

**MINUTES**  
**WORCESTER PLANNING BOARD**  
**January 26, 2005**

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

**Staff Present:** Kathleen Donovan, Land Use  
Michael Traynor, Law Department  
Joel Fontane, EONS  
Edgar Luna, EONS  
Judith Stolberg, Economic Development Office

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

1. **Call to Order:** Chairman Joe Boynton called the meeting to order at 5:30 PM.
2. **Approval of the Minutes – January 12, 2005 Meeting:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 4-0 (Samuel Rosario was not at this meeting) to approve the minutes of the January 12, 2005 meeting.
3. **Rustic Drive Extension – Definitive Subdivision Approval:** Notice of the hearing was read by the Clerk. Joe Boynton and John Shea recused themselves. Samuel Rosario assumed the Chair. Attorney Patricia Gates represented the applicant, Rustic Hollow, LLC and explained the previously approved plan hadn't changed and they were only requesting an extension of the completion date. Alan McClure, an abutter, expressed some concern regarding the road grading adjacent to his property. Pat Harrington, speaking on behalf of Rustic Hollow, LLC, responded that the road grade will be satisfactory near Mr. McClure's property when the road is completed. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 3-0 to close the hearing. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 3-0 to accept a new completion date of January 26, 2006.
4. **Swan Avenue and Farm 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:
  - **Approval is subject to any conditions imposed by the Department of Public Works.**
  - **Plan be revised to show two retaining walls less than four feet in height on Lot 3 or if any retaining wall is four feet or over, plan must show a four-foot fence atop the retaining wall.**

- **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.**

5. **20 Johnson Street – Site Plan Approval:** John Shea recused himself. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to continue the site plan approval to February 9, 2005 at the request of the applicant.
6. **Antoine Street – 81G Street Opening:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to continue the item to February 9, 2005 at the request of the applicant.
7. **Zoning Ordinance Amendment – Dimensional Table:** Notice of the hearing was read by the Clerk. Joel Fontane explained the amendment to Table 4.2. No one spoke in opposition. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to close the hearing. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to recommend approval of the proposed amendment to the Zoning Ordinance.
8. **Zoning Ordinance Amendment – Lot Irregularity:** Notice of the hearing was read by the Clerk. Joel Fontane explained the amendment to the Notes to Table 4.2 – Permitted Dimensions By District and cited examples of previously approved projects that would not be approvable with the new amendment. No one spoke in opposition. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to close the hearing. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to recommend approval of the proposed amendment to the Zoning Ordinance with the addition of the following language:
  - **The provisions of this section shall not apply to lots shown on plans recorded at the Registry of Deeds before January 12, 2005. Lots shown on such plans shall not be considered to be nonconforming for the purposes of this Ordinance.**
9. **15-23 Eastern Avenue – 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:

- **Lighting plan must be corrected to show no entrance or exit on Gage Street.**
- **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.**

10. **Humbolt, Lancaster and Faraday Streets – Site Plan Approval:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to continue the site plan approval to February 9, 2005 so the applicant can provide the required parking.
11. **Ellis Estates Subdivision – Extend Work Completion Date:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to extend the work completion date to June 1, 2005.
12. **Ledgecrest Subdivision (Phase IV) – Bond Reduction:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to release \$30,000.00 of the existing bond leaving a new bond amount of \$45,000.00.
13. **Approval Not Required (ANR) Plans:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to approve the request of the applicant to extend the deadline for constructive grant for ANR Plan #5963 Erie Avenue to February 9, 2005 because the Board did not view the site because of inclement weather. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5964 Arrowsic Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to deny endorsement of ANR Plan #5968 Montgomery Avenue/Arrow Street because the plan does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5969 Swan Avenue & Farm Street. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5972 Franklin Street/Plantation Street. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to endorse ANR Plan #5976 Orono Street. ANR Plan #5973 Casper Street and ANR Plan #5975 Milton Street were held because the Board did not view the sites.

The meeting was adjourned at 6:35 PM.

