

**MINUTES**  
**WORCESTER PLANNING BOARD**  
**September 29, 2004**

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

**Staff Present:** Kathleen Donovan, Land Use  
Russ Adams, Department of Public Works  
Carrie Holtan, Law Department  
Michael Traynor, Law Department  
Joel Fontane, EONS  
Edgar Luna, EONS  
Judith Stolberg, Economic Development Office  
Denise McGinley, Land Use

**Regular Meeting (5:30 PM) – City Council Chambers, City Hall.**

1. **Call to Order:** Chairman Joe Boynton called the meeting to order at 5:45 PM.
2. **Approval of the Minutes – September 15, 2004 Meeting:** Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to approve the minutes of the September 15, 2004 meeting.
3. **169 Plantation Street – More Than One Building on a Lot:** Jacob Morris presented the plan. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to reconsider and re-open the hearing. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to extend the deadline for constructive grant to December 8, 2004 and to continue the item to December 8, 2004 at the request of the applicant.
4. **Park Hill Road (Blackstone Woods) – Definitive Subdivision Approval:** Christopher Ferguson presented the plan. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to approve the definitive subdivision with the following conditions:
  - **Applicant must note on the plan that Parcels A & B to be conveyed to Mass. Audubon.**
  - **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.**

The Board also voted the following waivers at its meeting on September 15, 2004:

- **The Board voted 4-0 to approve a waiver of the street width pavement requirement to allow a width of 26 feet.**
- **The Board voted 4-0 to approve a waiver of the sidewalk requirement to allow one sidewalk on the north side of Nyland Street running around the cul-de-sac and ending at Park Hill Drive.**

5. **3 Wilbur & Darrow Streets – Definitive Subdivision Approval:** Joe Boynton recused himself. Samuel Rosario assumed the chair. Notice of the hearing was read by the Clerk. Attorney Jonathan Finkelstein presented the plan. No one spoke in opposition. 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 to waive the frontage required to create Lot 1B as shown on the plan. Upon a motion by Stephen Petro and seconded by Anne O’Connor, the Board voted to waive the requirement for construction of a roadway. Upon a motion by Stephen Petro and seconded by Anne O’Connor, the Board voted 3-0 to approve the definitive subdivision plan with the following conditions:

- **Applicant must submit a revised plan with a locus map and engineer’s stamp.**
- **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.**

6. **Zoning Map Amendment – 40-180 Ballard Street:** Notice of the hearing was read by the Clerk. Attorney Samuel DeSimone asked that the hearing be continued to October 27, 2004. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to continue the hearing to October 27, 2004
  
7. **51 Morgan & 149 Malden Streets – Preliminary Subdivision Approval:** Paul Dryden presented the plan. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to deny approval of the preliminary subdivision plan for the following reasons:
  - **Plan does not show sidewalks.**
  - **Department of Public Works does not recommend any of the requested waivers for Road B.**
  - **There is an inadequate turn around in the cul-de-sac.**
  
8. **49 Channing Street - Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to approve the site plan with the following conditions:
  - **Plan must show a notation that there will be no damage to existing trees within 5' of the southerly and rear lot lines.**
  - **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
  - **Subject to Zoning Enforcement Officer's determination that the parcel complies with all the 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 Land Use Office prior to release of decision.**
  
9. **Lots 22 & 23 Plantation Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to extend the deadline for constructive grant to October 13, 2004 and continued the site plan approval to October 13, 2004.
  
10. **222 Burncoat Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to approve the site plan with the following conditions:
  - **A 4' high chain link fence must be installed atop any retaining walls over 3' and so noted on the plan.**

- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to Zoning Enforcement Officer's determination that the parcel complies with all the 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 Land Use Office prior to release of decision.**

- 11. Arrow Street – 81G Street Opening:** This item was continued to October 13, 2004 because the Board did not view the site.
- 12. Myrick Avenue – 81G Street Opening:** This item was continued to October 13, 2004 because the Board did not view the site.
- 13. 304, 315, 319 & 321 Cambridge Street/2 Hacker Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to continue the site plan approval to October 13, 2004 at the request of the applicant.
- 14. 264 Stafford Street – Site Plan Approval:** This item was continued to October 13, 2004 because the Board did not view the site.
- 15. 17 Teddy Road – Site Plan Approval:** This item was continued to October 13, 2004 because the Board did not view the site.
- 16. Gold Star Boulevard & Millbrook Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to waive the interior landscaping requirement for security reasons. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to approve the site plan with the following conditions:
  - **Shade trees must be installed every 20' on center on the Millbrook Street side of the property and shown on the plan.**
  - **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
  - **Subject to Zoning Enforcement Officer's determination that the parcel complies with all the 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 Land Use Office prior to release of decision.**
17. **362 Millbury 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:
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
  - **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all the 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.**
18. **Willvail Street – Site Plan Approval:** This item was continued to October 13, 2004 because the Board did not view the site.
19. **342 – 346 Shrewsbury Street - Parking Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to extend the deadline for constructive grant to October 27, 2004 and continued the parking plan approval to October 27, 2004 at the request of the applicant.
20. **550 Franklin Street - Parking Plan Approval:** Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to extend the deadline for constructive grant to October 27, 2004 and continued the parking plan approval to October 27, 2004 at the request of the applicant. The applicant was advised to show contours, drainage, landscaping plan and table of species, snow storage area and wall location on the revised plan.
21. **Zoning Ordinance Petition – Dimensional Table Correction:** Item was held at the request of the Land Use Office.
22. **Approval Not Required (ANR) Plans:** Upon a motion by Stephen Petro and seconded by Anne O’Connor, the Board voted 5-0 to deny endorsement of ANR Plan #5871 Humes Avenue because the way shown on the plan does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by Stephen Petro and seconded by Anne O’Connor, the Board voted 2-2 (Joe Boynton and

Samuel Rosario voted no) to endorse ANR Plan #5881 Woodcliff/Dupuis/Julian Streets thus denying endorsement. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to reconsider. The Board held ANR Plan #5881 for a view. The Board held ANR Plan #5882 Barrett Avenue for a view. The Board held ANR Plan #5884 for a view. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to endorse ANR Plan #5889 Orient Street. The Board held ANR Plan #5890 84-86 Wyola Drive for a view. The Board held ANR Plan #5891 Woodcliff Avenue for a view. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #5892 Idella Road. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #5893 Hollywood Street. Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to endorse ANR Plan #5894 Shaffner Street. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to endorse ANR Plan #5895 Orono Road. Upon a motion by Anne O'Connor and seconded by Stephen Petro, the Board voted 4-0 to endorse ANR Plan #5896 Howe Avenue. ANR Plan #5897 Johnson Street was withdrawn by the applicant. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #5898 Purchase Street. Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to endorse ANR Plan #5899 Flower Hill Drive. Upon a motion by Anne O'Connor and seconded by Stephen Petro, the Board voted 4-0 to endorse ANR Plan #5900 Salisbury Street/Forest Street. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to endorse ANR Plan #5901 Gould Hill Road. Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to endorse ANR Plan #5902 Christine Street.

**Other Business:**

**Edgewater Estates Subdivision:** Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to extend the work completion date to December 15, 2004 and the bond expiration date to February 15, 2005.

**Fenton Estates Subdivision:** Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 4-0 to extend the work completion date to June 15, 2005 and the bond expiration date to August 15, 2005.

The meeting was adjourned at 9:30 PM.