

WORCESTER PLANNING BOARD
November 30, 2005
MINUTES

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

Staff Present: Michael Traynor, Law Department
Carrie Holtan, Law Department
Joel Fontane, Planning Division
Edgar Luna, Planning Division
Russell Adams, DPW

Regular Meeting (5:30) – 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 – November 9, 2005:** Upon a motion by Margaret Guzman and seconded by Sam Rosario, the Board voted 5-0 to approve the minutes of the November 9, 2005 meeting.
- 3- Request for Continuances/Withdrawals:** Chairman John Shea asked meeting attendants if there were any continuation or withdrawal requests. Three requests were submitted: (a) 641-651 West Boylston St., (b) 109 Holden St., and (3) 151 West Boylston St.
- 4- 641-651 West Boylston St. – Parking Plan Approval:** Upon a motion by Sam Rosario and seconded by Scott Cashman, the Board voted 5-0 to extend the deadline for constructive grant to December 14, 2005, and to continue the parking plan approval to December 14, 2005.
- 5- 109 Holden Street – Definitive Subdivision Approval:** Upon a motion by Sam Rosario and seconded by Margaret Guzman, the Board 5-0 to extend the deadline for constructive grant to January 4, 2006, and to continue the hearing to January 4, 2006 and the applicant was required to renotify all abutters of this continuation.
- 6- 151 West Boylston Street (Phase II) – Site Plan Approval:** Upon a motion by Margaret Guzman and seconded by Sam Rosario, the Board voted 5-0 to extend the deadline for constructive grant to December 14, 2005, and to continue the site plan approval to December 14, 2005.

- 7- Rustic Drive Extension – Extension of Sunset Clause:** Notice of the hearing was read by the Clerk. Scott Green spoke on behalf of Sam Rae Realty Trust and explained that the application was to extend the sunset date to January 26, 2007. Upon a motion by Sam Rosario and seconded by Margaret Guzman, the Board voted 5-0 to close the hearing. Upon a motion by Sam Rosario and seconded by Scott Cashman, the Board voted 5-0 to extend the date to January 26, 2007.
- 8- Zoning Map Amendment – 199 Chandler Street (rear portion), 183-175 Austin St.:** Notice of the hearing was read by the clerk. Attorney Wayne Leblanc explained that the petitioner, Arthur Mooradian, is seeking to amend the Zoning Map for property at 199 Chandler St. and 183 Austin St. to facilitate appropriate reuse of the property. Joel Fontane presented the administration's recommendation to recommend approval of the zone change. However, Mr. Fontane informed the Board that there was a discrepancy between the petition submitted and the intent of the petitioner as the petition submitted did not include the parcel at 185 Austin St. Atty. Leblanc confirmed that the petitioner had intended to include this parcel in the zoning map amendment petition, but had inadvertently left it out. Mr Fontane indicated that he would verify whether the 185 Austin Street parcel was a part of the 199 Chandler Street parcel. Upon a motion by Sam Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the hearing to December 14, 2005.
- 9- Zoning Map Amendment – Malden Woods Subdivision:** Notice of the hearing was read by the Clerk. Michael Revelli, petitioner, made a presentation regarding this zone change petition. Joel Fontane presented the administration's recommendation to amend the petition as follows: Change the existing RL-7/RS-7 zone to the centerline of the proposed Danielle's way, beginning at the intersection of the centerlines of Danielle's Way and Castine Street, and following the centerline of the proposed Danielle's Way northerly to the northerly parcel line, and northeasterly along the parcel line to the existing RL-7 / RS-7 zone line. Upon a motion by Sam Rosario and seconded by Margaret Guzman, the Board voted to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to recommend approval of the petition as amended.
- 10- Zoning Map Amendment – 262 Sunderland Road:** Scott Cashman recused himself because he is an abutter. Joel Fontane presented the Administration's recommendation to recommend denial of the zone change. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 4-0 to close the hearing. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 3-1 (John Shea voted no), to recommend approval of the petition.
- 11- Attleboro Street – Site Plan Approval:** Scott Cashman recused himself from the meeting. Upon a motion by Sam Rosario and seconded by Margaret Guzman, the Board voted 4-0 to approve the Site Plan with the following conditions:

- **No building permit shall be issued until the 81G is constructed to a binder course.**
- **The drainage for Lots 1-5 needs to be connected to the drainage on Attleboro Street and so noted 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 the 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 specification of the Director of Code Enforcement.**
- **Five copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.**

12- 163 Orient 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:

- **Install an additional drywell on Lot 2 and so note on the plan.**
- **Five copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office prior to the release of the decision.**
- **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 the 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 specification of the Director of Code Enforcement.**

13- 299 Lincoln St. – Site Plan Approval: Attorney Patricia Gates presented the plan. Upon a motion by Samuel Rosario and seconded by Scott Cashman, 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 the 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 specification of the Director of Code Enforcement.**

14- 95-99 Hope Ave. – Site Plan Approval: Engineer Arthur Bouley presented the plan. Upon a motion by Margaret Guzman and seconded by Samuel Rosario the Board voted 5-0 to continue the site plan approval to December 28, 2005, and advised the applicant to address the following deficiencies in the plan:

- **Submit 15 revised plans to the Division of Planning and Regulatory Services by December 14, 2005.**
- **Delineate clearly expansion of buildings on the plan.**
- **Indicate snow storage location on the plan.**
- **Indicate location and screening of dumpster on the plan.**
- **Submit 5 copies of the ZBA approved variance for this site.**
- **Indicate location of doorways on the plan.**
- **Indicate number of parking spaces required and number of parking spaces provided on the plan.**
- **Redesign the handicapped parking space to avoid backing onto the street.**

15- Grand Street – Abandon a Portion of Grand Street from Illinois Street Southeasterly to the Railroad Tracks: Joel Fontane presented the Administration's recommendation that the Planning Board recommend denial of the petition because it may negatively impact the redevelopment of 95 Grand St., a parcel owned by the City of Worcester. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 5-0 to recommend denial of the petition because of the possible negative impact on the redevelopment of the 95 Grand Street property.

16- Attleboro Street – 81-G Street Opening: Scott Cashman recused himself. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the Board voted 4-0 to approve the 81-G Street Opening with the following conditions:

- **Applicant shall petition the City Council to remove from the Official Map the portion of Attleboro Street southwesterly from its intersection with Kendig Street to the terminus of the approved 81-G before construction begins. If said portion of Attleboro Street is removed, applicant shall install a barrier at the end of the**

northeasterly portion of Attleboro Street near intersection with Kendig Street and so noted on the plan.

- **Roadways are to be constructed in the following sequence: commencing at the intersection of Boyden Street and Clay Street, along Clay Street to its intersection with Coonan Road, then along Coonan Road to Attleboro Street and along Attleboro Street to the extent shown on the plan and so noted on the plan.**
- **The terminus of the 81-G road on Attleboro Street shall be pitched such that water will flow to the storm drain.**
- **No building permit shall be issued for lots shown on related site plan until the 81-G is constructed to a binder course.**
- **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 the 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 specification of the Director of Code Enforcement.**
- **Five copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office.**

17- 25 Eskow Road – Parking Plan Approval: Upon a motion by Samuel Rosario and seconded by Scott Cashman, the Board voted 5-0 to extend the deadline for constructive grant to January 18, 2006 and to continue the parking plan approval to January 18, 2006.

18- 150 Cambridge Street – Parking Plan Approval: Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 5-0 to approve the parking 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 the 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 specification of the Director of Code Enforcement.**

19- 1 West Boylston Street – Parking Plan Approval: Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-1 (Samuel Rosario voted no), to approve the Parking Plan with the following conditions:

- **Five copies of the revised plan must be submitted to the Division of Planning & Regulatory Services Office.**
- **Change the PVC sanitary connection to DPW standard and so note 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 the 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 specification of the Director of Code Enforcement.**

20- 780 West Boylston St. – Parking plan Approval: Upon motion by Sam Rosario and seconded by Margaret Guzman, the Board voted 5-0 to continue the parking plan approval to December 14, 2005.

21- Fenton Estates Subdivision – Find Developer in Default: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to find the developer in default of its obligations under the Subdivision Performance Agreement Secured by Cash Deposit by failing to complete the required work thereunder by the amended completion date of October 1, 2005, and demand that the developer cure such default within ten days of its receipt of a notice of default. Further, if the developer shall fail to cure the default, the City Law Department is authorized and requested to initiate the necessary proceedings for the City to take possession of the cash security so that, in accordance with section 7 of the agreement, the Department of Public Works can complete the required work.

22- Pleasant Estates Subdivision – Find Developer in Default: Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 5-0 to find the developer in default of its obligations under the Subdivision Performance Agreement Secured by Bond by failing to complete the required work thereunder by the amended completion date of June 30, 2005, and to demand that the developer cure such default within ten days of its receipt of a notice of default. Further, if the developer shall fail to cure the default, the Law Department is authorized and requested to initiate the necessary proceedings for the City to take possession of the security so that, in accordance with section 7 of the agreement, the Department of Public Works can complete the required work.

23- Approval not required (ANR) Plans: Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 4-1 (Samuel voted no) to endorse ANR plan #6203 Kenwood Avenue. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR plan #6207 Winneconet Road. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR plan # 6208 Sherburn Avenue. Upon a motion by Margaret Guzman and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR plan #6209 6 Quincy Street. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the board voted 5-0 to endorse ANR plan #6210 2 Creerie Avenue. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 5-0 to endorse ANR plan #6211 Whitman Road. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the board voted 5-0 to endorse ANR plan #6213 13 Balmoral Street. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR plan #6214 74 Tory Fort Lane. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the board voted 5-0 to endorse ANR plan #6215 Monticello Drive. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR plan #6216 Dominion/Mohican Roads. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the board voted 5-0 to endorse ANR plan #6217 Westfield Street. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR plan #6218 Crest Circle. Upon a motion by Samuel Rosario and seconded by Margaret Guzman, the board voted 5-0 to endorse ANR plan #6219 Good Harbor Drive.

24- Set 2006 Meeting Schedule: Upon a motion by Sam Rosario and seconded by Margaret Guzman, the Board voted 5-0 to approve the following six-month meeting schedule:

January 4, 2006
January 18, 2006
February 1, 2006
February 15, 2006
March 1, 2006
March 15, 2006
April 5, 2006
April 19, 2006
May 3, 2006
May 17, 2006
June 7, 2006
June 21, 2006

The meeting was adjourned at 8:00 PM.

