

WORCESTER PLANNING BOARD

Minutes of September 26, 1990

Board Members Present: Frank DeFalco, Chairman
John Reynolds
Michael Lopardo
George Russell

Staff Present: Francis Donahue, BLUC
Philip S. Hammond, OPCD
James E. Fassler, OPCD
Robert Moylan, Jr., DPW
Michael Caforio, DPW
Michael Traynor, Law Department

Regular Meeting

1. Call to Order - Chairman DeFalco called the meeting to order at 3:20 p.m.
2. Approval of Minutes - The minutes of the August 22, 1990 meeting were approved unanimously.
3. Worcester Circle - Preliminary Subdivision - Attorney Jonathan Finkelstein introduced Attorney Michael Robinson and Landscape Architect Stephen Derdiarian from Anderson and Nichols. Each provided a description of the new subdivision on Brooks Street. This four (4) lot industrial layout will be accessed from a cul-de-sac.
Board members inquired about 21E/hazardous waste problems on the site. The proponents were aware that this former dump area for Norton Company is a "super fund" site. They have contracted with IEP Corporation to investigate the area and will be conducting remedial action under the guidance of DEP. Worcester Health Department comments were forwarded to the proponent for inclusion into their plans.
The Board set as conditions for preliminary approval the comments of the Health Department, conformance with DPW standards, resolution of 21E work and conformance to Worcester's Wetlands Protection Ordinance.
On a motion by John Reynolds, seconded by George Russell, the Board gave "conceptual" approval to the preliminary plan.
4. Longview Estates - Revise Detention Pond - Attorney Anthony Tomasiello presented the developer's case to revise the detention pond because of its excessive depth. In wanting to downsize the hole, the DPW has advised that a detention pond slope of 12 to 1 be used to lessen the impact bond on abutting properties.

The developer was directed to return to the Conservation Commission with revised hydraulic calculations to modify the original approval. The Board was extended for the project by the Board unanimously. The deadline for project completion is now July 1, 1991.

5. Arboretum - Discussion About Project Bond

Attorney Robert Cunningham appeared before the Board with a duplex plan for the Arboretum Project. This project has been the subject of considerable discussion culminating in the recent special permit denial by the ZBA and subsequent denial by the Planning Board to allow re-filing.

The proponent has an approved definitive plan that cannot proceed because of the action of the ZBA to deny access to Tennyson Road. If the proponent proceeds, he will be placed in a situation that he may violate the condition of the special permit. Moreover, his action to appease the ZBA may violate the approval of the definitive plan.

Attorney Cunningham was advised that the Board wants to work with the proponent and that they will entertain new designs that are environmentally sensitive and responsive to neighborhood concerns.

No action was necessary from the Board.

6. Massasoit Village - Status Review

Attorney Michael Traynor advised the Board that Home Federal Savings is still honoring the bonds and the Conservation Commission letter of credit. Realizing that the bond will expire soon, the Board asked that the developer be present at the next meeting to discuss the project and its completion.

7. Fantasia Estates - Reduce Bond

The Board voted unanimously to reduce the project bond by \$57,000 and set a project completion deadline of September 1, 1991. Once the letter of credit is posted, the covenants can be released.

8. Flint Pond - Set Bond, Release Covenants, Request Waiver of Sidewalk

Developer Al Etre appeared before the Board to request a sidewalk waiver. Wanting to conform to City standards, the Board denied the request to drop one (1) sidewalk. Continuing, the Board set a bond of \$107,000 with a project completion date of 10/30/92. The letter of credit, when posted, will prompt the lot covenants to be released. The expiration date for the letter of credit was set for December 1, 1992.

9. Burncoat Park - Communication

No action necessary.

10. Lundquist Tool - IDFA Bond

The project is in conformance with local plans and objectives, thus it received Board support.

11. Wildwood Estates - Reduce Bond - Extend Completion Date
The request to reduce the bond was denied unanimously. The letter of credit was extended until September 1, 1991.
12. Bancroft Estates - Bond Status
Subdivision residents Stephen O'Neil and Charles Brazel voiced concern about the uncompleted status of this project. They asked that the developer, Gary Connor, be pressed to finish the work.
Attorney Michael Traynor advised the Board that they had three (3) options:
 1. Rescind the definitive plan approval, thus freezing the sale of any more lots.
 2. Update the security which has lapsed.
 3. Sue the developer for breach of contract.Recognizing that this subdivision has no bond, the Board asked that security be placed on the project immediately and that the developer take such action by October 10, 1990.
All new permits will be held until the developer takes positive steps to finish the subdivision. If not, the Board will take action.
13. Wrenthem Road - Status
This project has no security in place to complete Wrenthem Road. Therefore, the item was referred to the Law Department for action.
14. Law Department Communication - Bonds
A spreadsheet was handed out to the Board updating subdivision bonds, their completion dates and the dates of bond expiration.
15. Communication to City Council - Zone Change at Austin Street
The Board was advised that this item is being re-filed.
16. Plans to Ratified
 - 4291 Plan of Land on Flower Hill Road, owned by Albanian Orthodox Church, signed on 8/28/90.
 - 4292 Plan of land on Salisbury Street, owned by Albanian Orthodox Church, signed on 8/28/90.
 - 4293 Plan of land on Santoro Road, owned by Comfred Savings Bank, signed on 8/28/90.
 - 4294 Plan of land on Cohasset Street, owned by Austin Kennedy, signed on 9/4/90.
 - 4295 Plan of land on Derby Street, owned by Andrezej Pudlo, signed on 9/4/90.
 - 4296 Plan of land on Beale Street, owned by M. Savasta, signed on 9/21/90.

- 4297 Plan of land on Barber Ave, owned by B.E. Associates, signed on 9/21/90.
- 4298 Plan of land on Barry Road Ext., owned by Sisters of Lady of Mercy, signed on 9/21/90.
- 4299 Plan of on Chester Street, owned by Limestone Development Trust, signed on 9/21/90.
- 4300 Plan of land on Bremer Street, owned by Catherine Scanlon, signed on 9/26/90.
- 4301 Plan of land on Ladybank Road, owned by J & S Builders, Inc., signed on 9/26/90.
- 4302 Plan of land on Greenwood Street, owned by John Driscoll, signed on 9/26/90.
- 4303 Plan of land on Parsons Hill Drive, owned by Norman Marois, signed on 9/26/90.

17. Date of Next Meeting
November 7, 1990

18. Any Other Business
None

Public Hearing

1. Guisto Street

A number of residents, including Al Davderis and James Giusto, spoke in favor of changing the name of Guisto Street to Giusto Street. The misspelling has caused numerous problems, specifically mail delivery and emergency vehicles responding to the wrong street.

The Board recommended unanimously to change the street name to Giusto Street.

The meeting was adjourned at 7:40 P.M.