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The Planning Board met for its regular meeting on Wednesday, November 16, 1988 at 2:00 P. M. in Room 209, City Hall. Members present were Chairman John F. Keaney; Vice Chairman Frank D. DeFalco; Clerk Joan C. Sadowsky; John T. Reynolds. Also present were Director Francis J. Donahue; Code Commissioner Carl H. Koontz; Assistant Commissioner of Public Works Gerhard P. Muenchmeyer; Assistant City Solicitor Michael Traynor; Senior Planner Alexander A. Pridotkas and Planning Coordinator of the Office of Planning and Community Development Philip Hammond.

View

The Board viewed Shrewsbury Street - site plan review, Athens Street - remove portion from official map, Samoset Road - remove portion from official map, Quinsigamond Place - remove portion from official map, Illinois Street - more than one building, Catalpa Circle subdivision - status check, Fourth Street - status check, South Flagg Street - preliminary subdivision, North Pond Estates - definitive subdivision, North Meadows - preliminary subdivision, Onandaga Street - remove portion from official map.

Regular Meeting - Room 209 - City Hall

Call to Order

Chairman Keaney called the meeting to order at 3:55 P. M.

Minutes of October 12, 1988

Mr. DeFalco moved that the minutes of October 12, 1988 be approved. Mr. Reynolds seconded the motion. The vote was unanimous.

Central Massachusetts Regional Planning Commission - land use recommendation

William Newton of the Central Massachusetts Regional Planning Commission presented

a report outlining the proposed growth management program for the Rt 9 corridor. It consisted of conclusions of Rt 9 corridor study, options for growth management in the corridor, Worcester master plan concepts relevant to RT 9, regional transportation review thresholds, flow chart for regional transportation review and a traffic impact report.

Mr. Newton stated that a member of the Planning Board should be appointed to the committee to discuss these matters together with the towns of Shrewsbury, Northborough and Westborough.

Mr. Reynolds volunteered to be the Board's representative.

Shrewsbury Street apartments - site plan review

Attorney Samuel R. DeSimone, representing Mount Carmel Housing, Inc., stated that it is proposed to construct one seven-story building containing 75 apartments on 43,500 sq. ft. of land located at Shrewsbury Street, Mulberry Street and Brackett Court. The 52 one-bedroom and 23 studio subsidized apartments will be rented to the elderly 62 years and older. There will be 60 off-street parking spaces provided. There will be one entrance/exit off Shrewsbury Street and two off Mulberry Street. The area is zoned manufacturing and a variance will be required for the use and for insufficient parking spaces. Presently, the post office employees use the lot for parking. They will be allowed to use the area closer to the recreation building.

Mr. Muenchmeyer stated that the Department of Public Works has reviewed the plans and the following comments are noted.

1. A sewer extension permit is required.
2. The proposed connections to the existing 48" x 72" combined sewer in Shrewsbury Street should be cored. Details should be submitted.
3. 12" diameter R.C.P. should be used for drain pipe.
4. Detailed hydraulic calculations should be submitted for a 25-year storm event.
5. A profile should be submitted for all sewer mains and catch basins.
6. Topographical contours should be shown based on City of Worcester datum.
7. Size, materials, lengths and slopes of all pipes should be shown.
8. Rim and invert elevations for all manholes and catch basins should be shown.
9. Details of 8" connections to sewer in Shrewsbury Street should be explained.
10. Plan should be stamped by a Registered Civil Engineer.
11. Details of proposed water connections to the building should be submitted.
12. The plan should have a locus.
13. Catch basin details should be submitted.
14. A ten-foot minimum distance should be maintained between water and sanitary sewers.
15. Driveway openings should be City of Worcester standard.
16. The plan should have a site identification number.
17. The plan should show spot elevations of proposed contours to indicate direction of drainage flow.
18. All manholes, catch basins and other appurtenances should be City of Worcester standard.

Mr. DeFalco stated that he is concerned about the insufficient parking spaces.

Attorney DeSimone replied that studies show that the proposed number of parking

spaces will suffice. Also, the city's traffic engineer stated the 60 parking spaces are sufficient for the proposed development.

Mr. Keaney questioned about parking for Leo's Restaurant.

Father Michael Bafaro, pastor of Mt. Carmel Church, stated that they have their own parking lot.

Mr. Keaney stated that consideration should be given to constructing a median strip in Shrewsbury Street to prevent vehicles exiting the development from making a left hand turn onto Shrewsbury Street.

Councilor Richard Bonofiglio stated that the Shrewsbury Street beautification committee has discussed this matter and it will be constructed in the very near future.

Mr. Reynolds stated that he is not convinced that the 60 parking spaces will be adequate. The required 75 spaces should be provided. Also, the visual impact of the building has to be considered regarding beautification of the area.

Gerry Pucillo of the Planning Office of the Diocese stated that the footprint of the building was rearranged many times and the proposed layout works the best.

Mrs. Sadowsky stated that the proposed greenery for the site will improve the area. The developer already has the backing of HUD for the finances.

Mr. Donahue stated that if a development is subsidized versus market rental, the number of parking spaces required for the former are usually less. Also, the Planning Board is only making a recommendation to the Zoning Board of Appeals which is not binding.

Mr. Keaney stated that there should be safe access with lighting between the parking areas on both sides of the church.

Mr. Reynolds moved that the Board recommend to the Board of Appeals the proposed development be approved if the following conditions are met.

1. Compliance with the requirements of the Department of Public Works.
2. The Mulberry Street access ways to be posted as one-way entrances and exits.
3. Safe access with lighting to be provided for pedestrian and vehicular traffic between the parking areas on both sides of the church.
4. If a traffic median strip is constructed on Shrewsbury Street, the developer should consider financially assisting the city if any costs are to be borne by the city.

Mrs. Sadowsky seconded the motion. The vote was unanimous.

Mr. Reynolds moved that the Board inform the Board of Appeals that it has some concern as to whether the provided parking is sufficient to accommodate all the uses in the immediate area and suggests the developer look at this in greater detail. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Franklin Street and Foch Avenue - request to waive site plan

Attorney Samuel R. DeSimone, representing the developer, stated that the Board

at its October 12, 1988 meeting allowed the petitioner to re-appeal to the Board of Appeals within the two-year statutory period. The revised plan is substantially the same as the previously approved plan with the exception that the number of units were reduced from 24 to 16 and the number of parking spaces reduced from 49 to 41.

Mr. Reynolds moved that the Board waive the site plan review process and re-affirm its recommendation to the Board of Appeals that the proposed development be approved. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Communication re frontage requirement waiver

Attorney Todd Rodman, representing the Telegram & Gazette, stated that it is requesting the Board to waive the frontage requirement for lot #2 located off Barber Avenue because the lot does not have the required frontage and it abuts an easement area. The petitioner can and will use said easement for vehicular traffic even though fee interest in the easement is not owned by the petitioner.

Mr. DeFalco moved that this request be referred to the Law Department for their opinion. Mrs. Sadowsky seconded the motion. The vote was unanimous.

South Flagg Street - preliminary subdivision and site plan review

Attorney Todd Rodman, representing the developer, stated it is proposed to construct seven single family homes on 2.07 acres of land located on South Flagg Street.

Mr. Muenchmeyer stated that the Department of Public Works has reviewed the plans and the following comments are noted.

1. Sewer extension permit will be required.
2. Detailed hydraulic calculations should be submitted for a 25-year storm.
3. Water and sanitary sewers, should be a minimum of 10 feet apart.
4. The proposed connections into South Flagg Street should be an 8" x 8" cut-in tee 2-way gated.
5. The development should be named for identification purpose.
6. Sidewalk and grass area should be 5 foot each.
7. Plans should specify method to be utilized for compacting fill area.

The Department of Public Works is also concerned about the proposed utilities being placed in the fill area. Also, Conservation Commission approval will be required because of the wetlands.

Attorney Rodman requested the Board that the preliminary subdivision plan be given leave to withdraw, the site plan application be tabled and the filing fee be waived when a new preliminary plan is submitted.

Mr. DeFalco moved that the requests be approved. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Mr. Keaney suggested that the developer seek Conservation Commission approval prior to filing a new preliminary plan.

Catalpa Circle - status review

Attorney John W. Spillane, representing the developer, stated that the developer has been trying to get financial aid from the bank but was turned down. The

immediate work that the Board requested to be done has not been done because of financial problems.

Councilor Raymond McGrath questioned the purpose of appearing before the Board.

Mr. Muenchmeyer replied that the city is holding a \$248,000 bond to guarantee construction of all the utilities and streets within the subdivision. Only the Planning Board can pull the bond to complete the work. The bond does not cover any work to be done outside the street line.

Mr. Keaney stated that the Board's conditions have not been addressed and something has to be done.

William Arruda, 24 Catalpa Circle, stated that the neighborhood is a disgrace to the city, the Board should pull the bond and pressure should be put on the developer to complete the development.

Richard Desrosiers, 26 Catalpa Circle, stated that the drainage system does not work, the lights are half done, the trash is not being picked up, had to bring in top soil and seed it to prevent erosion and questioned who will plow the streets in the winter months.

Mr. Muenchmeyer replied that it is the developer's responsibility to plow the streets until such time as the city accepts them as public ways. If the City Manager orders the streets to be plowed then the Department of Public Works will do it.

Mr. Keaney questioned if the city can empty out the dumpster for health reasons.

Attorney Traynor replied that the bond money cannot be used for such purposes. The city can have it emptied and a lien for the cost of such work can be placed on the property.

Mrs. Sadowsky suggested that Code Inspection and Health Department look into the situation and correct the problems.

Mr. Reynolds stated that he is not convinced the developer will complete the project and the bond should be pulled immediately.

Mr. Muenchmeyer replied that it will take time to pull the bond. Even if it is done, bids have to be requested from contractors to finish the necessary work within the street. Because of the closing of the asphalt plants, realistically no work will commence before the spring of 1989.

Mr. Reynolds stated that the city would not be in this situation if there would have been strong code enforcement.

Mr. Keaney stated that to pull the bond will not correct the problems that exist outside the street line.

Patrick Virerros, developer, stated that he is bankrupt and cannot finish the job. Also, the housing market has dropped and the homes are not selling as before.

Mr. Keaney suggested that the Board inform the bank of its concerns and that the bank reconsider refinancing this project to protect the public health and safety of the citizens of Worcester.

Mr. DeFalco moved that the Board send a letter to the bank as suggested by Mr. Keaney. Also, to notify various city boards to empty out the dumpster. Mrs. Sadowsky seconded the motion. The vote was three in favor with Mr. Reynolds abstaining.

Barry Hollow - request to waive subdivision control regulations

Arthur L. Bouley, engineer, requested the Board waive the Subdivision Control Regulations by reducing the street right-of-way at 3 Dick Drive from 50 feet to 40 feet. The 10-foot strip would be retained by the developer who resides at 3 Dick Drive but would give the city an easement for street purposes. The reason for the request is to avoid moving the entire existing house by two feet.

Mr. DeFalco moved that the Board approve the request. Mr. Reynolds seconded the motion. The vote was unanimous.

North Meadows - preliminary subdivision and site plan review

Ronald Pica, engineer, stated it is proposed to construct 33 single family homes on 9.9 acres of land located off Clark Street. There will be two entrance/exits from the development into Clark Street. The grades of the streets will be 7.5% and 2.4 to 2.6% at Clark Street. The proposed road will cross a brook. There will be some retaining walls built. On-site drainage will be taken care of by means of swales.

Mr. Muenchmeyer stated that the Department of Public Works has reviewed the plans and the following comments are noted.

1. A sewer extension permit is required.
2. Size, length, type of material and slope of all pipes should be shown.
3. Water and sanitary sewers should be a minimum of 10 feet apart.
4. Lot numbers should be shown on plan.
5. All sanitary and surface connections should be to the sewer lines.
6. Easements are necessary for all sewers not in the street area.
7. All catch basins should be shown on profile.
8. V.C. pipe basins should be used for all catch basin connections.
9. Minimum slope of sewer mains should be 0.005 and for connections 0.016.
10. Where sewer line is built in fill area the type of material and method of compaction should be indicated.
11. Provide a profile for all sewers proposed.
12. Additional detail of hydraulic calculations are necessary.
13. Filing with Conservation Commission required.
14. Drainage swales not City of Worcester standard.
15. Catch basins on private property not acceptable.
16. Outside manhole drops should be clearly shown.
17. Catch basins should be located at beginning of curve section.
18. Show calculations for vertical curve and sight distance.
19. The proposed water main shall be 8" D.I.C.L. Class 52.
20. The water main layout in the cul-de-sac is not acceptable.
21. The 8" x 8" tee for the cul-de-sac shall be 3-way gated.
22. Typical house water service shall be 1 inch P.E. 3408 tubing or 1 inch type K copper.

23. Proposed connections shall be 12" x 8" cut in tees. The one near Tacoma Street shall be 2-way gated, the one nearest Gothic Avenue shall be 3-way gated.
24. Sanitary and surface sewer connections to houses shall be a minimum of 6".
25. Each house must have a separate drainage connection to the main sewer.
26. Clark Street should be properly located on the plan.
27. The plans should be specifically designated as "preliminary."
28. All slopes exceeding 2-1/2 to 1 will require slope protection.

Mr. Muenchmeyer stated that he is concerned the development is within the 100-foot buffer area of the wetlands and questioned if Conservation Commission approval has been received.

Mr. Pica replied that approval from the Commission will be requested but needs preliminary approval from the Planning Board.

Mr. Hammond stated that the development is within the Poor Farm Brook area, crossing of the brook should not be permitted, the severe grade of the site and unstable soil conditions will be strong factors during construction, access points are not correctly aligned and the retaining walls require careful design and construction. The plan should be altered/modified to provide more open space or, in its current form, be denied.

Mr. Keaney stated that too many faults exist with the proposed plan. The Conservation Commission should be approached for their input.

Mr. Pica stated that the developer can request approvals from other boards and then submit definitive plans for Planning Board approval.

Mr. Keaney replied that this is possible but there is too much concern about Poor Farm Brook.

Mr. Pica then requested the Board to extend its statutory review period.

Mr. Donahue replied that the Planning Board has 45 days to approve or disapprove a preliminary plan and that the period cannot be extended.

Mr. Pica then requested the Board give leave to withdraw to the application for preliminary subdivision approval and to waive the filing fee when a new application is filed in the future. Also, to table the site plan review application.

Mr. DeFalco moved that the Board approve the requests. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Mr. Keaney suggested to the developer that he seek approval from the Conservation Commission prior to filing a new preliminary plan.

Fourth Street - status review

Mr. Donahue stated that this item was for a status check on the developments in the area and no action is required by the Board.

Scenic Heights - tree requirement
Rosewood subdivision - tree requirement

Mr. Donahue stated that these two items are the same development and should be discussed together.

Mr. Donahue stated that the developer of this subdivision has requested the Board information regarding the planting of trees within a development. The Subdivision Control Regulations state that the trees be planted within the right-of-way and forty feet apart. Upon the recommendation of the Department of Public Works, the Board has required trees be planted five feet back of the sidewalk on private property and one tree per lot. The developer has requested the Board to waive its regulations and allow the planting of one tree per lot on private property.

Mr. Reynolds moved that the Board approve the request. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Valmor Street - petition to repair private section

Mr. Donahue stated that a petition was filed with the City Council to have Valmor Street repaired of all the washouts until such time as the street is made public. The Public Works Committee has held a hearing to make it public. The City Council referred it to the Board instead of to the Public Works Committee.

Mr. Reynolds moved the petition be sent back to City Council recommending it be referred to the Public Works Committee. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Gates Road-Gates Circle - accept as public - reduce bond

Mr. Donahue stated that the developer of this subdivision has requested the Board for a reduction of the bond being held by the city and has petitioned to have the streets accepted as public.

Mr. Muenchmeyer recommended that the bond be reduced by \$70,000 and to accept the streets as public ways. A separate bond must be posted in the amount of \$5,000 for each lot where house construction has not been completed for reconstruction of said streets. There are 14 uncompleted lots at \$5,000 per lot equals \$70,000.

Mr. Reynolds moved that the Board reduce the amount of bond from \$104,000 to \$34,000 and a separate bond of \$70,000 for the uncompleted lots. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Mr. Reynolds moved that the Board recommend to the City Council acceptance of Gates Road for a distance of 1,437 feet and Gates Circle for a distance of 408 feet, *as public ways.* Mrs. Sadowsky seconded the motion. The vote was unanimous.

Parsons Hill - take portion of bond

Mr. Muenchmeyer stated that a city crew made water service repairs at 32 Parsons Hill Drive. The city is holding \$15,000 in escrow in case of such emergencies. The Department of Public Works is requesting the Board release \$3,461 from the escrow account to cover the cost of repairs.

Mrs. Sadowsky moved that the Board authorize the Law Department to recover the

money for services rendered by the city and to deposit said amount in DPW Account #72583. Mr. DeFalco seconded the motion. The vote was unanimous.

Salisbury Street - comprehensive permit

Mr. Donahue stated that the Board at its September 3, 1986 meeting recommended to the Board of Appeals approval of the Comprehensive Permit for the construction of 72 units for the elderly entitled "Illyrian Gardens" to be located off Salisbury Street. The Board of Appeals at its meeting approved the request and the abutters appealed to the courts. The court remanded the case back to the Board of Appeals. The plan is the same as previously approved.

Mr. DeFalco moved that the Board reply to the Board of Appeals re-affirming its previous recommendation. Mrs. Sadowsky seconded the motion. The vote was unanimous.

12 $\frac{1}{2}$ George Street - MIFA

Mr. Donahue stated that the Lutheran Service Association of New England, Inc. proposes to purchase land and building at 12 $\frac{1}{2}$ George Street to provide human services to citizens in need. In order for the applicant to submit an application for a Certificate of Convenience and Necessity to the Massachusetts Industrial Finance Agency in connection with the proposed issuance of a \$897,472 bond, the Board has to make a determination if the proposed project is in conformance with the Worcester Master Plan. The area is zoned commercial, the proposed use is allowed in this zone and is in conformance with the Master Plan.

Mr. Reynolds moved that the Board notify the Massachusetts Industrial Finance Agency that the proposed project is in conformance with the Worcester Master

Plan. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Massasoit Village Phase II - reduce bond

Mr. Donahue stated that the developer of this subdivision has requested the Board for a reduction of the bond being held by the city for Phase II of Massasoit Village.

Mr. Muenchmeyer recommended that the bond not be reduced because one of the conditions of definitive subdivision approval required that certain aspects of the project remain the responsibility of the developer. The necessary documentation and deed restrictions have not been submitted to the Department of Public Works. Also, the developer has agreed to pave curb to curb that section of Massasoit Road cut for his utility connections, which has not been accomplished.

Mr. DeFalco moved that the Board deny the request as recommended by the Department of Public Works. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Oak Grove Estates - drainage changes

Mr. Muenchmeyer stated that in the original approval of the subdivision it was proposed to install a detention pond on-site to control the flows emanating from the site. A subsequent proposal by the developer included the elimination of the pond and to discharge the surface water to lands on the east side of Grove Street.

Permission from the property owners affected by this proposal was necessary but not received. The latest proposal is to install an underground detention

facility to handle the surface water and the Department of Public Works agrees conceptually to the proposal subject to submission of final detail plans.

Mr. Donahue stated that this was up-to-date information regarding drainage within this development and no action is required by the Board.

The Grove - reduce bond

Mr. Donahue stated that the developer of this subdivision has requested the Board to reduce the amount of bond being held by the city.

Mr. Muenchmeyer recommended that the bond be reduced by \$24,000.

Mr. Reynolds moved that the Board reduce the amount of bond from \$59,000 to \$35,000 of which 10% must be in cash. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Oak Knoll - accept as public

Mr. Donahue stated that this portion of Oak Knoll, from Hilltop Circle northerly to end of street, was constructed under the Subdivision Control Regulations, the bond was released in 1968 but the street was never decreed.

Mrs. Sadowsky moved that the Board recommend to the City Council acceptance of Oak Knoll as a public street. Mr. Reynolds seconded the motion. The vote was unanimous.

Date of Next Meeting - December 14, 1988.

Plans to be Ratified

Mrs. Sadowsky moved that the following plans be ratified. Mr. Reynolds seconded the motion. The vote was unanimous.

- 3901 - plan of land on Burncoat Street, owned by M J Casa Development Trust,
signed 10/28/88
- 3902 - plan of land on Stafford Street & Curtis Parkway, owned by M J Casa
Development Trust, signed 10/20/88
- 3903 - plan of land on Pleasant Street, owned by Builders Association of Central
Mass., Inc., signed 10/20/88
- 3904 - plan of land on Millbrook Street, owned by Fifty-Five Millbrook Trust,
signed 10/25/88
- 3905 - plan of land on Waban Avenue & Pine Hill Road, owned by John B. & Norma T.
Faticanti, signed 10/28/88
- 3906 - plan of land on Steele & Whipple Streets, owned by Felix S. & Elsa
Granata, signed 10/28/88
- 3907 - plan of land on Southwest Cutoff, owned by Ancona Co., signed 10/28/88
- 3908 - plan of land on Plantation Street & Wigwam Hill Drive (2 plans), owned
by George N. Hayeck, signed 11/7/88
- 3909 - plan of land on Plantation Street & Terrace, owned by John J. D'Iorio,
signed 11/7/88
- 3910 - plan of land on Dixfield Street, owned by L & I Enterprises, Inc.,
signed 11/7/88
- 3911 - plan of land on Orono Street, owned by Linda M. Perreault, signed 11/7/88
- 3912 - plan of land on Stonegate Lane & Eleanor Drive, owned by Security Homes,
Inc., signed 11/7/88
- 3913 - plan of land on Belcourt & Taconic Roads, owned by Lakeview Estates,
signed 11/7/88

- 3914 - plan of land on Polito Drive & Saybrook Road, owned by Amanda T. Gentile, signed 11/16/88
- 3915 - plan of land on Granite, Derby & Houghton Streets, owned by Philip R. & Elaine C. Anas, signed 11/16/88
- 3916 - plan of land on June Street, owned by Robert Kyes & Barbara Roach-Kyes, signed 11/16/88
- 3917 - plan of land on Brooks Street, owned by Kevin Dunlevy, signed 11/16/88
- 3918 - plan of land on Wyola Drive, owned by Paul Mahan, signed 11/16/88
- 3919 - plan of land on Gates & Illinois Streets, owned by Stephen H. Schneider et al, signed 11/16/88
- 3920 - plan of land on Fourth Street (lots 2 & 3), owned by R. H. Gallo Builders, signed 11/16/88
- 3921 - plan of land on Fourth Street (lot 4), owned by R. H. Gallo Builders, signed 11/16/88
- 3922 - plan of land on Sherer Trail, owned by James J. & Joyce D. Tellier et al, signed 11/16/88
- 3923 - plan of land on Pleasant & Hudson Streets, owned by Worcester Housing Authority, signed 11/16/88
- 3924 - plan of land on Chatham & Crown Streets, owned by Benjamin E. Abrams et al, signed 11/16/88.

Any Other Business

Moreland Green subdivision Phase I - set bond and release covenant

Attorney Todd Rodman, representing the developer, requested the Board to set the amount of bond and release the covenant for Phase I of this subdivision.

Mr. Donahue stated that no written request has been submitted to the Board so that the Department of Public Works has not determined the amount of bond for all the work to be done. No building permits can be obtained until such time as the bond is posted. The Board can approve the amount of bond required as to be set by the Department of Public Works, release the covenant and ratify the vote at its next meeting.

Mr. Reynolds stated that the Board would be setting a precedence and should wait until the amount is determined.

Mr. Keaney replied that the Board has done this on previous occasions.

Mrs. Sadowsky moved that the Board approve the amount of bond to be set by the Department of Public Works to do all the required work as outlined in the Sub-division Control Regulations. Mr. DeFalco seconded the motion. The vote was three in favor with Mr. Reynolds abstaining.

Mr. DeFalco moved that the Board release the covenant for Phase I of this sub-division after the bond is posted. Mrs. Sadowsky seconded the motion. The vote was three in favor with Mr. Reynolds abstaining.

Ellis Estates - accept covenant

Attorney Jonathan Finkelstein, representing the developer, requested the Board to approve a covenant instead of a bond to guarantee construction of all utilities, streets, sidewalks, lights and planting of trees within said development.

Mr. Reynolds moved that the Board accept a covenant restricting the sale of, or building upon, the lots within this subdivision until such time as the requirements of the Subdivision Control Regulations are met. Mr. DeFalco seconded the motion. The vote was three in favor with Mrs. Sadowsky abstaining.

Dalton Street - priority

Mr. Donahue stated that Dalton Street, from Grafton Street to Sunderland Road, has water, sewers, width of 50 feet, built up 100% and rates a #1 priority.

Mr. Reynolds moved that this street be given a #1 priority. Mr. DeFalco seconded the motion. The vote was unanimous.

Marchen Drive - priority

Mr. Donahue stated that Marchen Drive, from Brattle Street easterly, has water, no sewers, width of 50 feet, built up 60% and rates a #5 priority.

Mr. Reynolds moved that this street be given a #5 priority. Mr. DeFalco seconded the motion. The vote was unanimous.

Recess

Chairman Keaney recessed the meeting at 5:45 P. M.

Public Hearings - Training Room - City Hall

Chairman Keaney called the meeting to order at 7:30 P. M.

Onandaga Street - remove portion from official map

Mrs. Sadowsky read the notice of the public hearing on the petition of Shirley V. Scola to remove a portion of Onandaga Street, from Osceola Avenue westerly 100 feet, from the Official Map of the City of Worcester.

Mr. Keaney then asked for the proponents.

Attorney Vito A. Virzi, representing the petitioner, stated that this area was used as a dumping grounds but the petitioner cleaned it up and is preventing dumping on the site.

Richard Lambert, 102 Osceola Avenue, stated that the cleanup of all the debris on this site improved the area considerably.

Mr. Keaney then asked for the opponents of which there were none.

Mr. Keaney then declared the hearing closed.

Quinsigamond Place - remove portion from official map

Mrs. Sadowsky read the notice of the public hearing on the petition of John F. McHugh to remove Quinsigamond Place from the Official Map of the City of Worcester.

Mr. Keaney then asked for the proponents.

Raymond Foley stated that this portion of the street is a dead end street, it is being used for dumping debris and is of no use to anyone except for the petitioner.

Mr. Keaney then asked for the opponents of which there were none.

Mr. Keaney then declared the hearing closed.

Athens Street - remove portion from official map

Mrs. Sadowsky read the notice of the public hearing on the petition of Rose Marie Harris to remove Athens Street, from Plantation Street to Rosemary Street, from the Official Map of the City of Worcester.

Mr. Keaney then asked for the proponents.

Rose Marie Harris, petitioner, stated that she bought the property at 6 Amanola Avenue about four years ago. The lot is bounded by Amanola Avenue, Rosemary Street and Athens Street. It is intended to put in an inground pool and utilize some of the land if Athens Street, a private way, is removed from the map.

Mr. Keaney then asked for the opponents.

Attorney Seymour Weinstein, representing George Hayeck who owns a large vacant parcel of land known as "Crow Hill," stated that he is opposed to the petition because it will cut off access to a major street, Plantation Street. A plan drawn 20 years ago is on file to develop this site. It is one of the few large sites left in the city for development. The petitioner is requesting for removal because an existing block garden house was built partially into the right-of-way of Athens Street.

Mr. Keaney questioned if Mr. Hayeck is a party of interest if his property does not abut the petitioned area.

Mr. Donahue replied that he is unsure of it.

Mr. DeFalco stated even if the petitioned area is removed from the map, there would be access to the site by adjoining streets.

Attorney Weinstein replied that the traffic from the proposed development would then have to travel through more residential neighborhoods. In the near future a plan for developing this site will be submitted to the Board for their review.

Mr. Keaney then declared the hearing closed.

Illinois Street - definitive more than one building and site plan review

Mrs. Sadowsky read the notice of the public hearing on the application of Candlewood Farms Trust for approval of a plan showing more than one residential building on a lot located at 63-67 Illinois Street in Worcester.

Mr. Keaney then asked for the proponents.

Paul LaCaba, developer, stated that it is proposed to construct one building containing 10 dwelling units on land located on Illinois Street. The existing front three-decker will be moved from the site and the rear three-decker will remain and be attached to the proposed building creating a total of 13 units.

A license for the garage and surface parking was granted on April 30, 1988.

Mr. Reynolds questioned how parking in front of the garage was permitted when there will be cars inside the garage.

Mr. LaCaba replied that it was approved outright by the License Board.

Mr. Keaney then asked for the opponents.

Stephen O'Connor, 81 Illinois Street, questioned how close will be the proposed building to his building.

Mr. LaCaba replied that the footprint will be the same as the existing building.

Mr. Keaney then declared the hearing closed.

North Pond Estates - definitive subdivision

Mrs. Sadowsky read the notice of the public hearing on the application of 14 Holden Street Realty Trust for approval of a subdivision entitled North Pond Estates to be located at 14 Holden Street in Worcester.

Mr. Keaney then asked for the proponents.

Arthur L. Bouley, engineer, stated it is proposed to subdivide 3.2⁺ acres of land located on Holden Street into six single family house lots. Two of the lots have frontage on Holden Street and four lots will be developed under the Subdivision Control Regulations. The proposed street including a cul-de-sac will be 350 feet long. It is requested that the Board waive its regulations

by allowing to construct an island within the cul-de-sac. There will be no surface water drainage into the lake and will be discharged into the sewer in Holden Street. The Conservation Commission approved the development with a condition that no work be done within 20 feet of the shore line.

Mr. Keaney then asked for the opponents.

Catherine Lund, 18 Holden Street, questioned how many homes are to be built.

Mr. Bouley replied five new ones and reconstruct existing building.

Mrs. Lund stated that the previous owners had the right to build only one house on the lot.

Mr. Keaney then explained what can be done under the Subdivision Control Regulations.

David Donahue, developer, stated that he had agreed with the former owners to build on half the site but they changed their minds and sold him the entire lot.

Donald Nelson, 24 Holden Street, stated that a subdivision cannot be started until all approvals have been received.

Mr. Donahue replied that he has the permits to renovate the existing building and to build two more homes on lots abutting Holden Street.

Mr. Nelson stated that the proposed street has been roughed out and a lot of

loam has been moved around the site. The Zoning Ordinance allows earth moving only if it is incidental to construction of any structure for which a building permit has been issued. The Planning Board has to approve the definitive subdivision plan and a covenant or bond has to be posted by the developer prior to any work being done within the proposed street.

Mr. Keaney agreed that site work for the proposed street is in place.

Mr. Muenchmeyer stated that the Department of Public Works has reviewed the plans and the following comments are noted.

1. The proposed sewer easement along Holden Street should be separated for sewer and other utilities. The sewer easement should be a minimum of 20 feet in width.
2. Sidewalks are proposed only on one side of North Pond Road.
3. The island proposed in the cul-de-sac is not standard.
4. Holden Street should be properly located on the plans.
5. The ownership of lot "A" should be properly defined.
6. Notice of Intent should be filed with Conservation Commission.
7. Details of proposed ejector pumps should be submitted.
8. All buildings will require surface sewer connections.
9. The plan should show type and size of all connections.
10. The proposed water main should be installed directly into Holden Street at North Pond Road.
11. Surface sewer line should be 15 inches in diameter, not 12 inches as shown.
12. All catch basins should be connected at the shelf elevation and in the direction of flow of the surface sewer line.

The developer has City Council approval to run some of the lines across Holden Street and onto his own property.

Mr. Keaney questioned of the Department of Public Works is in agreement there are no violations existing.

Mr. Muenchmeyer replied only as far as the water and sewer work that was done.

Ronald Stultz, 16 Holden Street, stated that there is water runoff onto his property and the developer is grading on his property.

Mr. Donahue replied that the lot was surveyed and is not trespassing on abutters properties.

Alice Taylor, 44 Holden Street, questioned the size of the lots and description of the houses to be built.

Mr. Donahue replied the Zoning Ordinance requires 10,000 square feet per lot but his lots will average from 15,090 to 25,470 square feet. The homes will be architecturally designed and sell for \$300,000 area.

Emily Smith, 57 Holden Street, stated that Holden Street was recently repaved and the patch work that the developer has made is really bad.

Mr. Muenchmeyer replied that Holden Street will have to be repaved to its original condition at the developer's expense.

Mr. Nelson stated that the proposed street is close to a curve in Holden Street and predicts a lot of accidents will occur. The lot sizes in the area are quite large, one and two acre lots, and should remain that way. Indian Lake was recently cleaned up and should be preserved.

Allen Smith of North Worcester Preservation Society stated that there are artifacts located at the site, certain bird species have been seen in the area, steps should be taken to preserve Indian Lake and the Massachusetts Historic Commission should be contacted to investigate the situation.

Mr. Bouley replied that they were contacted but no response has been received as of today.

Mr. Keaney questioned if the Conservation Commission has issued any orders of conditions regarding the proposed development.

Mr. Bouley replied that the Commission had ruled that no work can be done within 20 feet of the lake but does not have a copy of the order because the hearing was held two days ago.

Mr. Stultz stated that only three homes should be built on the lot and the rest of the land be sold to him.

Richard Graham, 26 Holden Street, stated that he is concerned about the location of the proposed road versus the closeness of the curve in Holden Street and the safety of the children that walk in Holden Street.

Mr. Hammond questioned the usage and easements involved with Lot A.

Mr. Donahue replied that that area might be used as a boating ramp and will be part of Lot 3 with an easement granted to the future homeowners.

Mr. Hammond stated that a special permit from the Board of Appeals might be required for said usage.

Mr. Muenchmeyer stated that he is concerned about the island within the cul-de-sac. If it is destroyed in the winter months the city will have to repair it after the street is accepted as a public way. A waiver will be needed from the Board because only one sidewalk is proposed and a waiver from the City Council to place the electric poles on private property.

Mr. Francis Donahue then explained the steps to be taken if the definitive subdivision plan is approved.

Mr. Keaney then declared the hearing closed.

Samoset Road - remove portion from official map

Mrs. Sadowsky read the notice of the public hearing on the petition of Robert Roy to remove a portion of Samoset Road from the Official Map of the City of Worcester.

Mr. Keaney then asked for the proponents.

Robert Roy, petitioner, stated it is requested to remove the wedge shaped portion

of Samoset Road abutting his property so that a fence could be erected to prevent any future dumping on said site. This parcel has been an eyesore and a problem to the city and the neighborhood.

Mr. Keaney stated that Edmond Croteau of 99 Kenberma Road has written a letter in opposition to the petition.

Mr. Roy stated that he is petitioning to remove that portion of the street that abuts his property.

Mr. Keaney then asked for the opponents.

David Holleyer stated that he is building some homes on Samoset Road, has a permit to extend the sewer and water lines through the petitioned area and would not object to the petition if he is allowed to make the connections.

Mr. Muenchmeyer replied that there would be an easement running through this property if the street is removed from the map.

Mr. Keaney then declared the hearing closed.

Regular Meeting - Room 209 - City Hall

Call to Order

Chairman Keaney called the meeting to order at 10:00 P. M.

Items of Public Hearing

Onandaga Street - remove portion from official map

Mr. Reynolds moved that the Board remove a portion of Onandaga Street, from Osceola Avenue westerly 100 feet, from the Official Map of the City of Worcester. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Quinsigamond Place - remove portion from official map

Mr. Muenchmeyer stated that the state is proposing to widen Rt 146 and that there are many proposals to do the work. One of the proposals calls for a new Rt 146 to be constructed within this area. The city should wait to see what plans are recommended by the state.

Mrs. Sadowsky moved that this item be tabled as recommended by the Department of Public Works. Mr. Reynolds seconded the motion. The vote was unanimous.

Athens Street - remove portion from official map

Mr. DeFalco questioned if Mr. Hayeck is a party of interest since his land does not actually abut the petitioned area.

Mr. Donahue replied that he was unsure of this and recommended it be referred to the Law Department for an opinion.

Mrs. Sadowsky moved that the Board request the Law Department as to whether the owner (Mr. Hayeck) qualified as a party of interest under the statute. Mr. DeFalco seconded the motion. The vote was unanimous.

Illinois Street - definitive more than one building

Mr. Muenchmeyer stated that the developer has been working with the Department

of Public Works and all the suggested changes by the Department of Public Works meet their requirements.

Mr. DeFalco moved that the Board give definitive approval to the proposed development to be located at 63-67 Illinois Street subject to the following conditions.

1. Satisfying the requirements of the Department of Public Works regarding the drainage of the development and other engineering matters.
2. Satisfying the requirements of the Department of Public Health.
3. Compliance with the Subdivision Control Regulations and City of Worcester standards and specifications.

Mr. Reynolds seconded the motion. The vote was unanimous.

North Pond Estates - definitive subdivision

Mr. Reynolds stated that in its letter of August 31, 1988, the Office of Planning and Community Development recommended the plan be denied for various reasons. They also stated that the developer is in violation of the Zoning Ordinance by moving so much earth not incidental to the permit issued to renovate the existing building.

Mr. Hammond stated that he does not know if Code Inspection has viewed the site and made its determination.

Mr. Keaney agreed that a lot of work has been done not incidental to the permit issued and suggested that the Board deny the definitive plan.

Mr. Donahue stated that he has conferred with Mr. Koontz and was informed that no problems exist.

Mr. Reynolds stated that the Code Commissioner be requested to submit his decision on the earth excavation and to address the points brought out by the Office of Planning and Community Development regarding violations of the Zoning Ordinance.

Mrs. Sadowsky stated that the Conservation Commission orders of conditions should also be received by the Board.

Mr. Muenchmeyer stated that the Department of Public Works needs details of the ejector pump and explanation of the ownership, rights and usage and easements involved with Lot A.

Attorney Traynor stated conditions should be drawn up relating to the access to Lot A.

Mr. Keaney stated that the conditions be drawn up by the developer's attorney.

Mr. Muenchmeyer stated that he does not recommend acceptance of the island within the cul-de-sac for safety and maintenance purposes. If it is approved, the homeowners should be responsible for the maintenance.

Mr. Reynolds moved that this item be tabled until its next meeting and all the various departments and commissions be requested to submit their findings on this matter. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Samoset Road - remove portion from official map

Mr. DeFalco moved that the Board request the Law Department to review the objection brought out at the public hearing by a property owner abutting this street, but not the section to be removed, as to whether the owner qualifies as a party of interest under the statute. Mrs. Sadowsky seconded the motion. The vote was unanimous.

Adjournment

Chairman Keaney adjourned the meeting at 10:55 P. M.