

Worcester Planning Board
Minutes of Meeting
March 17, 1993

Board Members Present: John Reynolds, Chairman
George Russell
Joan Bagley
Joseph Sova

Staff Present: Philip Hammond, OPCD
Michael Traynor, Law Department
Michael Caforio, DPW
Joseph Mikelian, Health/Code

View - 3:30 P.M.

Regular Meeting - 5:30 P.M., Room 310, City Hall

1. Call to Order: Chairman Reynolds called the meeting to order at 5:30 P.M.
2. Approval of Minutes - February 17, 1993: The minutes were approved unanimously.
3. Public Hearings:
 - A. Zoning Ordinance Amendment Petition
Article IV - Table 4.1 and 4.2
Amendments to IN-S zone (continued)

On March 3, 1993 the Board closed the public hearing on this zoning amendment. Chairman Reynolds again removed himself from the discussion. Following an introductory statement by Attorney Robert Longden, the Board voted to recommend denial of the ordinance amendment (2-1-1). (John Reynolds abstained.)
 - B. Zoning Map Amendment - 123 West Street
RG-5 to BL-1.0

Subject to the testimony of petitioner Anita Mikat, the Board voted unanimously to recommend denial of the zone change.
4. Gold Star Boulevard - Site Plan Approval: For the applicant, Nick Gallo, the project team of Richard Lamoreaux, Eric Moore and Bill Bombard reviewed the project particulars for the construction of a new building to house an expanded car dealership. The applicants responded to municipal comments and the Board instructed them to revise the plans accordingly. The item was held until the April 7 meeting.

5. 315 Grove Street - Parking Plan Approval (continued): The item was continued until April 7.
6. 1 Ararat Street - Parking Plan Approval (continued): Attorney Lawrence Army reviewed the application and the recent discussions with the City to resolve the plan. Given the testimony, the Board voted unanimously to approve the plan subject to the following conditions:
 1. Provision of adequate erosion control measures.
 2. Proper landscaping around the perimeter of the parking area.
 3. Provision of snow storage area.
 4. Submittal of revised plans noting approval conditions.
 5. Approval with the understanding that a roadway easement will be conveyed to the City.
7. Brooks Crossing - Definitive Subdivision/Site Plan Approval: For the applicant, Engineer Andrew Liston reviewed the project and noted that Worcester DPW conditions have been incorporated into the final design. Michael Traynor, using a recent DPW letter, summarized the comments and briefed the Board on possible conditions of approval. In rebuttal, resident Al Smith referred to a recent letter from DEP and questioned the appropriateness of the plans. The Board and the City were unaware of this letter. Based upon the testimony and the municipal technical review, the Board voted to conditionally approve the Definitive Subdivision Plan for Brook Crossing subject to the following:
 1. Compliance with the engineering requirements of the DPW as outlined in their letter dated March 16, 1993, Paragraphs 2,3,4,5,6,7 and 8. Said letter will be attached and incorporated as a part of the certificate.
 2. Compliance with the requirements and comments of the Department of Health/Code Enforcement as outlined in their letter dated March 26, 1993. Said letter will be attached and incorporated as a part of this certificate.
 3. Compliance with the Subdivision Regulations dated October 1, 1992 unless otherwise waived.
 4. The Board waives the five hundred (500) foot maximum length for dead end streets contained in Section IX(C)(8) of the Subdivision Regulations so as to allow a temporary cul-de-sac to be constructed on Corinth Drive centered at Station 9+60 as shown on the Definitive Plan to access Lots 1-10 and 24-33.

5. The construction of Corinth Drive may not exceed a length of 1,015 linear feet, more or less, from its intersection with Hingham Road, unless and until a useable second means of egress/ingress is obtained to connect Corinth Drive directly or indirectly to a nondead-end street. The express purpose of this condition is meant to guarantee that Brooks Crossing Subdivision shall be accessible via two (2) distinct entrance/exit points before Corinth Drive may be developed beyond Station 10+15.
6. The temporary cul-de-sac shall be converted to a permanent cul-de-sac if the second means of access required by condition number 5 above is not secured within five (5) years of commencing construction of the temporary cul-de-sac.
7. The Board waives the provisions of its Subdivision Regulations, Section IX(C)(5)(b) relative to maximum curve radii so as to allow the construction of Corinth Drive with the curve radii as shown on the Definitive Plan.
8. In accordance with the applicant's expressed intent to request the City to accept Corinth Drive as a public street upon completion of its construction, the applicant shall deliver an executed deed of easement for street purposes to be recorded with the Definitive Plan, the cost of recording to be borne by the applicant. Prior to recording, the deed of easement must be reviewed and approved by the City's Law Department. The easement shall include the temporary cul-de-sac area and if such temporary cul-de-sac is later relinquished, the City may release its easement rights over the excess area utilized to create the initial cul-de-sac.
9. If any changes are required to the Worcester Conservation Commission's Order of Conditions, which are currently on appeal, and such changes affect the location of the roadway or the drainage onto or off of the roadway, the applicant shall amend the Definitive Plan in accordance with MGL, Chapter 41, Section 81W to reflect such changes in order for the plan to retain its approved status.
10. The applicant is required to establish a fund and place a covenant on all of the lots within the subdivision to ensure that the lot owners and not the City of Worcester shall forever be responsible for the continuous and proper operation of the retention pond and its appurtenant pipes, conduits, swales, etc. The covenant shall be recorded, at the applicant's expense, with the Definitive Plan and must be reviewed and approved by the City's Law Department prior to recording.

11. The applicant shall deliver an executed deed, or deeds, of easements to all areas outside the street layout which are to contain any City water and sewer lines or are otherwise designated on the Definitive Plan as easements to the City. All such easements shall be reviewed and approved by the City's Law Department. The easements shall be recorded, at the applicant's expense, with the Definitive Plan.

The 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. The 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.

Secondly, the Board voted Site Plan Approval subject to their retaining jurisdiction over site plan approval for any lots or alteration to lots that exceed the 15% slope threshold under Article V.

8. Scenic Heights - Discussion: New owner of this subdivision, Secured Financial, was represented by Cal Goldsmith who reviewed the plans and explained the new owner's intentions. Issues noted during the discussion included:
 1. Ownership and maintenance of the water booster station.
 2. Establishment of a "sinking fund" for station operation and maintenance.
 3. Construction grading plans.
 4. Slope of subdivision road.
 5. Sedimentation and erosion control.

The Board advised the owner to contact the DPW regarding these issues.

9. Wigwam Hill Estates - Site Plan Approval:
 - 20 Wigwam Hill Drive (continued)
 - 442 Plantation Street (continued)
 - 82 Wigwam Hill Drive
 - 70 Wigwam Hill Drive
 - 68 Wigwam Hill Drive
 - 14 Wigwam Hill Drive

Several residents and the applicants expressed concern about this approval and how it has placed a hardship on these properties. The Board, relying on past testimony, advised the applicants that additional time is necessary to sort out this project. All the sites were held until April 22, 1993. The applicants for 20 Wigwam Hill Drive and 442 Plantation Street requested an extension until that time.

10. Highland Street - Add to Official Map: The Board voted unanimously to recommend that a portion of Highland Street be placed on the Official Map.
11. Worcester Center Boulevard - Add to Official Map: The Board voted unanimously to recommend that a new street called Worcester Center Boulevard be added to the Official Map.
12. Medical City Project - Notice of Project Change: No action necessary.
13. Montvale Historic District - Public Hearing Date: Hearing on March 23, 1993. No action necessary.
14. Rogers Street - Site Plan Approval - Waiver: This item was held until April 7.
15. Any Other Business: None
16. Plans To Be Ratified
 - 4547 Plan of Land on Brooks Street owned by Richard Feinstein signed on March 3, 1993.
 - 4548 Plan of Land on Amherst Street owned by Ford & Kisiel signed on March 16, 1993.
 - 4549 Plan of Land on Norfolk Street owned by Richard Roomian signed on March 16, 1993.
17. Adjournment: With no other business, the Chairman adjourned the meeting at 7:45 P.M.

Next Meetings: April 7, 1993
April 21, 1993

APPROVED

WORCESTER PLANNING BOARD

Deji Stannard April 21, 1993
CLERK