

MINUTES
WORCESTER PLANNING BOARD
April 23, 2003

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

Staff Present: Judith Stolberg, Executive Office of Economic Development
Diana Collins, Regulatory Services
Michael Pace, Code Enforcement
Jeff Head, Law Department
Paul Moosey, DPW
Joel Fontane, EONS

Regular Meeting (5:30 P.M.) – Room 409, City Hall

1. **Call to Order:** Chairman Joe Boynton called the meeting to order at 5:30 P.M.
2. **Approval of Minutes – April 9, 2003 Meeting:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to approve the minutes of the April 9, 2003 meeting.
3. **Putnam Lane – Zone Change:** Attorney Joseph Losapio spoke in favor. Attorney Samuel DeSimone, representing Universal Metals, expressed opposition based on the fact the current owners were not willing to give him written assurance that, should the proposed deal with Princeton Place not be completed and another buyer is sought, they would do their utmost to see that a buffer between the Universal Metal manufacturing use and any future residential use is provided. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to close the hearing. A motion by Samuel Rosario to recommend approval did not get a second. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 3-2 (Joe Boynton and Samuel Rosario voted no) to recommend denial because of the negative impact on the area's manufacturing concern already in place and the potential negative impact on the City's tax base if the residential use is not market rate.
4. **Tacoma 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 to May 28, 2003 at the request of the applicant.
5. **40 Pullman 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 to May 14,

2003 at the request of the applicant and the applicant was advised that plans must be submitted to the Regulatory Services Office by May 7, 2003.

6. **1151 Millbury Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to extend the deadline for constructive grant to May 14, 2003 and continued the site plan to May 14, 2003 at the request of the applicant.
7. **Roseville Estates – Amendment to Definitive Subdivision Approval:** John Shea recused himself. Notice of the hearing was read by the Clerk. Carl Foley presented the amendment. No one spoke in opposition. 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 Anne O'Connor, the Board voted 4-0 to extend the sunset clause to December 12, 2003.
8. **Northboro Street – Zoning Map Change:** Notice of the hearing was read by the Clerk. Attorney Todd Rodman, representing Michael Block, spoke in favor. No one spoke in opposition. Upon a motion by Stephen Petro and seconded by John Shea, the Board voted 5-0 to close the hearing. A motion by Samuel Rosario to recommend denial did not get a second. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to recommend approval because the primary use of the area is residential, the change would be consistent with the neighborhood and market rate housing would increase the tax base of the City.
9. **1A Ararat Street – Special Permit:** Site plan approval was taken collectively. The hearing was not opened. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to continue both items to May 28, 2003 at the request of the applicant.
10. **Tatnuck Village – Definitive Subdivision Approval:** Site plan approval was taken collectively. Notice of the hearing was read by the Clerk. Carl Goldsmith presented the plan. Jean and Richard Ellis, Robert Hillier and Bill Hamilton spoke in opposition. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to close the hearing. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to waive the width of the road so that it matches what presently exists. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to approve the subdivision with the following conditions:
 - **Plan approved is dated April 23, 2003 and four copies of the revised plan must be submitted to the Regulatory Services Office showing all of the improvements as shown on the plan presented to the Board.**
 - **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.**
11. **1A Ararat Street - Site Plan Approval:** See # 9.
12. **97 Water Street:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to approve the site plan with the following conditions:
 - **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.**
13. **21-23 Drexel Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to approve the site plan with the following conditions:
 - **A second drywell be put in on the northerly side of where the garage foundation will be constructed 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 be submitted to Regulatory Services Office prior to release of decision.**
14. **271 Lake Avenue – 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:
 - **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.**
15. **Tatnuck Village – 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:

- **No vegetation is to be removed beyond the limit of clearing as noted on the plan dated April 23, 2003.**
 - **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 the revised plan dated April 23, 2003 be submitted to the Regulatory Services Office prior to release of the decision.**
16. **Plans To Be Endorsed:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 (John Shea recused himself) to deny endorsement of ANR Plan #5573 Roseville Lane because the plan does not show any frontage. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5574 Brattle Street/Chevy Chase Road. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5575 Dupuis Avenue. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to deny endorsement of ANR Plan #5576 because the way does not have sufficient width, suitable grades and adequate construction. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5577 Brownell Street.
17. **Zoning Ordinance Amendment:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to petition the City Council to amend Article IV, Sec. 7, A, 1; Article V, Sec. 2, A; Article V, Table 5.1; Article IV, Table 4.2; and Article IV, Table 4.4 of the Zoning Ordinance.

Other Business:

Zoning Ordinance Revision Public Meetings: The Board set public meetings for May 21, 2003 and June 19, 2003 at 4:00 P.M. for discussion of the Zoning Ordinance revisions.

The meeting was adjourned at 8:15 P.M.