

**MINUTES**  
**WORCESTER PLANNING BOARD**  
**April 25, 2001**

**Planning Board Members Present:** Joseph Sova  
Joe Boynton  
Samuel Rosario  
Stephen Petro  
John Shea

**Staff Present:** Paul Moosey, DPW Engineering  
Michael Baer, Health/Code Enforcement  
Stephen Madaus, Law Department  
Judith Stolberg, Executive Office of Economic Development  
Diana Collins, Executive Office of Economic Development

**Regular Meeting (5:30 P.M.) – City Council Chamber, City Hall**

1. **Call to Order:** Chairman Joseph Sova called the meeting to order at 5:30 P.M.
2. **Approval of Minutes – April 11, 2001 Meeting:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to approve the minutes.
3. **Summit Park Subdivision – Rescind Subdivision:** John Shea recused himself. Attorney Joseph Spillane submitted mortgage discharge and title information to the Board. Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted 3-0 to close the hearing. Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted 3-0 to approve rescission of the subdivision approval. Upon a motion by Joe Boynton and seconded by Joseph Sova, the Board voted 3-0 to reconsider. Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted 3-0 to rescind the approval of the Definitive Subdivision dated October 27, 1987 and shown on the Definitive Subdivision Plan entitled "Definitive Plan of Summit Park Duplexes, Plan of Land on Tyson Road in Worcester" prepared by E.H. Perry and Associates, endorsed on January 24, 1990 and recorded at the Worcester District Registry of Deeds in Plan Book 632, Plan No. 29 and to fully release the Declaration of Restrictive Covenants, dated December 11, 1989 and recorded at the Worcester District Registry of Deeds in Book 12611, Page 393. Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board found, on a vote of 3-0, that the rescission of said subdivision approval does not affect any lot or rights appurtenant thereto in such subdivision on the basis of a title certification by Ann Marie Hurley, Esquire.
4. **Holden Street - Definitive Subdivision Approval:** Joe Boynton recused himself. Notice of the hearing was read by the Clerk. Matthew Brassard and James Soffan were recorded in favor. John Buell was recorded in opposition. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-0 to close the hearing. A motion by Samuel Rosario to waive the prohibition of reserve strips was not seconded and no further motions were made

on the waiver request. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to waive the requirement for a 30 foot rounding on the southerly side of the proposed right of way to facilitate realignment of the roadway. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to waive the requirement for a maximum cul-de-sac grade of 3%. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to waive the requirement that the length of leveling area for intersecting streets be 100 feet and allowed it to be reduced to 35 feet. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to waive the width of pavement for the proposed roadway from 30 feet to 24 feet. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to waive the requirement of sidewalks on both sides of the roadway and allowed one sidewalk on the northerly side of the proposed roadway extending from Holden Street to the beginning of the proposed cul-de-sac. Upon a motion by Samuel Rosario and seconded by John Shea, the Board continued the item to May 9, 2001 to allow the applicant to submit a revised plan.

**5. Glennie Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to approve the site plan with the following conditions:

- **Applicant submit six copies of a revised plan showing eight shade trees, one of which is to be along the parking area.**
- **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, should be installed and maintained throughout construction to the satisfaction of the Director of Code Enforcement.**

**6. Meadowbrook Subdivision – Definitive Subdivision Approval:** Stephen Petro recused himself. Robert O'Neil presented the plan. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 3-1 (Joe Boynton voted no) to waive the 500 foot requirement for cul-de-sacs and to waive the sidewalk requirement on the northeasterly side of the roadway. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 3-1 (Joe Boynton voted no) to approve the definitive subdivision plan for the proposed subdivision with the following conditions:

- **Applicant submit six copies of the revised plan to the Executive Office of Economic Development (EOCD).**
- **A minimum slope of .8% must be maintained on the roadway.**
- **Applicant must extend the water main into the proposed subdivision.**
- **Approval is subject to City of Worcester and Subdivision Regulations standards.**
- **At the time of conveyance, applicant must provide the City of Worcester with an easement for street and utility purposes.**
- **Endorsement of the Definitive Plan is contingent upon the following:**

1. **Notice from the City Clerk of “No Appeal” from the action of the Board in approving this subdivision or if an appeal is taken, notice of the court either sustaining the approval or dismissing the appeal.**
  2. **Applicant must guarantee the construction of ways, the installation of municipal services and the successful performance of all other conditions to the approval of the subdivision in the manner provided in the Subdivision Regulations, Section VII, as authorized by MGL, Chapter 41, Section 81U.**
7. **Meadowbrook Road – Site Plan Approval:** Stephen Petro recused himself. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 3-1 (Joe Boynton voted no) to approve the site plan with the following conditions:
- **Applicant show water and sewer services on the plan.**
  - **Applicant provide ground water elevation to insure proposed leaching structure is above groundwater.**
  - **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.**
  - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, should be installed and maintained throughout construction to the satisfaction of the Director of Code Enforcement.**
  - **Six copies of the revised plan be submitted to the Executive Office of Economic Development prior to release of decision.**
8. **Zoning Map Amendment – 81 Harrison Street:** Notice of the hearing was read by the Clerk. The petitioner was not present. Raymond Lojko, 71 Providence Street, and Andrea Jones, Oak Hill CDC, were recorded in opposition. Upon a motion by Samuel Rosario and seconded by Joe Boynton, the Board voted unanimously to close the hearing. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted unanimously to recommend denial of the amendment to the City Council because it would likely constitute spot zoning.
9. **81G Street Opening – Onset Street:** Notice of the hearing was read by the Clerk. George Smith, Jr. presented the plan. Kimberly Ticone and Mary Ann Hancock, 24 Onset Street, were recorded in opposition. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to close the hearing. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted unanimously to approve the street opening with the following conditions:
- **Street to be paved from the Porter Street intersection with the pavement width to be 24 feet.**
  - **Applicant provide a catch basin at the intersection of Porter Street.**
  - **Plan show a sidewalk on the westerly side of Onset Street**
  - **Six copies of revised plan be submitted to Executive Office of Economic Development (EOCD).**

**10. 288 Main Street – Amendment To Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-1 (Joe Boynton voted no) to approve the approve the site plan with the following condition:

- **Conditions of prior approval remain in effect except as amended by this approval.**

**11. 1342 Main Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted unanimously to waive the requirement that the plan have an engineer's stamp. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-1 (Samuel Rosario voted no) to approve the site plan with the following conditions:

- **Applicant show proposed grade on the plan.**
- **Subject to Zoning Enforcement Officer's determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, should be installed and maintained throughout construction to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan be submitted to the Executive Office of Economic Development prior to release of decision.**

**12. 330 Tacoma Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to continue the item to May 23, 2001 so the applicant can submit a new plan that includes landscaping, snow storage area, dumpster location and drainage.

**13. 81 Lafayette Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Joe Boynton, the Board voted unanimously to continue the item to May 9, 2001 at the request of the applicant

**14. 263 Grafton Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to approve the site plan with the following conditions:

- **Snow storage area be shown on the plan.**
- **Applicant install a stop sign at the end of the drive-through lane and show it on the plan.**
- **Applicant provide pipe sizing for 25 Year storm.**
- **Applicant provide drainage for lower lot.**
- **Applicant provide soil logs to demonstrate leaching system is above ground water.**
- **Two shade trees be added to the rear parking area and shown on the plan.**
- **Subject to Zoning Enforcement Officer's determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, should be installed and maintained throughout construction to the satisfaction of the Director of Code Enforcement.**

- **Six copies of the revised plan be submitted to the Executive Office of Economic Development prior to release of decision.**
- 15. 501-505 Mill Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Joe Boynton, the Board voted unanimously to continue the item to May 23, 2001 for submission of a revised plan addressing the following Board concerns: **snow storage area be shown on the plan; landscaping in parking lot comply with Zoning Ordinance: one means of access not adequate; retaining wall poses a danger and requires fencing; trees to soften the impact of the building; water management may be a problem (low water pressure, etc.); drainage should be for a 100 year storm; lighting pointed down and away from abutting property.**
- 16. 500 Salisbury Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted unanimously to approve the site plan with the following conditions:
- **Applicant use concrete for drain mains.**
  - **Applicant use 8" PVC for sewer main.**
  - **Applicant provide sewer application for additional flow.**
  - **Applicant not to connect catch basin to catch basin.**
  - **Applicant use 8" PVC DR 18 for catch basin connections.**
  - **Applicant provide drainage for parking deck.**
  - **Applicant show all existing water services and their relationship to the proposed parking deck.**
  - **Subject to Zoning Enforcement Officer's determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.**
  - **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, should be installed and maintained throughout construction to the satisfaction of the Director of Code Enforcement.**
  - **Six copies of the revised plan be submitted to the Executive Office of Economic Development prior to release of decision.**
- 17. Burncoat Meadows Subdivision (Phase III) – Bond Release:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted unanimously to continue the item to May 9, 2001 at the request of the Department of Public Works.
- 18. Brook Crossing Subdivision (Phase II) – Request to Construct Model Home:** John Shea recused himself. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted unanimously to release Lot 23 from the conditions of the covenant for construction of a model home on the condition that said lot not be conveyed until the road is completed.
- 19. Northcrest Subdivision – Request to Construct Model Home:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to release Lot 214 from the conditions of the covenant for construction of a model home on the condition that said lot not be conveyed until the road is completed.

**20. Plans To Be Ratified:** Stephen Petro abstained from all votes on these ANR plans. Upon a motion by Joe Boynton and seconded by John Shea the Board voted 4-0 to endorse ANR Plan #5246 Ludlow Street. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 3-0 (Joe Boynton recused himself) to endorse ANR Plan #5247 Meadowbrook Road. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to deny endorsement of ANR Plan #5248 Ledgecrest Drive & Beatrice Drive because the plan showed a subdivision. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to deny endorsement of ANR Plan #5249 Beatrice Drive and Ledgecrest Drive because the plan showed a subdivision. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to endorse ANR Plan #5250 Northgate Circle.

**Other Business:** None

The meeting was adjourned at 8:30 P.M.