

MINUTES
WORCESTER PLANNING BOARD
June 11, 2003

Planning Board Members Present: Joe Boynton
Samuel Rosario
Stephen Petro
Anne O'Connor

Staff Present: Judith Stolberg, Executive Office of Economic Development
Diana Collins, Regulatory Services
Michael Pace, Code Enforcement
Jody Hakala, Code Enforcement
Jeffrey Head, Law Department
Russell Adams, DPW
Joel Fontane, EONS
Edgar Luna, EONS
Hua Wang, EONS

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

1. **Call to Order:** Chairman Joe Boynton called the meeting to order at 5:30 P.M.
2. **Approval of Minutes – May 21, 2003 and May 28, 2003 Meetings:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to approve the minutes of the May 28, 2003 meeting. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to approve the minutes of the May 21, 2003 meeting.
3. **Barbara Lane – Private Street Removal:** Item #7 was taken collectively. Notice of the Keese Street hearing was read by the Clerk. Attorney Robert Longden represented the developer. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to close both hearings. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to remove from the Official Map that portion of Barbara Lane, a private way, that is within the boundaries of the property owned by Charter Realty Development (345 feet). Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to remove Keese Street from the Official Map from Plastic Street westerly for a distance of 252 feet.
4. **126 Norfolk Street – Site Plan Approval:** Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-1 (Samuel Rosario voted no) to approve the site plan with the following conditions:
 - **Plan approved is dated June 11, 2003.**

- **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.**
5. **Tacoma Street – Site Plan Approval:** Upon a motion by Stephen Petro and seconded by Anne O'Conner, the Board voted 4-0 to extend the deadline for constructive grant and continued the site plan to July 17, 2003 at the request of the applicant.
6. **21 Mount Vernon Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to approve the site plan with the following conditions:
- **Landscaping in accordance with the Zoning Ordinance be installed along the perimeter of the property and shown on the plan.**
 - **Handicapped ramp be installed according to specifications of the Code Enforcement Department.**
 - **A five-foot landscaping buffer be installed at the rear of the property and shown on the plan.**
 - **Applicant must provide roof drainage recharge system and obtain Department of Public Works approval for the system.**
 - **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.**
 - **Four copies of revised plan be submitted to Regulatory Services Office prior to release of decision.**
7. **Keese Street – Private Street Removal:** See Item #3.
8. **Book Place – Private Street Removal:** Joe Boynton recused himself. Samuel Rosario took the Chair. Notice of the hearing was read by the Clerk. The petitioner was not present. No one spoke for or against the petition. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-0 to close the hearing. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-0 to deny the request to remove Book Place, a private way, from the Official Map.
9. **111 & 113 Warner Avenue - Definitive Subdivision:** Notice of the hearing was read by the Clerk. Item #10 was taken collectively. Kevin Quinn presented the plan. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by

Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 3-1 (Samuel Rosario voted no) to waive construction standards. Samuel Rosario made a motion to waive the filing fee and it was seconded by Stephen Petro. Mr. Rosario and Mr. Petro voted in favor and Ms. O'Connor and Mr. Boynton voted against. The motion failed to carry. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to waive the frontage requirements. Upon a motion by Anne O'Connor and seconded by Stephen Petro, the Board voted 3-1 (Samuel Rosario voted no) to waive all but \$75.00 of the filing fee. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 3-1 (Samuel Rosario voted no) to approve the Definitive Subdivision. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 3-1 (Samuel Rosario voted no) 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.**

9A. **Amendments to Zoning Ordinance:** Notice of the hearing was read by the Clerk. The amendments were discussed by the Board and staff. There was no opposition. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-0 to close the hearing on Article IV, Section 7.A,1, Article IV, Table 4.2, Article IV, Table 4.4, Article V, Section 2, A and Article V, Table 5.1. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to recommend approval of the amendments to Article IV, Section 7.A,1, Article IV, Table 4.2, Article IV, Table 4.4, Article V, Section 2, A and Article V, Table 5.1. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted to continue the hearing on Article IV, Table 4.1 to June 25, 2003 to allow time for the Law Department and the Planning Director to prepare a revised draft including a definition of terms.

10. **111 & 113 Warner Avenue – Site Plan Approval:** See Item #9.
11. **15-23 Eastern Avenue – Site Plan Approval:** Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to continue the site plan to July 17, 2003 at the request of the applicant.
12. **505, 507 & 509 Plantation Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to continue the site plan to June 25, 2003 with revised plans (revised sheets only) to be submitted to the Regulatory Services Office by June 18, 2003.

13. **Creston Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to continue the site plan approval to June 25, 2003.
14. **Ledgecrest Subdivision – Set Bond:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to set a bond in the amount of \$225,000.00 with a work completion date of July 1, 2004 and a bond expiration date of September 1, 2004. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 release Lots 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 13A, 13B, 51A, 51B, 50A, 50B, 49A, 49B, 48A, 48B, 47A, 47B, 46A, 46B, 45A, 45B, 44A, 44B, 43A, 43B, 42A, 42B, 41A, 41B, 40A, 40B, 39A and 39B from the restrictive covenant upon receipt of surety.
15. **Ellis Estates Subdivision – Extend Work Completion Date:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to extend the work completion date to July 1, 2004 and bond expiration date to September 1, 2004.
16. **Zone Change – St. Vincent's Hospital Site Discussion:** No action was taken by the Board. The Board discussed issues of concern to consider uses that presently exist in the area, differences between mixed-use overlay and adaptive re-use and which would be in the City's best interest, effect on area schools, traffic mitigation in the area and parking inventory. The Board asked Joel Fontane to report on the impact of various alternatives at the July 9, 2003 meeting.

Samuel Rosario left the meeting.

17. **Spot Zoning Discussion:** The Board had a general discussion on the issue of site-specific zone changes. No action was taken by the Board.
18. **Plans To Be Endorsed:** Upon a motion by Anne O'Connor and seconded by Stephen Petro, the Board voted 3-0 to endorse ANR Plan #5600 Home Street. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to deny endorsement of ANR Plan #5601 Holden Street (36 & 42) because the note was inconsistent with the plan. Upon a motion by Anne O'Connor and seconded by Stephen Petro, the Board voted 3-0 to endorse ANR Plan #5602 Ashmont Road. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-0 to endorse ANR Plan #5603 Rockrimmon Way. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to endorse ANR Plan #5604 Upland Street (done before Samuel Rosario left the meeting). Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to deny endorsement of ANR Plan #5605 Bullard Street because the plan fails to meet the three standards for endorsement in the statute for adequacy of the way (done before Samuel Rosario left the meeting). Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-0 to endorse ANR Plan #5606 Burncoat Street. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted

3-0 to endorse ANR Plan #5608 Grafton Street. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 3-0 to endorse ANR Plan #5609 Grafton Street.

Other Business: None

The meeting was adjourned at 9:50 P.M.