

**MINUTES  
WORCESTER PLANNING BOARD  
APRIL 26, 2000**

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

**Staff Present:** Paul Moosey, DPW Engineering  
Michael Holden, DPW Engineering  
Stephen Madaus, Law Department  
Judith Stolberg, OPCD  
Pamela Harding, OPCD

**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 – April 12, 2000 Meeting:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to approve the minutes.
3. **Weetamoe Street – Street Opening:** Notice of the hearing was read by the Clerk. Robert O’Neil and Beth Shuster spoke in favor. Lola Reardon, Stephen Abraham, Pam Bastille, Gail Vigneault, Joseph Sullivan, Eleanor Hawley, Richard Mason, Diane Patajodo, Liz Tanona, Chuck Raphaelson, Ronald Stalm and William Hawley spoke 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 Joe Boynton and seconded by John Shea, the Board voted unanimously to deny the street opening because of the lack of drainage, paving and erosion plans.
4. **Wamsutta Avenue – Street Opening:** Robert O’Neil presented the plan. Attorney Joseph Allen and Frank DeFalco spoke 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 Joe Boynton and seconded by John Shea, the Board voted unanimously to deny the street opening because of the lack of drainage calculations to enable the Board to assess the adequacy of the drainage plan and the lack of a provision for parking.
5. **Rustic Drive Extension – Definitive Subdivision Approval:** Attorney Mark Donahue presented the plan. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted unanimously to eliminate 114 feet of sidewalk. Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted unanimously to close the hearing. Upon a motion by Joe Boynton and seconded

by John Shea, the Board voted unanimously to approve the Definitive Subdivision Plan with a construction completion date of three years from today (April 26, 2000) and to ratify and include waivers previously approved and adopt the following findings:

1. Due to the shape and topography of the site, an unsafe condition would result if Rustic Drive were to be extended so that it becomes a “looped road” (i.e. connecting two terminals of the existing roadway with new roadway). It is therefore in the public interest, and public safety is enhanced, by having all proposed new lots front on a cul-de-sac extension from the existing easterly terminus of Rustic Drive.
  2. A waiver from the 500-foot limit on dead-end streets found in the City’s Subdivision Rules and Regulations is justified because the shape and topography of the site are such that the site could not otherwise be feasibly subdivided.
  3. A waiver from the minimum radius requirements found in the City Subdivision Rules and Regulations is justified because of the short length of roadway to be created and the minimal amount of vehicular traffic expected, especially by conditioning the waiver to limit the subdivision to eight buildable lots.
  4. Public safety is enhanced by having all lots front on a cul-de-sac and by not permitting any access to the lots from the westerly terminus of Rustic Drive because access by emergency vehicles via the westerly terminus of Rustic Drive would be significantly more difficult than access via a cul-de-sac extension from the easterly terminus of Rustic Drive.
  5. For the reasons presented in the preceding four paragraphs, the Worcester Planning Board concludes the grant of the requested waivers is in the public interest and consistent with the intent and purpose of the Subdivision Control Law.
  6. Prior to release and recording of the endorsed subdivision plan, applicant shall deliver to the City’s Law Department for review and approval, an executed deed of easement for street purposes encumbering the area within the bounds of the approved roadway, said easement instrument to be recorded simultaneously with the recording of the endorsed subdivision plan at the expense of the applicant.
6. **Zoning Ordinance Amendment – Shooting Ranges – MG-2.0 District:** Item #7, Shooting Ranges – BG-6, was taken collectively. Notices of the hearings

were read by the Clerk. City Councilor Paul Clancy spoke and stated his preference for the BG-6 designation. Jane Fine, a resident, stated her preference that they not be allowed within 1000 feet of a school or a park. No one spoke in opposition. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to close both hearings. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to recommend denial of the BG-6 proposal since members did not consider it a proper use for the downtown area. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-1 (Joe Boynton voted no) to recommend approval of the MG-2.0 proposal with shooting ranges not allowed within 1000 feet of a school and 100 feet of a park.

7. **Zoning Ordinance Amendment – Shooting Ranges – BG-6.0 District:** See Items #6 above.
8. **Zoning Ordinance Amendment – 1152 Pleasant Street – Change Portion of Property to BL-1.0:** Notice of the hearing was read by the Clerk. Attorney Erin Rafferty and Terry Shepard spoke in favor. Edward Simsarian, Helen MacTavish and Phyllis Forget spoke in opposition to the zone change but not the proposed use. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted unanimously to continue the hearing to May 24, 2000 at the request of the petitioner.
9. **Zoning Ordinance Amendment – Putnam Lane/Franklin Street – Extend MG-2.0 District:** Notice of the hearing was read by the Clerk. Attorney Jonathan Finkelstein, Joseph Capone, City Councilor Michael Perotto, Paul Giorgio and Mark Mobilio, representing the Shrewsbury Street Area Merchants Association, spoke in favor. There was no opposition. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted unanimously to close the hearing. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted unanimously to recommend approval.
10. **Zoning Ordinance Amendment – Southgate Street – Extend ML-2.0 District:** Notice of the hearing was read by the Clerk. Attorney Thomas Milott spoke in favor. Janice Nadeau, Jane Gasek, William Richardson and Mr. Cote spoke 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 Joe Boynton and seconded by John Shea, the Board voted 3-2 (John Shea and Joseph Sova voted to recommend approval) to recommend denial because the incursion into the residential area would allow for construction with no setbacks from residential parcels and no height limitations and for too many uses inconsistent with abutting uses.
11. **Zoning Ordinance Amendment – 333 & 335A Plantation Street – RL-7 to BG-3.0 District:** Notice of the hearing was read by the Clerk. John DiIorio spoke in favor. There was no opposition. Upon a motion by Joe Boynton and seconded

by Samuel Rosario, the Board voted unanimously to close the hearing. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted unanimously to recommend denial since it would constitute spot zoning.

12. **477 Park Avenue – Parking Plan Approval:** Upon a motion by Joe Boynton and seconded by John Shea, the Board voted to approve the parking plan with the following conditions:

- **Plan to state that snow is to be removed from the site.**
- **Landscaping table be changed to agree with landscaping shown on plan.**
- **Lighting should point down and away from abutters.**
- **Three copies of revised plan be submitted to the Office of Planning and Community Development prior to release of decision.**

13. **Westinghouse Parkway, Cheyenne Road & Shawnee Road – Lots 1N, 2N & 4N through 27N (15% Slope) – Site Plan Approval:** Upon a motion by Joe Boynton and seconded by Samuel Rosario, the Board voted unanimously to continue the item to May 10, 2000 so the developer can submit another plan with revisions.

14. **290 West Boylston Street – Parking Plan Approval:** Joe Boynton recused himself from this item. A motion was made by John Shea and seconded by Samuel Rosario to approve the parking plan with conditions. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted unanimously to withdraw the motion. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted unanimously to continue the item to May 10, 2000 so the developer could move the compact spaces from the front portion of the site.

15. **442-450 Park Avenue – Parking Plan Approval:** Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted unanimously to continue the item to May 10, 2000 so that a new plan which complies with parking plan regulations can be submitted.

16. **Plans To Be Ratified:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 (Joe Boynton abstained) to ratify the following plans:

#5133 Wedgewood Road  
#5134 Stafford/Abbingdon Streets  
#5135 Lincoln Street  
#5136 Wells Street  
#5137 Oak Leaf Circle

**Other Business:** None

The Chairman adjourned the meeting at 9:55 P.M.