

**MINUTES  
WORCESTER PLANNING BOARD  
October 12, 2005**

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

**Staff Present:** Carrie Holtan, Law Department  
Joel Fontane, Planning Division  
Edgar Luna, Planning Division  
Judith Stolberg, Planning Division  
Lara Bold, Planning Division  
K. Russell Adams, DPW  
Joanne Kennedy-Valade, Code Enforcement

**Regular Meeting (5:30 PM) – Saxe Room, Worcester Public Library**

1. **Call to Order:** Chairman John Shea called the meeting to order at 5:40 PM.
2. **Approval of the Minutes – September 28, 2005 Meeting:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 (Samuel Rosario recused himself) to approve the minutes of the September 28, 2005 meeting.
3. **1283 Pleasant Street – Site Plan Approval:** Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-1 (Samuel Rosario voted no) to approve the site plan with the following conditions:
  - **Dumpster be shifted to the north of the four parking spaces to the east 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.**
  - **Five copies of revised plan be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

4. **235 Shrewsbury Street – Special Permit:** Samuel Rosario recused himself. This item was taken collectively with Item #5. Josh Reinke and Attorney Stephen Madaus presented the revised plan. Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 4-0 to close the hearing. Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted to grant the Special Permit for relief of 28 parking spaces for the 74-seat proposed restaurant under the Flexible Parking Overlay District with the following findings:
  - **The proposed use is allowed as of right in a MG-2.0 district and the required number of off-street parking spaces will be provided for the new restaurant.**
  - **Adequate off-street parking will be provided and the parking area in front of the parcel will be appropriately landscaped.**
  - **There are adequate site lines at both points of egress from the site for vehicular traffic.**
  
5. **235 Shrewsbury Street – Parking Plan Approval:** This item was taken collectively with Item #4. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to approved the parking plan with the following conditions:
  - **Plan must note that the gate at Casco Street is not to be removed.**
  - **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.**
  - **Five copies of revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**
  
6. **151 West Boylston Drive – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 4-0 (Margaret Guzman was not present at the time of the vote) to continue Phase II to November 30, 2005 and to approve Phase I of the site plan with the following conditions:
  - **Subject Phase I approval is not to lead to an Occupancy Permit until Phase II is approved.**
  - **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.**

**7. Woodrow Street – Remove Portion From Official Map:** Notice of the hearing was read by the Clerk. Patricia Muenzenmayar stated the 200-foot portion to be removed was just a paper street that had been paved for parking by the previous owner of her property on Dallas Street. No one spoke in opposition. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 5-0 to approve the request to allow the original petition to be withdrawn and the subsequent petition to be considered. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to remove the 200-foot portion of Woodrow Street from the Official Map.

**8. 1393 Grafton Street – Amendment to Definitive Subdivision Approval:** John Shea recused himself. Notice of the hearing was read by the Clerk. Kevin Quinn presented the amendment that involves no infrastructure changes. No one spoke in opposition. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to close the hearing. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to release Parcel A from the restrictive covenant. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the amendment to the Definitive Subdivision Plan with the following conditions:

- **Applicant shall record a copy of the Planning Board Approval of the Amendment to Definitive Subdivision Approval at the Worcester District Registry of Deeds and shall be indexed in the Grantor Index under the names of the original applicants and under the new applicant/owner in accordance with M.G.L.c.41, Sec. 81W.**
- **Applicant shall simultaneously record at the Worcester District Registry of Deeds the original subdivision plan approved by the Planning Board at its April 27, 2005 meeting and prepared by Quinn Engineering, Inc. and dated March 18, 2005, as revised on May 24, 2005. Original plan shall be indexed in the Grantor Index under the names of the original applicants and under the new applicant/owner in accordance with M.G.L.c.41, Sec. 81W. Original plan must reference the Planning Board's October 12, 2005 amendment vote and the recording information for the amended plan. Original plan**

shall also reference the recording information for the following plans and documents: Declaration of Restrictive Covenants recorded at WDRD Plan Book 37118, Page 379; WDRD Plan Book 830, Plan 64; and WDRD Plan Book 830, Plan 123.

- Applicant shall simultaneously record the amended plan that shall be indexed in the Grantor Index under McAvey Realty, LLC. The title shall reflect “Amended Definitive Subdivision Plan” and it shall reference as a note that this plan amends, but does not supersede the subdivision plan approved by the Planning Board at its April 27, 2005 meeting and entitled “Definitive Subdivision Plan in Worcester, Massachusetts, 1393 Grafton Street” dated March 18, 2005 as revised on May 24, 2005 prepared by Quinn Engineering, Inc.

9. **256 Sunderland Road (Lot 2) – Zoning Map Amendment:** Scott Cashman recused himself. Notice of the hearing was read by the Clerk. Attorney Todd Brodeur explained that the proposed RL-7 district would be consistent with the uses in the neighborhood. Leslie Russell spoke about traffic issues and Scott Cashman, speaking as a private citizen, spoke about density of population and the fact that there are no sidewalks in the area. Joel Fontane recommended denial of the petition based on the fact that the City Council’s vote in the late 1980’s that changed the zone from RL-7 to RS-7 was for the purpose of preventing additional higher density development in this area. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, 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 (John Shea voted no) to recommend approval of the zone change because the uses allowed would be consistent with land uses already existing in the neighborhood.
10. **47, 49 & 51 Benefit Street – Zoning Map Amendment:** Notice of the hearing was read by the Clerk. Attorney Stephen Madaus explained that the proposed zone change would allow the parcels to be zoned RG-5 to allow residential use. No one spoke in opposition. Joel Fontane recommended approval. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to recommend approval of the zone change.
11. **92 Grand Street – Zoning Map Amendment:** Notice of the hearing was read by the Clerk. Joel Fontane asked that the hearing be continued to allow him additional time to prepare a report for the Board. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to continue the hearing to October 26, 2005.
12. **58 Suffolk Street – Zoning Map Amendment:** The petitioner was not present for the hearing. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 3-2 (Samuel Rosario and Scott Cashman voted no) to continue the matter to October 26, 2005 and notify the petitioner of the continuance date.

13. **38-43 Rodney Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 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.**
14. **Locust Avenue/Mink Circle – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 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.**
15. **697 Burncoat Street – Preliminary Subdivision Approval:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the preliminary subdivision plan.
16. **Kendig Street – To Make Public:** Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to recommend a Priority 4.
17. **Colonial Road – To Make Public:** Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 5-0 to recommend a Priority 1.
18. **Sunderland Terrace – To Make Public:** Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to recommend a Priority 2.

19. **Arnold Road – To Make Public:** Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to recommend a Priority 1.
20. **Yukon Avenue – To Make Public:** Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to recommend a Priority 5.
21. **Approval Not Required (ANR) Plans:** Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to deny endorsement of ANR Plan #6166 Plantation Street because the plan was unclear as to which part is being conveyed to whom. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to deny endorsement of ANR Plan #6167 Belcourt/Taconic Roads because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6168 Corning Avenue. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 5-0 to deny endorsement of ANR Plan #6169 Edison/Batavia Streets because the plan fails to show frontage on an existing way. ANR Plan #6170 3 Beaman Avenue was held for viewing. Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6171 Dominion/Mohican Roads. ANR Plan #6172 Heath Street was held until October 26, 2005 so the road can be paved. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to endorse ANR Plan #6173 Uxbridge Street. ANR Plan #6174 was held for viewing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6175 Arboretum/Upland Street. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6177 Progressive Street.

**OTHER BUSINESS:** None

The meeting was adjourned at 7:45 PM.