multi-family residential dwelling with a 1,924 SF footprint at 7 Svea Street. He stated that open space, sufficient parking and new landscaping are proposed by the applicant. He stated that the revised plans will reflect moving the proposed building closer to Svea Street by 15 feet. Mr. Adams stated that DPW&P has not received drainage calculations using Type III storm events, per its December 30, 2010 memo. Ms. Gentile stated that DPRS staff recommends continuance of the petition because revised plans were not submitted addressing staff's previous comments.

Elizabeth O'Connor of 191 Vernon Street, an abutter, stated her support for moving the building 15 feet further away from her property. She expressed a wish that two trees that are along her property line that provide visual buffer – a maple in the north-western corner of the property and a black walnut in the rear of her property next to a light pole – are protected during the construction and preserved. Ms. O'Connor stated that she is against having the sidewalk in the back of the house run along the entire length of the building.

Scott Davis of 199 Vernon Street, an abutter, stated that he is representing himself and Rita Sidloski of 197 Vernon Street, who was not able to attend the hearing. Mr. Davis stated his overall support for the project, but expressed concern that the proposed increase in dwelling units will make the electric transformer insufficient. He also recommended that 'a berm' is installed in the double-driveway preventing high level of traffic increase on Svea Street.

Mr. Anatanavic stated that a survey will be necessary to determine whether or not the 2 trees mentioned by Ms. O'Connor are on her or his client's property, but that he thinks the maple tree is on his client's property. He stated that his client will try to save the trees and will have an arborist to assist, but that foundation work for the new building might affect negatively the existing trees.

With respect to the berm suggestions, Mr. Anatanavic stated that he can incorporate two speed humps as traffic calming devices to mediate cross-over traffic. Mr. Rolle encouraged using a speed table, as opposed to the classic speed bumps, which are too abrupt. Mr. Anatanavic stated that he is proposing speed humps which are 6-8 feet wide.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to continue the meeting to February 16, 2011.

OTHER BUSINESS

4. **Street Petition – Discontinue & abandon a portion of a public way known as Parcel C-5 abutting Route 146 and Tobias Boland Way:** Mr. Adams stated that if the Board votes to remove the public way from the Official City Map and the City Council votes to discontinue it, the City can then swap this portion of the land with the Department of Transportation in order to extend the bike path behind Walmart further to the next phase. Mr. Adams stated that DPW&P recommends approval of the petition. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to recommend to the City Council the approval of the petition pursuant to M.G.L. c. 41, §81G.

Exhibit A: Memorandum of the City Manager to the City Council; re: Discontinue & abandon a portion of a public way known as Parcel C-5 abutting Route 146 and Tobias Boland Way; dated January 18, 2011.

Exhibit B: Petition with an accompanying Plan of Land from Robert L. Moylan Jr., Commissioner of Public Works and Parks; re: Communication Relative to Discontinuance of Highway Laid out on behalf of the City of Worcester; dated December 28 2010.

- 5. Street Petition - Rodi Circle - To make public:** Mr. Adams stated that the DPW&P is recommending a Priority Level #1 for the request. Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to recommend to the City Council a Priority #1 designation for the petition to make public the entire length of Rodi Circle based on a recommendation from the Department of Public Works and Parks.

Exhibit A: Petition of Robert O'Neil, representative of Wildwood Development LLC.

Exhibit B: Memorandum from the Department of Public Works & Parks, re: Rodi Circle; dated January 5, 2011.

- 6. Street Petition - Rename Foch Avenue, a private street, to General Foch Avenue:** Mr. Adams stated that Councilor Clancy filed a petition recommending renaming of the Foch Avenue to General Foch Avenue. Mr. Adams stated that DPW&P did not object to this petition. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to recommend approval of the proposed street name change pursuant to the City of Worcester's Revised Ordinances of 2008, Chapter 12, Section 10 – Street Names.

- 7. Proposed Board Meeting Schedule 2011-2012:** Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the proposed Board Meeting Schedule 2011-2012.

8. ANR Plans:

- **AN-2011-003, West Boylston Street & West Boylston Terrace:** Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to endorse ANR Plan AN-2011-003.

ADJOURNMENT: Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to adjourn the meeting at 6:20 pm.