

MINUTES
WORCESTER PLANNING BOARD
December 28, 2005

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

Staff Present: Michael Traynor, Law Department
Ruth Gentile, Planning Division
Judith Stolberg, Planning Division
K. Russell Adams, DPW

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 – November 30, 2005 and December 14, 2005 Meetings:**
Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 5-0 to approve the November 30, 2005 and December 14, 2005 minutes.
3. **Requests For Withdrawals/Continuance:**

1 & 3 Prioulx Street – Preliminary Subdivision Approval: Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the Preliminary Subdivision Approval to January 18, 2006 at the request of the applicant and advised his attorney that he must renotify abutters.
4. **95-99 Hope Avenue – 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:
 - **Snow is to be removed from the site and so noted on the plan.**
 - **Dumpster must be enclosed with a six-foot stockade fence and so noted on the plan.**
 - **Parking spaces 7-10 and 11-13 must be labeled on the plan as employee parking.**
 - **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 the revised plan must be submitted to the Planning and Regulatory Services Office prior to release of the decision.**

5. 89 Shrewsbury Street – Special Permit: Attorney Todd Rodman presented the plan that showed the area behind the proposed restaurant. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-1 (Samuel Rosario voted no) to approve the Special Permit with the following findings:

- **Restaurant uses are permitted as of right in the zoning district.**
- **The proposed restaurant use is well suited for the particular area of Shrewsbury Street and will provide an alternative to other restaurants in the immediate area. The restaurant will be open for dinner only and therefore will be able to share its parking lot with the offices to be developed on the second and third floors.**
- **The restaurant will refurbish and occupy a now vacant building thereby improving the appearance of the building and the neighborhood. The portion of Shrewsbury Street where the restaurant will be located is largely commercial in nature and adequate off-street parking for the restaurant will be provided.**
- **Pedestrian access to the building and vehicular access to the parking lot will be provided from East Worcester Street as indicated on the plans and the parking lot provides a single entrance and exit thereby minimizing traffic congestion on the site and on Shrewsbury Street thus safeguarding pedestrians.**
- **The parking lot will conform with the regulations of the Zoning Ordinance and appropriate lighting and snow removal will be provided.**

6. 127 Harrington Way – Definitive Subdivision Approval: Notice of the hearing was read by the Clerk. Attorney Jonathan Finkelstein and James Tetreault presented the plan that resulted from changes requested by the Conservation Commission to address wetlands issues. Paul Simarano stated his support for the subdivision. Al Belcher referenced a petition he submitted to the Board via email and expressed opposition because of traffic, road width and icy conditions caused by springs on the property. Jim Whalen, Natalie Kelly, Harold Kelly, Beverly Castino and Brian Nelson expressed their

opposition. It was determined by the Board that the applicant was not the owner and Michael Traynor advised the Board that the application can be supplemented. Russell Adams informed the Board that DPW would only support a cul-de-sac to the end of the terminus of Gordon Street and to the end of the Worcester Area Association for Retarded Children property. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to January 18, 2006 and advised the applicant to supplement the application and revise the plan to shorten the cul-de-sac.

7. **428 Lake Avenue – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to continue the site plan approval to January 18, 2006 and advised the applicant to submit a revised plan showing a turn around that does not require backing out onto Lake Avenue.
8. **83 Malvern Road – 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.**
9. **40 Lakewood Avenue – 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.**

10. **23 Passway Five – 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.**
11. **1-3 Prioulx Street Preliminary Subdivision Plan:** See #3.
12. **Approval Not Required (ANR) Plans:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 5-0 to deny endorsement of ANR Plan #6227 Aster Place because there is insufficient frontage on a public way for the zoning district in which the property is located. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6231 Belcourt Road. Upon a motion by Anne O’Connor and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #6233 East Mountain Street. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR Plan #6234 Myrna Road/Massasoit Road. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 5-0 to endorse ANR Plan #6235 High Street.

OTHER BUSINESS:

Brook Crossing Subdivision (Phase II): Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 5-0 to release the entire surety because all work has been completed to the satisfaction of the Department of Public Works.

Edgewater Estates Subdivision: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to release the entire surety because all work has been completed to the satisfaction of the Department of Public Works.

The meeting was adjourned at 7:50 PM.