

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

**May 25, 2011  
WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Anne O'Connor, Chair  
Stephen Rolle, Clerk  
Andrew Truman

**Staff Present:** Joel Fontane, Planning & Regulatory Services  
Luba Zhaurova, Planning & Regulatory Services  
Kathleen Donovan, Inspectional Services  
Russ Adams, Public Works & Parks  
Jennifer Beaton, Law Department

**BOARD SITE VISITS**

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

**CALL TO ORDER**

Chair Anne O'Connor called the meeting to order at 5:30 PM.

**APPROVAL OF THE MINUTES**

Approval of the minutes was held.

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

- 1. 9 and 39 (aka 37) Piedmont Street - Zoning Map Amendment from RG-5 to BG-3.0 (ZM-2011-003):** Per request of the petitioner (Exhibit B), and upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to postpone the hearing to July 6, 2011.

Exhibit A: Petition from Iglesia Evangelica de Worcester to the City Council re: rezoning of 9 and 39 (aka 37) Piedmont Street to BG-3.0 zoning district; dated March 14, 2011.

Exhibit B: Petitioner's request to postpone the hearing to July 6, 2011; dated May 25, 2011.

**NEW BUSINESS**

**Public Hearing**

- 2. Portion of LaChapelle Street - Private Street Removal from the Official City Map (ST-2011-009):** Attorney Dan Woodyshek, representing Wells Fargo Bank, N.A., the petitioner, stated that the petitioner is seeking to remove a portion of the private street (5 ft by 78 ft) given the fact that the portion has been already occupied for some time by a sidewalk, steps, and a deck by the 17 Emory Street property. He stated that the bank cannot market the property properly until this portion of the

street is removed and incorporated into the 17 Emory Street property. Mr. Adams stated that LaChapelle subdivision across street is almost complete, and suggested that the Board condition the approval on petitioner's conveying a properly executed and recorded slope easement to the City of Worcester's Department of Public Works & Parks for grading work necessary for the construction of the LaChapelle Street Subdivision as per the definitively approved plan. Ms. Zhaurova stated that DPRS staff believes that given a relatively small size of the portion of the street petitioned to be removed (5 ft by 78 ft) and given the fact that the portion has been already occupied for some time by a sidewalk, steps, and a deck associated with the 17 Emory Street property, the street connectivity, frontage or future development potential of abutting lots will not be affected by the proposed petition.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to close the Public Hearing.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to approve the petition with the following conditions:

- That the petitioner records at their own expense the plan depicting the street removal of the portion of LaChapelle Street, as petitioned, in accordance with the Registry of Deeds Rules and Regulations;
- That the petitioner convey a properly executed and recorded slope easement to the City of Worcester's Department of Public Works & Parks. The easement is for grading work necessary for the construction of the LaChapelle Street Subdivision as per the definitively approved plan;
- That the petitioner provides evidence of the above-mentioned recording and conveyance to the Division of Planning & Regulatory Services.

Exhibit A: Petition of the Wells Fargo Bank, N.A. re: 17 Emory Street and LaChapelle Street Removal; dated March 4, 2011 (includes a deed and a plan of land by HS&T re: 17 Emory Street; dated 6/30/2010).

Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: LaChapelle Street – Removal of a Portion of Private Street from Official Map, dated May 23, 2011.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: A portion of LaChapelle Street – Remove from Official Map; dated May 24, 2011.

## Public Meeting

- 3. 160 Southbridge Street - Amendment to Parking Plan Approval (PB-2011-019):** Francisco Paulino, petitioner, stated that he is seeking to amend the previously approved Parking Plan for construction of a 212-space used car lot by providing a total of 179 off-street parking spaces and constructing an additional 400 SF office trailer for the site to be used as a used car dealership. Ms. Zhaurova stated that the petitioner is missing numerous plan requirement annotation and recommended continuance of the item to allow the petitioner to submit revised plans. She stated that if the Board is amenable to approving the plan, DPRS staff believes that the applicant has sufficient area to provide the 5 foot buffer required along Francis McGrath Boulevard, New Salem and Southbridge Streets and recommend that as a condition of approval, the applicant provides a 5-ft

landscaped buffer with a concrete or granite curb on both sides along the entire perimeter of the site in order to protect abutting properties, streets, and landscaped areas. The Board felt comfortable proceeding despite the number of outstanding issues with the plan which were made conditions of approval. Ms. Zhaurova stated that the 5th parking space next to the proposed office trailer should be re-located away from the required 5-ft buffer.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to approve the requested Amendment to Parking Plan with the following conditions of approval:

- That the parking lot is re-stripped in accordance with the final approved Amendment to Parking Plan;
- That six (6) copies of final revised Definitive Site Plan are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the following items included or corrected:
  - Provide a five (5) - foot landscaping buffer along the entire property line abutting Francis McGrath Boulevard, New Salem and Southbridge Streets. The landscaping buffer will have a concrete or granite curb on both sides along the entire perimeter of the site in order to protect abutting properties, streets, and landscaped areas;
  - Relocate the proposed snow storage locations so that they do not overlap with the landscaping buffer;
  - Relocate the fifth parking space next to the proposed office trailer away from the required five (5)-foot buffer;
  - Provide a summary of zoning classification requirements. Annotate what is required and what is proposed;
  - Provide a summary of the Parking Schedule, including existing, required, and proposed parking spaces, as well as their dimensions (standard, display, or handicapped);
  - Provide a Landscaping table, per Article IV, Section 7, B (e);
  - Annotate minimum yard dimensions;
  - Annotate the names of owners of properties up to abutters of abutters within 300 feet of the applicant's property lines;
  - Annotate the use and dimension of the existing building;
  - Annotate distances from adjacent buildings;
  - Annotate property lines on the plan;
  - Annotate dimensions of the lot;
  - Annotate the percentage of the lot covered by the principal and accessory buildings, proposed and existing;
  - Annotate proposed contours of the site, if change is proposed;
  - Annotate existing rights of way, entrances and exits, and circulation;
  - Annotate fences, their height and materials (existing and proposed);
  - Annotate walkways and sidewalks, their dimensions and materials, if any;
  - Annotate driveways and access aisles.

Exhibit A: Application for Amendment to Parking Plan received on April 1, 2011; prepared by Francisco Paulino, applicant.

Exhibit B: Parking Plan dated March 24, 2011, prepared by Cullinan Engineering.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board regarding Amendment to Parking Plan dated May 23, 2011.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board re: Amendment to Parking Plan dated May 18, 2011.

- 4. 408 Sunderland Road - Definitive Site Plan Approval (PB-2011-021):** Crystal Carr of HS&T, representative for Central Mass Builders, the applicant, stated that the applicant is seeking to construct a single-family detached dwelling with a two (2) car garage on property with 15% slope or more. Luke Carpenter of 10 Niles Street stated that the same applicant is constructing on a property on Nile Street as well but the work has been ongoing since 2003 and not yet completed. Mr. Adams stated that Central Mass Buildings started a definitive subdivision on Nile Street and that DPW&P required him to extend the sanitary main and pave the road, which required him to enter into an agreement with the City of Worcester. Mr. Adams stated that the development has been progressing slowly due to the economy according to Central Mass Buildings, but is a separate project from the 408 Sunderland Road project. Mr. Traynor stated that the Board cannot legally pose any conditions of approval on the applicant that is connected to its other project on Nile Street, and that Mr. Carpenter can pursue other avenues, such as consulting the agreement between the applicant and the City with respect to bonds and work completion dates. Mr. Carpenter had concerns with street closings during construction. Mr. Adams stated that permitting staff will review the construction permit and will decide on when is reasonable to close of the street or its portion for constructions and connection of sewer and water piping. He stated that he doubts the entire width of Sunderland Road would be closed off at any one time.

Chair O'Connor asked what the timeline of the project is. Ms. Carr was not sure.

Mr. Rolle stated that based on the site visit, he noted that the sightlines are tight and suggested keeping the area near the driveway entrance clear of fencing or vegetation. Mr. Adams suggested providing a turn-around area for the car on site. Ms. Carr was amenable to that.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to approve the requested Definitive Site Plan with the following conditions:

- That six (6) copies of final revised Definitive Site Plan are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the following items included:
  - Provide an eight (8) foot wide by sixteen (16) foot long paved turn-around area for the vehicle on site;
  - Label the Site Plan “Definitive Site Plan”;
  - Provide Zoning Table on the Site Plan;
  - Indicate the number of trees in excess of nine (9) inches in diameter that will remain;
  - Provide elevation of the proposed dwelling showing exterior materials and height dimensions;
  - Indicate number of bedrooms proposed;
  - Indicate entrance location to the house and any walkways on the site plan;
  - Indicate width of driveway;
  - Indicate proposed surface material for the driveway;

- Show method and location of proposed erosion and sedimentation devices.

Exhibit A: 408 Sunderland Road Application; received April 20<sup>th</sup>, 2011; prepared by Michael Konan for Central Mass Builders.

Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; regarding 408 Sunderland Road, dated May 23, 2011.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board regarding 408 Sunderland Road dated May 18, 2011.

**5. 570 Lincoln Street - Definitive Site Plan Approval (PB-2011-022):** Chris Keenan of Quinn Engineering, representative for The Roman Catholic Bishop of Worcester, the applicant, stated that the applicant is seeking to construct an 8,350 SF building to be used as a gymnasium, an accessory use for the existing religious use on site, and 12 off-street parking spaces on property with 15% slope or more. He stated that the construction would be outside the 100-ft buffer from the wetlands. Mr. Adams recommended that the petitioner provides cleanouts for the sanitary connection at maximum intervals of 100 feet and that the sanitary line is 6 inches, and not 4 inches in diameter. Ms. Zhaurova recommended approval of the petition with a condition that the proposed snow storage areas are moved away from the front of the proposed building to the rear of the proposed parking spaces, as the site seems to have sufficient area on site available for snow storage areas.

Peggy and Garry Timbolleo of 1 Wayside Road, abutters, were opposed to the petition and referred to their letter (Exhibit F). They were concerned with the fact that the petitioner did not communicate with them and were concerned with the proposed drainage plan. Mr. Adams stated that while the gradient is sloped towards Mr. Timbolleo's property, the area of disturbance in DPW&P opinion would not negatively affect his property because as designed, the run-off from the disturbed area will be contained by water quality swale and infiltration basin and the design meets Massachusetts Stormwater Handbook. Mr. Timbolleo was opposed to the size of the structure and the noise associated with it. Ms. Timbolleo stated that there has been an issue of people "cutting through our yards" to get to 570 Lincoln Street property. Ms. Zhaurova proposed a fence around a portion of the 570 Lincoln Street property. Mr. Keenan stated that the building is setback about 40-50 feet from the lot line and there is a vegetative buffer that the applicant is preserving that varies in width from 20-40 feet, which he claimed is as effective if not more effective than a fence. The Board agreed with the applicant that the vegetative buffer is sufficient to buffer the project from the abutting properties.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to approve the Definitive Site Plan with the following conditions:

- That six (6) copies of final revised Definitive Site Plan are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the following items included:
  - Provide cleanouts for the sanitary connection at maximum intervals of 100 feet;
  - Name the plan "Definitive Site Plan";
  - Provide delineation of the entire parcel;
  - Provide the labels in the legend for proposed v. existing topography lines;
  - Provide the area (gross and total floor), use, materials, and height of the existing and the proposed buildings;
  - Label the pavement material of the parking area;

- Provide information about proposed signs and lighting, if any;
- Label and indicate the size of pervious and impervious surfaces;
- Clarify what type of information shown on the plan was a result of a recent site survey performed for this project and what was based on earlier surveys or the City's records;
- Move the proposed snow storage areas away from the front of the proposed building to the rear of the proposed parking spaces.

- Exhibit A: Definitive Site Plan Application; received April 21, 2011; prepared by Roman Catholic Bishop of Worcester.
- Exhibit B: Definitive Site Plan; dated April 20, 2011, revised May 9, 2011; prepared by Quinn Engineering Inc.
- Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board ; re: 570 LINCOLN STREET Definitive Site Plan – PB-2011-022; dated May 18, 2011.
- Exhibit D: Memorandum from the City of Worcester Division of Planning and Regulatory Services; re: 570 Lincoln Street Definitive Site Plan Approval; dated May 23, 2011.
- Exhibit E: Letter from Quinn Engineering, Inc. to Worcester Planning Board; re: 570 Lincoln Street – Site Plan/Stormwater Revisions; dated May 12, 2011.
- Exhibit F: Letter of Opposition from Gary Tambolloe to the Planning Board; re: Re: Roman Catholic Bishop of Worcester, 570 Lincoln Street Definitive Site Plan; dated May 23, 2011.

## **OTHER BUSINESS**

- 6. 359A, 375, 395, 405, 413, 415 Grafton Street – Zoning Map Amendment – Leave to Withdraw Request (ZM-2011-004):** Mr. Fontane stated that the petitioner has requested a Leave to Withdraw Without Prejudice because not all parties depicted on the map were signatory of the petition. He stated that his understanding is that the petitioner will file a new petition with the City Council correcting this error.

Upon a motion by Mr. Rolle and seconded by Mr. Truman the Board voted 4-0 to recommend granting Leave to Withdraw request of the petitioner due to an error in the description of the land referenced in the petition.

- Exhibit A: Petition by Rodney Perro to amend the Zoning Map - 359A, 375, 395, 405, 413, 415 Grafton Street (undated).
- Exhibit B: Letter from Rodeny Perro to the Planning Board re: request to withdraw the Petition to Rezone 359A, 375, 395, 405, 413, 415 Grafton Street; dated May 9, 2011.
- Exhibit C: Memorandum from the City of Worcester Division of Planning and Regulatory Services; re: 7.359A, 375, 395, 405, 413, 415 Grafton Street – Zoning Map Amendment; dated May 23, 2011.

**7. Janice Nadeau Way – To Decree a Way Public (ST-2011-011):** Mr. Adams stated that the petition is part of the City’s project and that DPW&P recommend approval of decreeing this new street public. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to recommend approval of the proposed alteration to the public street layout, namely decreeing Janice Nadeau Way public.

Exhibit A: Memorandum from the City Manager to the City Council; re: Janice Nadeau Way; dated April 26, 2011 with attachments.

Exhibit B: Memorandum from the Department of Public Works and Parks to the Division of Planning & Regulatory Services; re: Janice Nadeau Way – Private Street Conversion with attachments;

Exhibit C: Memorandum from the City of Worcester Division of Planning and Regulatory Services; re: Janice Nadeau Way; dated May 23, 2011.

**8. Vivian Street – Sewer Petition (ST-2011-012):** Items #9-#11 were taken contemporaneously. Mr. Adams stated that the petitions for items #9-#11 have been for converting from private to public, but that the Public Safety Sub-Committee, upon finding that these streets do not have sewers, allowed the petitioner to Leave to Withdraw the petition and instead to do a sewer petition. Mr. Adams stated that the DPW&P recommends approval of these petitions.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to recommend a Priority #3 based on the recommendation of the Department of Public Works and Parks.

Exhibit A: Petition to the City Council for Vivian Street to Become Public with attachments.

Exhibit B: Memorandum from the Department of Public Works and Parks to the Division of Planning & Regulatory Services; re: Vivian Street – Sewer Petition; dated May 19, 2011.

**9. Pine View Ave –Sewer Petition (ST-2011-013):** Items #9-#11 were taken contemporaneously. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to recommend a Priority #3 based on the recommendation of the Department of Public Works and Parks.

Exhibit A: Petition to the City Council for Pine View Avenue to Become Public with attachments.

Exhibit B: Memorandum from the Department of Public Works and Parks to the Division of Planning & Regulatory Services; re: Pine View Avenue – Sewer Petition; dated May 19, 2011.

**10. Carleton St – Sewer Petition (ST-2011-014):** Items #9-#11 were taken contemporaneously. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to recommend a Priority #3 based on the recommendation of the Department of Public Works and Parks.

- Exhibit A: Petition to the City Council for Carleton Street to Become Public with attachments.
- Exhibit B: Memorandum from the Department of Public Works and Parks to the Division of Planning & Regulatory Services; re: Carleton Street – Sewer Petition; dated May 19, 2011.

**11. Report on Proposed Changes to Official Map: Alterations of Eaton Place, Front Street, and Foster Street public street layouts:** Mr. Fontane stated that these changes accommodate the future CitySquare Project in general, and parcel L in particular, for which the Board had endorsed an ANR at the previous meeting. He stated that this is part of the master planning for the entire area and the future tenants of CitySquare. He recommended that the Board recommends approval of the petition to the City Council. Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to recommend approval of the proposed alteration to the public street layout of Eaton Place, Front Street, and Foster Street.

**12. Planning Board Application Fees:** Mr. Fontane recommended that the Board votes to advertise the hearing on the matter for June 15, 2011. He stated that the Board's policy since 2007 was to review and revise the Board's fee schedule every two years to adjust for inflation and other structural changes if necessary. Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 3-0 to advertise the Amendment to the Planning Rules and Regulations - Fees and the Amendment to the City of Worcester Subdivision Regulations for the June 15, 2011 hearing.

- Exhibit A: Memorandum from the Division of Planning & Regulatory Services to the Planning Board; re: Recommended Fee Increases for Planning Board Applications; dated May 19, 2011, with attachments.

**ADJOURNMENT:** Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 3-0 to adjourn the meeting at 6:40 pm.