

Planning Board
Worcester, Massachusetts
3:00 P.M., City Hall
Wednesday, March 1, 1972

Agenda

3:00 P.M. Regular Meeting - Room 209 - City Hall

1. Call to order
2. Minutes of February 9, 1972
3. Mountain St. West - more than one building - preliminary
4. Pompano Rd. - accept as public
5. Report from Law Dept. re: correction to Zoning Ordinance
6. Discussion re: proposed Lincoln Sq. Arterial Plan
7. Plans to be ratified
8. Date of next meeting
9. Any other business
10. Recess

5:30 P.M. - Dinner - Putnam and Thurston's Restaurant

7:30 P.M. - Public Hearings - Council Chamber - City Hall

1. Commercial St. - petition to change zone from MC 4.0 to BG 6.0
2. Tacoma St. - petition to change zone from IP o.33 to BG 3.0

8:00 P.M. - Regular Meeting - Room 209 - City Hall

1. Call to order
2. Items of public hearing
3. Adjournment

The Planning Board met for its regular meeting on Wednesday, March 1, 1972 in Room 209, City Hall.

Members present were: Lloyd Anderson, Mrs. Joan Bagley, Frederic R. Butler and Carlton B. Payson.

Others present were: Francis Donahue, Gerard F. McNeil, Alexander Pridotkas and John Reney.

Mr. Payson called the meeting to order at 3:05 P. M.

Minutes of February 9, 1972. Mr. Anderson made a motion that the minutes be approved with the following amendments: On page 3, identify Mr. Maher and Mr. Koontz. On page 6, spell out what the Law Department is going to do regarding the Lincoln Village development. Mr. Butler seconded it. It was then unanimously voted.

Re: Subdivision - more than one building. Mr. Donahue stated a letter was received from Mr. Joseph F. Carabetta of Carabetta Enterprises, Inc., requesting that the requirements of Massachusetts General Laws, Chapter 41, Section 81U which states that the Planning Board shall take action on the Subdivision Plan and the Plan showing more than one building on a lot within 60 days of the date of the filing with the Board, be waived and that the approval period for both plans be extended until March 15, 1972.

Mr. McNeil stated that Carabetta had been asked to give a time schedule breakdown and then he would set up conditions for street construction, chopping down trees, location of buildings, etc., which would then be ratified by the Board prior to formal approval.

Mr. Payson moved to extend the approval period to March 15, 1972. Mr. Butler seconded it. All were in favor.

Mountain Street West - More than one building - preliminary. Attorney Austin Keane, represented John Cochran et al, Trustees of Exeter Realty Trust, owners of a tract of land on Mountain Street West. Because of certain problems encountered, the owners have totally redesigned the previously approved plans and now would like approval of same.

Mr. Keane said the present plan has a better design. 161 units are planned; 20 studios, 87 one-bedroom, 45 two-bedroom and 9 three-bedroom. A pool, some playing areas, a tennis court and a basketball court which can be made into a hockey rink in the winter, have been added. Parking is 1½ to 1. The area has a courtyard effect. He stated the Board of Appeals approved the plan substitution earlier that afternoon. They already have a variance and would like to start construction May 1. They now were asking for preliminary approval from the Planning Board.

Mr. Reney asked if the streets were going to be public and Mr. Keane said they were not. A motion was made to approve the preliminary plans, subject to drainage per Mr. Reney. It was seconded by Mr. Anderson. It was voted 4-0.

Pompano Road - accept as public. Mr. Donahue stated Pompano Road is a subdivision street located in back of State Mutual Life. Nicholas Papale built the street and then sent a letter to the City Clerk stating he finished the street (this was back in 1961). The letter was referred to Mr. Gordon, who was then Planning Director. The Board, within 45 days, should have either released the bond or given reasons for not doing so, but they did nothing. At the end of the 45 days, City Clerk Robert J. O'Keefe, according to law, pronounced the subdivision complete and the bond was released. Now, ten years later, the street still has not been made public and the abutters request that it be done. Mr. Reney stated the street was completely redone by the City two years ago. Mr. Butler made a motion that Pompano Road be made public. Mr. Anderson seconded the motion. It was unanimously voted.

Report from Law Department re: Correction in Zoning Ordinance. Mr. McNeil said regarding amendments in Section 22 of the Zoning Ordinance, it now has two Section G's, no Section H, and Section(A)- Residence Districts; RS-7 side yard dimension, should read 8' instead of 9'. He stated there has to be a public hearing to correct this. Chairman Payson recommended to petition the City Council to make the necessary corrections in the ordinance.

Discussions re: Proposed Lincoln Square Arterial Plan - Planning Director McNeil, said Edward Maher, Chairman of the Worcester Redevelopment Authority, would like to

get the approval of the City Council regarding the Lincoln Square Arterial Plan. Mr. McNeil suggested that on March 15 (the next Board meeting), the Worcester Redevelopment Authority and consulting engineers explain the entire plan to the Board. Mr. Payson agreed with this idea. Mr. Anderson asked if a copy of the plan was available and Mr. McNeil said he will try to get copies distributed before the next meeting.

Plans to be ratified. Mr. Payson made a motion to ratify the following plans that were signed. Mr. Anderson seconded the motion. All were in favor.

- #1564 - plan of land on Ernest Avenue, owned by Edward P. and Martha W. Garrepy, signed 2/28/72.
- #1568 - plan of land on Summer and Central Streets acquired for street purposes, owned by City of Worcester D.P.W., signed 3/1/72.
- #1569 - plan of land acquired for New Street, Plan 1 of 2, owned by City of Worcester D.P.W., signed 3/1/72.
- #1570 - plan of land acquired for New Street, Plan 2 of 2, owned by City of Worcester D.P.W., signed 3/1/72.
- #1571 - land acquired for street purposes, Exchange Street, Plan 1 of 2, owned by City of Worcester D.P.W., signed 3/1/72.
- #1572 - land acquired for street purposes, Exchange Street, Plan 2 of 2, owned by City of Worcester D.P.W., signed 3/1/72.
- #1573 - land acquired for street purposes, Foster Street, owned by City of Worcester D.P.W., signed 3/1/72.
- #1574 - plan of land on Harrison Street, owned by Worcester Housing Authority Corp., signed 2/22/72.
- #1575 - plan of land on Carter Road, owned by Central Development Corp., signed 2/23/72.
- #1576 - land acquired for street purposes, Central Street, owned by City of Worcester D.P.W., signed 3/1/72.
- #1577 - land acquired for street purposes, Commercial Street, Plan 1 of 2, owned by City of Worcester D.P.W., signed 3/1/72.
- #1578 - land acquired for street purposes, Commercial Street, Plan 2 of 2, owned by City of Worcester D.P.W., signed 3/1/72.
- #1579 - plan of land on Park Avenue and Dewey Street, owned by Worcester County National Bank and Nicholas G. Andreson, signed 3/2/72.

Date of next meeting. The date of the next meeting was set for March 15, 1972.

Other business. Mr. McNeil said if we get the federal grant from the Department of Housing and Urban Development, for the 701 program, we will probably be looking for approximately 5,000 square feet of office space, because we will have to hire 17-22 more people in the department because of work to be done in regard to the Master Plan. The grant could be \$250,000 the first year (it is a three year program). The City's share is one-third.

Mr. McNeil stated the Central Business District Study will tie in with the Master Plan. Mrs. Bagley asked Mr. McNeil if Community Services and Youth Services Studies were in line with the Master Plan and he replied the study was going to go deeply into private agencies.

Mr. Payson, as a member of the Central Massachusetts Regional Planning Commission, said the Commission came up with a preliminary plan for a landfill and/or incinerator plan for 6 towns.

Recess. Chairman Payson recessed the meeting at 4:20 P. M.

Public Hearings - Council Chamber. A public hearing at 7:30 P. M. was held in the Council Chamber.

Commercial Street - petition to change zone from ML 4.0 to BG 6.0. John Coughlin, Director of the Worcester Redevelopment Authority was in favor of changing the zone on Commercial Street from ML 4.0 to BG 6.0, which is the area bounded by Thomas Street, Commercial Street, School Street and the existing BG-6 zone 200 feet east of Main Street.

There was no opposition. Mr. Payson declared the hearing closed.

Tacoma Street - petition to change zone from IP 0.33 to BG 3.0. Chairman Payson read the petition and then asked for those in favor. Mr. Matthew McCann, Attorney for Interdevelopment Associates, said he filed plans by the prospective grantee. There was a firm sale and purchase agreement between Jamesbury Corp. and Interdevelopment Associates. They want to use the land for an ice skating complex. It will

produce taxes for the City and also fill a recreation need. They were now requesting a zone change from IP to BG. This was the same area Jamesbury purchased from the WBDC. Mr. J. Robert Connor of Concord, Massachusetts who is associated with Interdevelopment Associates, said their primary business is apartments and skating rinks. They have built them here and in Newton. The person who would be running the center is the Assistant Manager of the MDC rink in Brockton. He has plenty of experience in running it and there will be no problems in financing the rink. Mr. Irwin Miller was in a dual capacity with WBDC and Jamesbury Corp. The WBDC purchased the land from the City and then sold it to Jamesbury with restrictions as to use. Jamesbury was trying to sell it for good use and the WBDC had been asked to change the restrictions to permit a skating rink.

Chairman Payson asked what specific restrictions are there and do they still hold. Mr. Miller said that on February 29, 1972, the plans were amended and the first restriction was re: useage, and the land was to be used for light industrial operations. Mr. Miller said they still hold. He also said there will be changes but the restrictions have not been removed. They did add a recreational hockey rink, indoor tennis courts and food service. Mr. Payson asked how much of the 13 acres would be used, and Mr. Connor said 8 or so. Just under 4 acres would be used for a 400 car lot and the rink would be under 1 acre. Mr. Connor showed a drawing of the exterior of the building which would house the rink.

Mr. Payson asked why they didn't get a variance and Mr. McCann replied Jamesbury would have to claim a hardship in order to be granted the variance.

Mr. Payson asked what they will be doing with the other 5 acres. Mr. McNeil said if this area was changed to BG, it would allow for any business or commercial use.

Mr. Reney asked in reference to the path to Clark Street School, will the children be protected.

Paul Gilrein, Director of School Planning, asked where the location of the path would be.

The Jamesbury Corp. representative said when the land is sold, the City would build a walkway.

(Clyde Reynolds)

A member of the Worcester Business Development Corp. said the Council deleted that the City would install a fence and whoever bought the land would have to build a fence, but the City has an obligation to put in a walkway.

Mr. Miller said the Council voted in April, 1970, that Jamesbury or a respective purchaser would erect a fence.

Mr. McCann said Interdevelopment Associates will build a fence.

Mr. Connor said it would be 8 feet high.

A representative of the Neighborhood Council said they wanted a 12 foot high fence with barbed wire.

Mr. Payson said the City, Jamesbury and the buyer have an agreement and it is up to them regarding the fence height, etc.

Mr. Payson then asked for those opposed.

Mr. Francis X. Leonard of the Neighborhood Council, who resides at 92 Constitution Avenue, wanted to know exactly how high the fence would be. He said Mr. Connor told their council a couple of nights before that he would provide busses during construction for the safety of the children. Mr. Leonard wanted busses from Clark Street and back to the children's homes. Worcester Housing Authority does have security guards. Mr. Leonard is not opposed to the rink, but the safety of the children is his main concern.

Mr. Connor said Interdevelopment Associates is also concerned with the children's safety.

Mr. Payson said Mr. Connor will provide all the safety he can and the City Council will do all they can.

Mr. Charles McGrail said the neighborhood residents did not want anymore casualties as they had a couple of years ago, and he was in favor of a recreation area, if the zone was changed, but his main concern was the safety of the children.

Mr. Payson said it would come out in the papers whether the Board recommends a zone change and, if so, the Council would then approve or disapprove.

Mrs. Bagley asked Mr. McCann regarding the access for children being picked up and left off. Mr. McCann stated that the eventual development can be changed in relation to access and that they were now only asking for a zone change but everyone could be assured the safety precautions would be at a maximum.

Mr. Payson stated access plans would be presented to Mr. Johnson of the Traffic Department. Mr. McNeil asked how many square feet the rink would be and Mr. Connor replied 60,000.

Mr. Payson then closed the hearing.

Regular Meeting - Room 209.

Call to Order. - The meeting was called to order by Chairman Payson at 8:20 P. M.

Commercial Street - petition to change zone from ML 4.0 to BG 6.0. Mr. Payson moved to recommend that the Commercial Street petition to change the zone from ML 4.0 to BG 6.0 be approved. It was carried 4-0.

Tacoma Street - petition to change zone from IP 0.33 to BG 3.0. It was moved to give final plans to Mr. Johnson of the Traffic Department for recommendations. Mr. Anderson asked Mr. McNeil if the developers have to get a variance ^{if the zone was not changed,} and Mr. McNeil replied 'yes'.

Mr. Anderson then asked if the zone was changed what could they put in. Mr. McNeil replied almost anything - a recreational area, business office, retail stores, etc.

Mrs. Bagley asked if the rink the building developer wants to put up would be considered a recreational building and the Chairman replied 'yes'.

Mr. Butler asked if the Council could put restrictions on this and Mr. Payson's reply was negative.

Mr. Payson asked Mr. McNeil regarding an IP zone, would they require a variance and Mr. McNeil said they would have to have one.

Mr. Payson said they would have to change that. This could be done if Jamesbury Corp. requested a zone change to RL7, then the people could come in for a special permit. Mr. McNeil said this case is similar to Worcester Valve's. He further stated the land was zoned for residential and requested to be changed to manufacturing. Mr. Anderson stated that opening up Tacoma Street from IP to BG for general use could be detrimental for that area regarding housing, schools, etc., and that we should get an opinion from the Law Department. He asked if it was spot zoning. He wants it definitely referred to the Law Department before it is voted on and if they say to spot zone, then it should be recommended to be denied.

Mr. Payson recommended the Law Department:

1. Search the deed.
2. Determine in their best judgement if it would be spot zoned and then come back to the next meeting with a recommendation.

Mr. Anderson moved to delay action until the Board hears from the Law Department.

Mr. Butler seconded the motion. The motion was carried by a 4-0 vote.

Mr. Butler asked if the skating rink is built, could they have contests with spectators and, if so, could the Council say no spectators. Mr. Payson replied 'yes'.

by Chairman Payson

Adjournment. The meeting was adjourned at 8:45 P. M.