

MINUTES
WORCESTER PLANNING BOARD
October 22, 2003

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

Staff Present: Diana Collins, Regulatory Services
Michael Pace, Department of Code Enforcement
Paul Moosey, Department of Public Works
Russ Adams, Department of Public Works
Jeffrey Head, Law Department
Joel Fontane, EONS Planning Division
Edgar Luna, EONS Planning Division
Judith Stolberg, Economic Development Office

Regular Meeting (5:30 PM) - City Council Chamber, City Hall.

- 1. Call to Order:** Chairman Joe Boynton called the meeting to order at 5:30 PM.
- 2. Approval of the Minutes – October 8, 2003 and October 15, 2003:** John Shea recused himself. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 to approve the minutes of the October 8, 2003 and October 15, 2003 meetings.
- 3. Flower Hill Drive – Put Back On Official Map:** Stephen Petro recused himself. Paula Lapormado spoke in favor of her petition. No one spoke in opposition. Upon a motion by Samuel Rosario and seconded by John Shea, 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 restoring that portion of Flower Hill Drive from its current terminus as a public way to the property line between 10 and 12 Flower Hill Drive to the Official Map because the petitioner demonstrated that it served more than one parcel at the time of adoption of the Official Map and it appears that that portion of the way was left off in error.
- 4. Parsons Hill/Ledgecrest – Amendment to Definitive Subdivision:** Site plan approval was taken collectively. Samuel Rosario recused himself. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to extend the deadline for constructive grant to February 25, 2004 and continued the hearing and the site plan approval to February 25, 2004 at the request of the applicant.

5. **Ledgecrest Drive – Site Plan Approval:** See #4.
6. **922 Grafton Street – Parking Plan Approval:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-1 (Samuel Rosario voted no) to extend the deadline for constructive grant to December 3, 2003 and continued this item to December 3, 2003 at the request of the applicant.
7. **Attleboro Street – 81G Street Opening:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to continue this item to November 12, 2003 so the Department of Public Works can research the matter further.
8. **15 Upsala Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to approve the site plan with the following conditions:
 - **A fence, at least four feet in height, be installed at the top of the retaining wall.**
 - **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 to be submitted to the Regulatory Services Office prior to release of decision.**
9. **Myrick Avenue – 81-G Street Opening:** John Shea recused himself. Site plan approval was taken collectively. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board voted 4-0 to deny approval of the street opening because there is no evidence that the public has legal access to the portion of the road in question.
10. **Myrick Avenue – Site Plan Approval:** John Shea recused himself. Upon a motion by Samuel Rosario and seconded by Anne O’Connor, the Board vote 4-0 to approve the request of the applicant for leave to withdraw.
11. **Wildwood Estates Subdivision – Definitive Subdivision Approval:** Site plan approval was taken collectively. Randa Tawadras represented the developer. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to close the hearing. Upon motions by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to waive the requirement for the width of the paved area in the right of way to allow for the way to be paved to twenty-six feet in width; to waive the required 3% maximum slope of the cul-de-sac to allow a 4% slope; and to waive the required 3% maximum slope of the first one hundred feet

from the intersection to allow a 4% slope. Upon a motion by Samuel Rosario and seconded by Anne O'Connor the Board voted to approve the Definitive Subdivision Plan with the following conditions:

- **Access to the infiltration basin must be provided and shown on the plan.**
- **Manhole detail must be shown on the plan.**
- **The word "REQUIRED" must be deleted in the Planning Board signature box on the Definitive Plan.**
- **Four copies of the revised plan must be submitted to the Regulatory Services Office for review before endorsement of the plan by the Planning Board.**

12. Wildwood Estates – 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:

- **A ten-foot separation between the water and sewer connections must be shown on the plan.**
- **Applicant must provide connections for drainage and remove the proposed six-inch reinforced concrete pipe drain line.**
- **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 to be submitted to the Regulatory Services Office prior to release of decision.**

13. 88 Stafford Street – Site Plan Approval: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to continue this item to November 12, 2003 at the request of the applicant.

14. Malvern Road – 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. 1404 Main Street – Parking Plan Approval:** Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 5-0 to extend the deadline for constructive grant to November 12, 2003 and to continue the parking plan approval to November 12, 2003 and advised the applicant that the driveway is too close to the rear lot line, existing trees should be on the plan, lighting cannot be more than 1 candle power at the boundary line near the lots to the east, striping for employee/customer parking must be shown on the plan and there should be a single catch basin on the plan. The Board further advised the applicant that the revised plan must be submitted to the Regulatory Services Office by November 5, 2003.
- 16. 503 Plantation Street – Zoning Map Amendment:** Notice of the hearing was read by the Clerk. Attorney Robert Longden spoke in favor of the petition. There was no opposition. Upon a motion by Samuel Rosario and seconded by John Shea, 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 recommend approval because the change is consistent with current uses of land in the Biotech Park.
- 17. Adaptive Re-use Overlay – Zoning Map Amendment (IN-H Zone In St. Vincent's Hospital Area):** Attorney Samuel DeSimone spoke in favor of the petition. Joel Stephens, an abutter, expressed concerns about parking and Attorney Jonathan Finkelstein, representing interests on Heywood Street asked several questions relative to the boundaries of the zoning map amendment. Joel Fontane presented alternatives to the petition. Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to recommend denial of the petition and to report to the City Council that the Planning Board would promptly submit a more comprehensive petition that will deal with many issues in the area of the IN-H zone. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to petition the City Council to change the zoning map in accordance with Proposal 6 presented by Joel Fontane together with an Adaptive Re-use Overlay to encompass Vernon Hill, LLC's Vernon Hill parcel.
- 18. Adaptive Re-use Overlay Amendment – Zoning Ordinance Amendment:** Notice of the hearing was read by the Clerk. Attorney Samuel DeSimone spoke in favor of the petition. Attorney Jonathan Finkelstein expressed the opinion that some standards need to be set for the issuance of the Special Permit. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-1 (Joe Boynton voted no) to recommend approval.
- 19. Zoning Ordinance Amendment (Allowing Nursing Homes in RL-7 Zones With Special Permit):** Notice of the hearing was read by the Clerk. Attorney

John Burke, representing the St. Francis Nursing Home, spoke in favor of the petition. There was no opposition. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to close the hearing. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-0-1 (Joe Boynton abstained) to recommend approval.

20. Wauwinet Road – Remove Portion From Official Map: Notice of the hearing was read by the Clerk. Raymond Jason spoke in favor of his petition. Patricia Kinkaid and Tony Nguyen were opposed. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to deny removal because one or more parties in interest objected to the removal.

21. Everard Street – Site Plan Approval: Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to approve the site plan with the following conditions:

- **A fence, at least four feet in height, must be installed at the top of the retaining wall and be shown on the plan.**
- **A ten-foot separation between the water and sewer connections must be shown on the plan.**
- **Applicant must use six-inch SDR 35 PVC for sanitary connections.**
- **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 must be submitted to the Regulatory Services Office prior to release of the decision.**

22. 82 Winter Street – Site Plan Approval: Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to continue the item to November 12, 2003 at the request of the applicant.

23. 497 Salisbury Street – Site Plan Approval: Samuel Rosario and Stephen Petro recused themselves. Upon a motion by John Shea and seconded by Anne O’Connor, the Board voted 3-0 to approve the site plan with the following conditions:

- **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.

24. 317 Southwest Cutoff – Parking Plan Approval: Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to extend the deadline for constructive grant to November 12, 2003 and continued the parking plan to November 12, 2003 at the request of the applicant. The applicant was advised that a revised plan must be submitted by November 5, 2003.

25. Endorsements of ANR Plans: Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5676 Willvail Street with. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5677 Mill Street. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5678 Wildwood Avenue. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #5679 Drexel Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-1 (Joe Boynton voted no) to endorse ANR Plan #5680 Julian Avenue/Dupuis Avenue. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 3-1 (Joe Boynton voted no and Stephen Petro recused himself) to endorse ANR Plan #5681 Howe Avenue. 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 #5682 Bullard Avenue because the way shown on 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 Stephen Petro, the Board voted 5-0 endorse ANR Plan #5683 51 Gold Star Boulevard with a notation that Parcel B is not to be conveyed as a separate building lot. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #5684 Hurtle Avenue. Upon a motion by Stephen Petro and seconded by John Shea, the Board voted 5-0 to endorse ANR Plan #5685 Arthur Street/Palm Street. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5686 Main Street. Upon a motion by Stephen Petro and seconded by John Shea, the Board voted 5-0 to endorse ANR Plan #5687 Edgeworth Street. Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5670 Navajo Road/Mohave Road/Cheyenne Road (2 sheets).

Other Business:

Request From Land Use Committee: Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-1 (Samuel Rosario voted no) to request that the City Planner and City Solicitor provide the Planning Board with an amendment to the zoning ordinance requiring the construction of sidewalks for residences fronting on the public streets as requested by the Land Use Committee.

Randolph Road Petition Referred By City Council: Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to report back to the Council that the petition does not present any request that can be acted upon by the Planning Board.

High Meadow Estates (Phase I) – Bond Release: Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to release the entire surety since all work has been completed to the satisfaction of the Department of Public Works.

The meeting was adjourned at 10:00 PM.