

**MINUTES**  
**WORCESTER PLANNING BOARD**  
**June 27, 2001**

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

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

**Regular Meeting (5:30 P.M.) – Room 409, City Hall**

1. **Call to Order:** Chairman Joseph Sova called the meeting to order at 5:30 P.M.
2. **Approval of Minutes – June 6, 2001 Meeting:** Upon a motion by John Shea and seconded by Joe Boynton, the Board voted unanimously to approve the minutes.
3. **1173 West Boylston Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to approve the request of the applicant for leave to withdraw without prejudice.
4. **501-505 Mill Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to extend the deadline to July 26, 2001 and continue the item to July 25, 2001 at the request of the applicant.
5. **Mountain Street East – Special Permit:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to continue to July 11, 2001 at the request of the applicant. Site Plan Approval was also continued to July 11, 2001.
6. **Mountain Street East – Site Plan Approval:** Taken collectively with Item #5 and continued to July 11, 2001.
7. **253 Mill Street – Parking Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to continue the item to July 11, 2001.
8. **Zoning Map Change – Austin Street:** Joe Boynton recused himself. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 3-0 to make no recommendation to the City Council because the petitioner intends to seek leave to withdraw without prejudice.

9. **330 Tacoma Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted 4-0 to approve the site plan with the following conditions:

- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Department of Public Works requires easements be in place prior to permits being issued.**
- **Plan must show where storm water will be discharged.**
- **Applicant must provide pipe sizing calculations.**
- **Applicant must provide profiles of proposed mains.**
- **Only sand (not road salt) to be used in the winter on the pavement.**
- **Interior trees are to be shade trees not ornamental and to be shown on the landscaping table.**
- **Applicant install landscaping along the southerly boundary which meets requirements of Article V, Section 5(3) of the Zoning Ordinance and show landscaping on the plan.**
- **Applicant install a six foot chain link fence around the detention basin.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

10. **81 Lafayette Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to deny site plan approval because the applicant has failed to present a revised plan to the Board.

11. **Holden Street - Definitive Subdivision Approval:** Joe Boynton recused himself. Matthew Brassard spoke in favor. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 3-0 to close the hearing. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted unanimously to approve the definitive subdivision plan with the following conditions:

- **Applicant must provide the City of Worcester with an easement for street and utility purposes at the time of conveyance.**
- **Simultaneous with the recording of the approved subdivision plan, the applicant shall record an instrument encumbering Lot 1 with a Restrictive Covenant whereby the owner of Lot 1 and all subsequent grantees shall forever maintain in good working order the drainage improvements and detention basin constructed and installed on Lot 1. Said maintenance to be for the benefit of the owners of Lot 2, Lot 3, their successors and assigns, and for the benefit of the City of Worcester's easement interest in the roadway. The Restrictive Covenant shall run with the land and shall be enforceable by the benefited estates.**
- **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.**
- 12. 130 Gold Star Boulevard – Site Plan Approval:** For the record Joe Boynton disclosed he owned Home Depot stock. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to approve the site plan with the following conditions:
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
  - **Applicant designate snow storage areas on the plan.**
  - **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**
- 13. 95 Higgins Street - Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to approve the site plan with the following conditions:
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- 14. 1&3 Beatrice Drive – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to approve the site plan with the following conditions:
- **Rip rap detail to be shown on the plan and approved by the Department of Public Works and certified by a licensed engineer upon completion.**
  - **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
  - **Applicant show abutters names on the plan.**
  - **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**15. 2&4 Beatrice Drive – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to approve the site plan with the following conditions:

- **Rip rap detail to be shown on the plan and approved by the Department of Public Works and certified by a licensed engineer upon completion.**
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Applicant show abutters names on the plan.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**16. Oak Hill Road (Lot C-2) – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 4-0 to approve the site plan with the following conditions:

- **An engineered retaining wall of poured concrete be constructed along the southerly boundary with an as built plan certified by an engineer that construction was done according to the plan upon completion.**
- **Applicant provide a soil stabilization plan (growing and non-growing seasons).**
- **Plan will require an engineer's certification.**
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**17. 41 Wall Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-0 to waive the filing fee except for the advertising cost. Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted 4-0 to approve the site plan with the following conditions:

- **Applicant show driveway and parking areas 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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**18. 799 West Boylston Street – Parking Plan Approval:** Joe Boynton recused himself. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 3-0 to approve the request of the applicant for Leave to Withdraw without prejudice and waive the filing fee except for both advertising costs when applicant reapplies.

Samuel Rosario left the meeting.

**19. Bullard Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 3-0 to approve the site plan with the following conditions:

- **Applicant show sill elevations on the plan.**
- **Applicant label two car garage on the plan.**
- **Applicant provide plantings and hydroseeding around the foundation immediately after backfilling.**
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**20. 35, 37, 39 & 41 Gibbs Street – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 3-0 to continue the item to July 11, 2001 so the applicant can submit a new plan.

**21. 8 Gates Road – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 3-0 to approve the site plan with the following conditions:

- **Plan show two car garage under.**
- **Plan must be stamped by a Registered Engineer.**
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**22. 15 Gates Road – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 3-0 to approve the site plan with the following conditions:

- **Plan show two car garage under.**
- **Plan must be stamped by a Registered Engineer.**
- **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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan to be submitted to Executive Office of Economic Development (EOED) prior to release of decision.**

**23. Jeremiah's Lane/Pleasant Estates – Set Bond:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 3-0 to continue the item to July 11, 2001.

**24. Hilltop Subdivision – Request To Construct Model Home:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 3-0 to deny the request because there has been no plan submitted.

**25. Brook Crossing – Set Bond:** The item will have to be heard at the July 11, 2001 since John Shea would have to recuse himself leaving only two members.

**26. Plans To Be Ratified:** None

**Other Business:**

**Election of Officers:** Officers will be elected at the next meeting.

The meeting was adjourned at 7:40 P.M.