

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

**December 12, 2012**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Andrew Truman, Chair  
Stephen Rolle, Vice Chair  
Satya Mitra, Clerk  
Robert Ochoa-Schutz

**Planning Board Members Absent:** None

**Staff Present:** Joel Fontane, Division of Planning & Regulatory Services  
Abby McCabe, Division of Planning & Regulatory Services  
Marlyn Feliciano, Division of Planning & Regulatory Services  
Kathleen Donovan, Department of Inspectional Services  
K. Russell Adams, Department of Public Works & Parks  
Michael Traynor, Law Department

**BOARD SITE VISITS**

**REGULAR MEETING (5:30 PM)**

**CALL TO ORDER**

Chair Andrew Truman called the meeting to order at 5:32 P.M.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,  
WITHDRAWALS**

**1. 0 Sarah Drive (aka Bittersweet Boulevard) – Definitive Site Plan Approval (PB-2012-043)**

Hossein Haghanizadeh, HS&T Group, stated that he is requesting a postponement for this item in order to allow staff time to review the information submitted and for them to prepare the Amendment to the Definitive Subdivision. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 3-0 (Andrew Truman, Stephen Rolle, and Satya Mitra) to postpone the item to January 16, 2013.

**List of Exhibits.**

- Exhibit A: Definitive Site Plan Application; received August 8, 2012; prepared by Arboretum Village LLC.
- Exhibit B: Arboretum Bittersweet Boulevard A Definitive Site Plan in Worcester, MA Plan; dated July 24, 2012; revised on October 15, 2012 (sheets 1-5 & 7) and December 4, 2012 (sheet 6) prepared by HS&T Group, Inc.

- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 0 Sarah Drive (MBL 29-11A-00090) Arboretum Phase IV (Bittersweet Boulevard) – Definitive Site Plan – Lots 81-92, 112-116, 18 dated September 19, 2012 (revised on September 27, 2012, October 19, 2012, November 9, 2012, and December 7, 2012).
- Exhibit D: Letter from Inspectional Services Commissioner, John Kelly to Mr. Gallo dated October 3, 2012.
- Exhibit E: Letter from Arthur Allen of EcoTec, Inc. dated October 11, 2012.
- Exhibit F: Request for Postponement Form dated November 14, 2012.
- Exhibit G: Letter from Lesley Wilson of HS&T Group, Inc. Re: Arboretum Phase IV – Definitive Site Plan dated October 15, 2012.

### **APPROVAL OF THE MINUTES:**

Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 4-0 to approve the minutes for the November 14, 2012 meeting.

### **OLD BUSINESS**

#### **Public Hearing**

#### **2. 31 Randolph Road (Burncoat Park) – Preliminary Subdivision Plan Approval (PB-2012-045)**

Katherine Evans stated she submitted a letter to the Planning Division to ensure that the Planning Board had all the information they need to make a decision. She read the letter and stated that she recognized most of these issues are under the Conservation Commission's purview but she felt that the Planning Board needs to be aware of all the issues surrounding this property.

Richard Shea, resident at 2 Rexhame Road, stated that he had been part of the original neighborhood association that paid for an independent engineer to study the land. The engineer found had the following concerns: the preservation of wetlands, impact on traffic, and egress. Mr. Shay stated that he is concerned with preserving open space.

Councilor Palmieri stated that negotiations were underway to purchase the land because the City wants to preserve it as open space.

An abutter presented an article that is posted on a sign at the entrance to Dodge Park that refers to two mine shafts that existed in the 1700s. The article states that the ores obtained from the mine contained a dangerous amount of arsenic. The gentleman stated that he has been walking his dog at Dodge Park for 20 years and has never once come across the mine shafts. He believes they are on the Burncoat Park property and that it will be dangerous once they start removing dirt and moving rocks in order to build.

Rena Grasso, resident at 23 Shaffner Street, stated that traffic is a concern in this area. She is concerned about the safety of children and animals. She also stated that she believed this is real estate glut, there are so many homes available in the market and this project raises the possibility of having an empty development.

Mr. Mitra asked if the present land has changed ownership since 1986. Mr. Fontane stated that it did change hands between LLCs but he did not know if those LLCs share the same owner.

Mr. Mitra asked how the decision will impact the applicant. Mr. Fontane stated that a Preliminary Subdivision Plan review is an exploratory endeavor to gauge what issues would need to be addressed at the definitive stage. Mr. Fontane explained that the Board has the option to approve as presented, approve with modifications, or disapprove and clearly state the reasons why.

Mr. Haghanizadeh stated that the existing owners are not the same owners. He stated that the preliminary plan review is to gather information and he understands the issues and will address them at the Definitive Subdivision Plan Approval stage. He stated he accomplished what they needed, which was to receive comments, feedback, and a greater understanding of the issues involved.

Mr. Ochoa-Schutz stated that there were too many questions unanswered and he did not want to mislead the applicant or the community. He stated that he believed the plan was not workable and would need to see this come before the Conservation Commission. He stated that he could not approve it.

Mr. Rolle stated that after further consideration he does not see how this plan would work. He sees the following as the three major issues with the plan: 1) the two access points, specifically the Burncoat Street access point because of its proximity to the Randolph Road and Burncoat Street intersection and the proximity to the existing houses on Burncoat Street. The existing houses may become non-conforming because they would not meet the dimensional requirements for being a corner lot. 2) The individual grinder pumps, and 3) Mr. Rolle believes that there are too many units proposed.

Mr. Truman asked the applicant if he planned to apply for waivers. Mr. Haghanizadeh stated that he might asked for a couple in the Definite Subdivision Plan approval stage.

Upon a motion by Mr. Rolle and seconded by Mr. Ochoa-Schutz, the Board voted 3-1 (Andrew Truman voting no) to deny the Preliminary Subdivision Plan due to concerns regarding: the location of the access points, impact to the abutting properties, impact to traffic flow and safety, waste water treatment system proposed, and the buildability of the lot due to the terrain and drainage issues.

### **List of Exhibits.**

- Exhibit A: Preliminary Subdivision Application; received August 30, 2012; prepared by Burncoat Development, LLC.
- Exhibit B: Preliminary Subdivision Plan; dated June 12, 2012; prepared by HS&T Group, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Burncoat Park - Preliminary Subdivision; dated November 7, 2012.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 31 Randolph Road (Burncoat Park) Preliminary Subdivision – PB-2012-045; dated November 9, 2012.
- Exhibit E: Certificate of Organization of Limited Liability Company for Burncoat Development, LLC from the Commonwealth of Massachusetts dated August 24, 2012.
- Exhibit F: Cover letter and exhibits prepared by Katherine and George Evans dated and submitted on December 11, 2012.
- Exhibit G: Silver Mine Article displayed at entrance to Dodge Park and submitted December 12, 2012.

### **Public Meeting**

**3. 47 Westminster Street (aka 45 Westminster, 12 Forbes & 17 Perkins Streets) – Definitive Site Plan (PB-2012-054)**

Kevin Quinn, representing the Worcester East Side Community Development Corporation (ESCDC), stated that the proposal is to construct four two-family detached dwellings at 45 & 47 Westminster (aka 12 Forbes street & 17 Perkins) and to subdivide the lot into four separate lots on property with a 15% or more slope. Each lot is proposed with a driveway that will allow for four parking spaces (2 for each dwelling unit). The properties will be owned and managed by ESCDC. The property is currently vacant but there used to be four buildings, one on each of the lots. This project obtained the necessary relief from the Zoning Board of Appeals on November 11, 2012.

Mr. Quinn stated that the topography is steep and they are installing several retaining walls in order to keep the grading level.

Ms. McCabe stated that the applicant submitted revised plans that incorporated all the requested revisions. She asked the applicant why the tree on the Perkins Street lot was placed at the back of the property. Mr. Quinn stated that there is a retaining wall on the front of the property and they did not want to place a tree so close to the retaining wall.

Howard Egenlauf, direct abutter and resident of 41 Westminster Street, asked what will happen to the tree that is on the corner of his lot and to the existing retaining wall. Mr. Quinn stated that the tree will remain and so will the retaining wall but there will be a fence installed on it. Mr. Egenlauf was also concerned about access to his utilities since they come from a pole that is between the lots that will be developed. Mr. Quinn stated that National Grid will have to re-position the pole.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Site Plan.

**List of Exhibits.**

- Exhibit A: Definitive Site Plan Application; received October 10, 2012; prepared by Worcester East Side Community Development Corporation.
- Exhibit B: Definitive Site Plan; dated October 4, 2012; revised on November 20, 2012; prepared by Quinn Engineering, Inc.
- Exhibit C: Rendering; dated September 25, 2012; prepared by Stephen Hart of Worcester East Side Community Development Corporation.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 47 Westminster Street (aka 45 Westminster, 12 Forbes & 17 Perkins Streets) PB-2012-054 – Definitive Site Plan; dated November 14, 2012.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 47 Westminster Street Definitive Site Plan – PB-2012-054; dated November 9, 2012.
- Exhibit G: Request for Postponement from Stephen Hart of Worcester East Side Community Development Corporation to the Planning Board; dated October 31, 2012.

## **OTHER BUSINESS**

### **4. Approval Not Required Plans:**

#### **o 12 Forbes, 17 Perkins Street, 45 & 47 Westminster ANR Plans (AN-2012-043)**

Ms. McCabe stated that the purpose is to subdivide the lot to create the four parcels. Each parcel will have the two-family house and each parcel meets the frontage requirements in the RG-5 zoning district. Staff recommends endorsement. Upon a motion by Mr. Mitra and seconded by Mr. Ochoa-Schutz, the Board voted 4-0 to endorse the plan.

#### **o 210 Southwest Cutoff (AN-2012-041)**

Ms. McCabe stated that the property owner is removing Parcel B from the existing parcel (Parcel B is at the rear of the lot) to be transferred to another lot. Parcel A has 412-ft of frontage on Southwest Cutoff and there is no frontage requirement in the MG-2 zoning district. Staff recommends endorsement. Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Rolle, the Board voted 4-0 to endorse the plan.

#### **o Eaton Place and Mercantile Street / CitySquare 2 (AN-2012-042)**

Mr. Fontane stated that this is a follow up from the recent report from the Planning Board to the Council on the public road alteration. This ANR plan proposes to take land from Parcel H that will be added to Parcel A-1 as well as part of Parcel GB to be combined with Parcel A-1 so that Parcel A-1 will follow the line of the underground public parking garage. Upon a motion by Mr. Rolle and seconded by Mr. Ochoa-Schutz, the Board voted 4-0 to endorse the plan.

### **5. Crown Hill Local Historic District – Preliminary Report**

Mr. Fontane stated that pursuant to Massachusetts General Laws, Chapter 40C the attached preliminary Study Report is provided for Planning Board comment. Mr. Fontane respectfully requested that the Board vote to send a report to the Historical Commission indicating its comments, if any, to be considered at its upcoming hearing.

The Planning Board had no comment on the report.

#### **List of Exhibits.**

Exhibit A: Crown Hill Local Historic District Preliminary Study Report dated October 5, 2012.

## **ADJOURNMENT**

The meeting was adjourned at 6:37 p.m.