

MINUTES
WORCESTER PLANNING BOARD
June 8, 2005

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

Staff Present: Michael Traynor, Law Department
Joel Fontane, Planning
Edgar Luna, Planning
Russell Adams, DPW
Chris Gagne, DPW
Joanne 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 5:35 PM.
2. **Approval of the Minutes – May 25, 2005 Meeting:** Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 4-0 to approve the minutes of the May 25, 2005 meeting.
3. **15 Lachapelle Street – Definitive Subdivision Approval:** Josh Reinke represented the applicant. No one spoke in opposition. Upon a motion by Scott Cashman and seconded by Anne O'Connor, the Board voted 3-1 (Samuel Rosario voted no) to close the hearing. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 3-1 (Samuel Rosario voted no) to waive the requirement in the City of Worcester Subdivision Regulations for the rounding of the right of way. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 3-1 (Samuel Rosario voted no) to approve the Definitive Subdivision Plan with the following conditions:
 - **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.

4. **15 Teddy Road – Site Plan Approval:** Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 4-0 to approve the site plan with the following conditions:
 - **Plan must show a turn around in the back of the property.**
 - **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 the revised plan must be submitted to the Land Use Office prior to release of the decision.**

5. **20 Frothingham Road – Site Plan Approval:** Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 4-0 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.**

6. **281 Clark Street – Site Plan Approval:** Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 4-0 to approve the request of the applicant for leave to withdraw.

7. **Zoning Map Amendment – Parking Overlay District (Chandler Street):** John Shea and Samuel Rosario recused themselves. Joel Fontane explained to the Board that the Administration was not prepared at this time to go forward and since there was not a quorum to open the hearing, it was decided that this proposed map amendment would be

advertised for a hearing to be held on September 14, 2005. It is anticipated that a new member will be on the Board so that there will not be a quorum issue and staff will have time to prepare a recommendation to the Board.

- 8. Zoning Map Amendment – 651 Plantation Street:** Notice of the hearing was read by the Clerk. Attorney Donald O’Neil represented the petitioner. Constance Beahn spoke in opposition but changed her position after she was informed the change would benefit her property. Upon a motion by Scott Cashman and seconded by Anne O’Connor, the Board voted 4-0 to close the hearing. Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 4-0 to recommend approval because the change is compatible with the existing use of the parcel and the residential area to the east. Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 4-0 to request that Planning staff prepare a petition for the Planning Board to send to the City Clerk for City Council to rezone the entire remaining BL-1.0 island to RG-5.
- 9. Zoning Map Amendment – 800-830 Grafton Street:** Notice of the hearing was read by the Clerk. Christine Brusco spoke in favor of the petition. Joan Sroczyński, Margaret Shaughnessy, Harold Albert, Margaret O’Brien, John Slater and Paul Choiniere spoke in opposition. Upon a motion by Scott Cashman 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 4-0 to recommend denial of the petition because it does not constitute a substantially different proposal than that petitioned on July 25, 2003 and heard by the Board on September 24, 2003. The Board recommended denial at that time because of the lack of depth of the parcels included in the proposed zone change, the steep grades of the affected parcels, the poor site lines for traffic near Progressive Avenue, the less restrictive dimensional requirements for residential development in business zones and the potential impact on abutting parcels not located on Grafton Street. On November 18, 2003 the City Council denied the petition. Since this petition represents a reconsideration of a previous petition within two years of the City Council’s unfavorable action, and the Board recommends denial again, this petition cannot be heard again. M.G.L.c40A(5)(5) regarding reconsideration of petitions states that, “No proposed zoning ordinance or bylaw which has been unfavorably acted upon by a city council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or bylaw is recommended in the final report of the planning board.”
- 10. 50 Chino Avenue – Site Plan Approval:** Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 4-0 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. 67 & 152 Millbrook Street – Parking Plan Approval: Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 4-0 waive the interior landscaping requirement and to approve the parking plan with the following conditions:

- **Dumpster screened by a six-foot solid board fence be shown on the plan.**
- **Gate entrance must be replaced by a new 20’x24’ fenced gate to allow trucks enough room to enter without queuing on the street while waiting for the gate to be opened.**
- **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 the revised plan be submitted to the Land Use Office prior to release of the decision.**

12. Ludlow Street – Site Plan Approval: Upon a motion by Anne O’Connor and seconded by Scott Cashman, the Board voted 3-1 (Samuel Rosario voted no) to continue the site plan approval to June 22, 2004.

13. 301 Southwest Cutoff – Site Plan Approval: Upon a motion by Anne O’Connor and seconded by Scott Cashman, 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.**

- 14. Macwaboc Street – Remove From Official Map:** This should have been advertised as a public hearing so no action was taken.
- 15. Sunset Terrace – Put Back On Official Map:** Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 4-0 to recommend denial because the petitioner failed to prove the way had been on the Official Map and served as access to more than two structures.
- 16. Approval Not Required (ANR) Plans:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6060 Onset Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to hold ANR Plan #6066 Pocasset Avenue. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6069 Trenton Street (#60). Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan #6070 Franklin Street/Angela Rose Lane. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6071 Joppa Road (#'s 20/22). Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to endorse ANR Plan #6072 Breck Street. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 4-0 to endorse ANR Plan #6073 Royal Road. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 4-0 to endorse ANR Plan #6074 Uncatena Avenue/Welcome Street. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan #6075 Clover Street/Montello Street. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 4-0 to endorse ANR Plan #6076 Dixfield Street (#'s 2/4). Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan # 6077 Wildwood Avenue (#205 A & B). ANR Plan #6078 Lake Avenue North was held for a view. ANR Plan #6079 Southold Road was held because the Board could not find the lot. Upon a motion by Anne O'Connor and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan #6080 Jennings Street/Orton Street. Upon a motion by Anne O'Connor and seconded by Samuel Rosario, the Board voted 4-0 to deny endorsement of ANR Plan #6081 Luther Avenue because the way does not have sufficient width, suitable grades and adequate construction for the proposed use. Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 3-0 (Anne O'Connor recused herself) to endorse ANR Plan #6082 Olean Street.

OTHER BUSINESS:

168 Delawanda Drive – Extend Work Completion Date: Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to extend the work completion date to June 1, 2006.

The meeting was adjourned at 8:30 PM.