

**MINUTES**  
**WORCESTER PLANNING BOARD**  
**September 10, 2003**

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

**Staff Present:** Judith Stolberg, Development Office  
Diana Collins, Division of Regulatory Services  
Michael Pace, Department of Code Enforcement  
Paul Moosey, Department of Public Works  
Russ Adams, Department of Public Works  
Joel Fontane, EONS  
Edgar Luna, EONS  
Jeffrey Head, Law Department

**Regular meeting (5:30 PM) – Room 409, City Hall**

1. **Call to order:** Chairman Joe Boynton called the meeting to order at 5:30 PM.
2. **Approval of Minutes – August 27, 2003:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to approve the minutes of the August 27, 2003 meeting.
3. **1180 Millbury Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to continue the site plan approval to September 24, 2003 at the request of the applicant.
4. **271 East Mountain Street – More Than One Building On A Lot:** Samuel Rosario recused himself. Special Permit and Site Plan Approval were taken collectively. Notice of the hearings was read by the Clerk. Attorney Robert Longden and Kenneth Hodgson presented the plan. There was no opposition. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to close the hearings. Upon a motion by Stephen Petro and seconded by John Shea, the Board voted 4-0 to approve the application for more than one building on a lot.
5. **271 East Mountain Street – Special Permit:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to grant the Special Permit incorporating the conditions in the previous approval of September 13, 2000, and the southerly most driveway be closed onto East Mountain Street. Upon a motion

by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to approve the special permit with the following conditions:

- **The landscaped area in front of Unit #6 is to be moved back approximately ten feet from the paved area, thus allowing for a wider paved area at said location for easier access for emergency vehicles. Said landscaped area is to generally match the curve of the landscaped area in front of Unit #5.**
- **All conditions of the amended special permit approved on September 27, 2000 are incorporated into this special permit.**

The following findings were made in support of the grant of the special permit:

- **The site is an appropriate location for such use because it will be in conjunction with the existing continuing care retirement community on the site.**
- **The proposed use will not adversely affect the neighborhood because it represents no change in the nature or intensity of the use of the premises.**
- **Given the composition of the intended population, there will be limited trips to and from the site by means of an existing driveway and with the closing of the curb cut on East Mountain Street, there will be no nuisance or serious hazard to vehicles or pedestrians.**
- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use as the existing facilities of the continuing care retirement community are adequate for the additional units.**

**6. 271 East Mountain Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 to approve the site plan with the following conditions:

- **The landscaped area in front of Unit #6 is to be moved back approximately ten feet from the paved area, thus allowing for a wider paved area at said location for easier access for emergency vehicles. Said landscaped area is to generally match the curve of the landscaped area in front of Unit #5.**
- **Applicant must use six-inch water service.**
- **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 the Regulatory Services Office prior to release of decision.**
7. **64-79 Beacon Street – Zoning Map Amendment:** Notice of the hearing was read by the Clerk. Attorney Robert Longden and Vaios Theodorakos spoke in favor of the zone change. Frank Zitomerski was in favor of the project that precipitated the request for a zone change but said a BG-6 zone was not appropriate. Joel Fontane stated the Administration would rather pursue an Adaptive Re-use Overlay for the area because the BG-6 zone was not prudent. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to continue the hearing to October 8, 2003 so the petitioner can meet with Mr. Fontane to discuss the Adaptive Re-use Overlay issue.
8. **31 Ballard Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to approve the site plan with the following conditions:
- **Applicant must use eight-inch PVC for sanitary main and connect sanitary main with manhole.**
  - **Drain connection will require a new manhole.**
  - **Applicant must use RCP pipe for drain manhole 6 to manhole A.**
  - **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 the Regulatory Services Office prior to release of decision.**
9. **Lake Avenue (Parcel A) – Site Plan Approval:** Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 5-0 to extend the deadline for constructive grant to October 8, 2003 and to continue the item to October 8, 2003 at the request of the applicant.
10. **Mount Vernon Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to approve the site plan with the following conditions:
- **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.

- **Four copies of revised plan must be submitted to the Regulatory Services Office prior to release of decision.**

**11. Beeching Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to approve the site plan with the following conditions:

- **Fence detail must be shown on the plan (four-foot solid board).**
- **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 must be submitted to the Regulatory Services Office prior to release of decision.**

**12. 60-62 St. Louis Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 5-0 to extend the deadline for constructive grant to October 8, 2003 and to continue the item to October 8, 2003 so the applicant can show proof the property was divided.

**13. Edgeworth Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to approve the site plan with the following conditions:

- **Curb cut is to be moved to the westerly sideline of the lot and to be no more than fourteen feet wide.**
- **Plan must show one car garages under each unit.**
- **Parking for two cars facing easterly and parallel to Edgeworth Street be 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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Four copies of revised plan must be submitted to the Regulatory Services Office prior to release of decision.**

**14. Pleasant Street (Lot B) – Site Plan Approval:** Samuel Rosario recused himself. Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 4-0 to approve the site plan with the following conditions:

- **A “hammerhead” turnaround, at least twenty feet in length, be placed on the northerly side of the driveway 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, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Four copies of revised plan must be submitted to the Regulatory Services Office prior to release of decision.**

**15. 11 Montvale Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to continue the items to September 24, 2003 because the application did not comply with Article V, Sec. 4.2 of the Zoning Ordinance. Upon a motion by Stephen Petro and seconded by John Shea, the Board voted 5-0 to reconsider. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted to continue the item to October 8, 2003 because the September 24, 2003 agenda has a large number of items to be heard.

**16. 15 Upsala Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 5-0 to continue the item to October 8, 2003 to allow the applicant time to address Department of Public Works issues.

**17. 194-200 & 185A-187 Beacon Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to approve the site plan with the following conditions:

- **Applicant must submit a revised plan that shows the dimensions of the lots and meets the dimensional requirements of the Zoning Ordinance.**
- **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 must be submitted to the Regulatory Services Office prior to release of decision.**

**18. Chase Estates – Set Bond:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to set a bond in the amount of \$90,000.00 with a work completion date of September 15, 2004 and a bond expiration date of November 15, 2004. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to release Lots 1 through 7 inclusive from the restrictive covenant upon receipt of surety.

**19. Endorsement of ANR plans:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to deny endorsement of ANR Plan #5651a St. Louis/Ballard Streets because the plan noted Worcester as a town not as a city and did not label Ballard Street as a public or private way. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 2-2 (Stephen Petro and Joe Boynton voted no) to endorse ANR Plan #5651b Harrison/Providence Streets (endorsement denied because of failure to obtain three votes of the members of the Board). Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5652 Maranook Road. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5653 Mount Vernon Street. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5654 Mill/Bufsum Streets. Upon a motion by Anne O'Connor and seconded by John Shea, the Board voted 3-0 (Joe Boynton and Stephen Petro recused themselves) to endorse ANR Plan #5655 Hyannis Place (14 & 16). Upon a motion by Anne O'Connor and seconded by John Shea, the Board voted 3-0 (Joe Boynton and Stephen Petro recused themselves) to endorse ANR Plan #5656 Hyannis Place (19 & 21). Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5657 Kingsbury Street. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5658 Malvern Road.

**Other Business:**

**Pleasant Estates Subdivision – Extend Work Completion Date:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to extend the work completion date to December 15, 2003.

**Angela Rose Garden Subdivision – Default:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to find the developer in default and authorized the Law Department to draw down the surety to complete the project.

**Zoning Ordinance Review:** The Board discussed the review of the Zoning Ordinance. The original amendment will go forward as planned. Joel Fontane informed the Board that a more comprehensive review will be done over the next eighteen months with the review being done through four separate petitions thus providing a more thorough examination of the ordinance.

The meeting was adjourned at 7:50 PM.

