

**MINUTES**  
**WORCESTER PLANNING BOARD**  
**October 27, 2004**

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

**Staff Present:** Kathleen Donovan, Land Use  
Russ Adams, Department of Public Works  
Carrie Holtan, Law Department  
Michael Traynor, Law Department  
Joel Fontane, EONS  
Edgar Luna, EONS  
Judith Stolberg, Economic Development Office

**Regular Meeting (5:30 PM) – Room 409, City Hall.**

1. **Call to Order:** Chairman Joe Boynton called the meeting to order at 5:40 PM.
2. **Approval of the Minutes – September 29, 2004 & October 13, 2004 Meetings:** Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to approve the minutes of the September 29, 2004 meeting. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to approve the minutes of the October 13, 2004 meeting.
3. **342-346 Shrewsbury Street – 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 December 8, 2004 and continued the site plan approval to December 8, 2004 at the request of the applicant. The applicant was advised to submit a revised plan showing the accessory lot at 40 Adams Street, dimensions of the existing building on the site (Buckley Insurance), a barrier to protect the deck area from cars and a lease for accessory parking delineating the number of spaces and other uses utilizing the lot.
4. **550 Franklin Street – Parking 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 November 17, 2004 and continued the parking plan approval to November 17, 2004.
5. **Zoning Map Amendment – 40-180 Ballard Street:** Stephen Petro recused himself. Attorney Samuel DeSimone and Dennis Dowell spoke in favor of the petition. Jack Donahue representing the neighborhood group asked that neighbors' rights be maximized without infringing upon the rights of the developer. Joel Fontane, the City Planner,

informed the Board that the administration was not prepared to make a recommendation at this juncture due to the importance of the zoning map amendment, the reorganization of departments and staff time constraints. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to continue the hearing to December 8, 2004.

6. **Lots 22 & 23 Plantation Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to extend the deadline for constructive grant to November 17, 2004 and continued the site plan approval to November 17, 2004 at the request of the applicant. The applicant was advised to submit a revised plan showing a fence atop any retaining wall over four feet in height, a new guardrail at the end of Patriots Landing, snow storage or removal plan so that the two spaces at the end of Patriots Landing can be used.
7. **Willvail Street – Site Plan Approval:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 3-2 (Anne O’Connor and Joe Boynton voted no) to deny site plan approval for the following reasons:
  - **The plan doesn’t meet requirements for vehicular and pedestrian safety.**
  - **Length of the road does not meet requirements.**
  - **Landscaping does not meet the requirements.**
  - **The plan does not show adequate fire lanes.**
  - **There is no turnaround or easement shown on the plan.**
8. **17 Teddy Road – 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 November 17, 2004 and continued the site plan approval to November 17, 2004 at the request of the applicant.
9. **Emile Street – 81G Street Opening:** Stephen Petro recused himself. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to continue the item to November 17, 2004 at the request of the applicant.
10. **Emile Street – Remove Portion From Official Map:** Stephen Petro recused himself. Notice of the hearing was read by John Shea. Judy Fuller, Ray Brunelle and Kathy Jones spoke in favor. 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 John Shea, the Board voted 4-0 to remove a portion of Emile Street (151 feet easterly from Inverness Avenue) and it is therefore removed from the Official Map.
11. **Delawanda Drive – Definitive Subdivision Approval:** Joe Boynton recused himself and Samuel Rosario assumed the Chair. Notice of the hearing was read by the Clerk. Arthur Bouley presented the plan. No one spoke in opposition. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to close the hearing. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to approve a blanket

waiver of all construction regulations except those shown on the plan. Upon a motion by Stephen Petro and seconded by John Shea, the Board voted 4-0 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.**

12. **38 Vinton Street – 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:

- **Plan must show a single-family “semi-detached” structure.**
- **Plan must show frontage for each unit (minimum requirement of 35 feet per unit).**
- **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 revised plan must be submitted to the Land Use Office prior to release of decision.**

13. **76-84 Canterbury Street – Site Plan Approval:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to approve the request of the applicant for leave to withdraw.

14. **Tainter & Gardner 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 December 8, 2004 and to continue the item to December 8, 2004 at the request of the applicant.

15. **Pickwick Circle – Private Street Conversion:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to recommend a Priority 1.
16. **Pickwick Circle – Bond Release:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 5-0 to release the bond in its entirety because all work has been completed to the satisfaction of the Department of Public Works.
17. **Zoning Ordinance Petition – Dimensional Table Correction:** This item was held until the November 17, 2004 meeting.
18. **Approval Not Required (ANR) Plans:** Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-1 (Joe Boynton voted no) to endorse ANR Plan #55913 Woodcliff Avenue (#20). Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5914 113 Clarkson Street. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5915 Derby Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 3-2 (Joe Boynton and Samuel Rosario voted no) to endorse ANR Plan #5916 Woodcliff/Julien Avenues. Upon a motion by Stephen Petro and seconded by Samuel Rosario, the Board voted 5-0 to endorse ANR Plan #5917 Wildwood Avenue. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-0 (Stephen Petro recused himself) to endorse ANR Plan #5918 Blake Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 5-0 to endorse ANR Plan #5919 Burghardt Street. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5920 44-46 Progressive Street. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5921 Creston Street. Upon a motion by John Shea and seconded by Samuel Rosario, the Board voted 4-1 (Joe Boynton voted no) to endorse ANR Plan #5922 Greenwood/Mystic Streets. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5923 Halmstad Street. Upon a motion by John Shea and seconded by Anne O'Connor, the Board voted 3-2 (Joe Boynton and Samuel Rosario voted no) to endorse ANR Plan #5924 Corrine Street. Upon a motion by Stephen Petro and seconded by Anne O'Connor, the Board voted 4-1 (Samuel Rosario voted no) to endorse ANR Plan #5925 Plantation Street. Upon a motion by Samuel Rosario and seconded by Anne O'Connor, the Board voted 4-0 (John Shea recused himself) to endorse ANR Plan #5926 Meola Avenue (Lots 12L & 12R). Upon a motion by Anne O'Connor and seconded by Stephen Petro, the Board voted 4-0 (John Shea recused himself) to endorse ANR Plan #5927 Meola Avenue (Lots 14L & 14R).

**Other Business: High Meadow Estates (Phases II & III) – Extension of Work Completion Date:** Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 5-0 to extend the work completion date to June 30, 2005 and bond expiration date to August 30, 2005 for both phases.

The meeting was adjourned at 8:20 PM.