

Minutes
Worcester Planning Board
December 15, 1993

Planning Board Members Present: John Reynolds
George Russell
Joan Bagley
Joseph Sova
Joseph McGinn

Staff Present: James Fasser, OPCD
Karen L. Sherman, OPCD
Michael Traynor, Law Department
Ralph Saarinen, DPW
David Holden, Code Commissioner

View: 2:00 p.m.
Dinner Break: 4:30 p.m.
Regular Meeting: 5:30 p.m., City Council Chambers

1. **Call to Order:** Chairman Reynolds called the meeting to order at 5:30 p.m. He noted that as a matter of courtesy, he would be moving the Lake Street petition up on the agenda after the first two public hearing items, to be followed by the Country Club item and then item #10.

2. **Approval of Minutes:** The Board unanimously voted to approve the minutes of November 17, 1993. The MOTION was made by Joan Bagley and seconded by Joseph Sova.

3. **Public Hearing Items:**

727 Franklin Street - Frontage Waiver: Jef Fasser noted that a form B-2 Definitive Subdivision Application had been filed. He also noted that the petitioner had requested a continuance on this item in order to request the necessary waivers to the Subdivisions Regulations in writing. George Russell made a MOTION to continue the hearing until January 12, 1994. Joan Bagley seconded the motion and the Board voted unanimously to approve.

717 Plantation Street - Special Permit: Sherman presented a letter from Custom Coating indicating that they would like to withdraw their petition in order to submit an application under a different section of the Zoning Ordinance in the near future. The Board accepted the request without prejudice.

181 Lake Street and 2 Nonquit Street - Zoning Map Amendment: Ralph Aramondo, President of the Italo-American Professional and Business Men's Club, Inc. located at 231 Lake Avenue reiterated the petition, explaining that as a for-profit organization, the club

was seeking to change the zoning in the area in order to bring pre-existing uses into conformance with the City's Zoning Ordinance. He noted that other business owners in the proposed area of change has supported the petition as well.

Numerous neighboring residents spoke against the petition, stating that it would adversely affect the neighborhood through traffic as well as potential commercial uses. A petition signed by approximately 70 people was submitted to the Board to that affect. Additionally, a letter of opposition was submitted from Nick Pepper, a Lake Quinsigamond Commissioner, stating potential environmental degradation as well as adverse traffic impacts as cause for recommending denial. Councilman Perotto also spoke against the petition, stating that neighborhood values might be adversely impacted by any change.

Joan Bagley made a MOTION to close the public hearing. The motion was seconded by George Russell and the Board voted unanimously to approve the motion. Joan Bagley then made a MOTION to recommend denial of the petition based upon the impact to the neighborhood, the proximity to neighboring parks, as well as traffic conditions in the area. Mr. Russell seconded the motion and the Board voted unanimously to approve.

Lincoln Street and Country Club Boulevard: Atty. Sam DeSimone, representing the petitioners (owners of 560 Lincoln Street), explained that the present strip mall had been permitted by a variance in the past. In order to rent the facility to commercial users and bring the uses into compliance, the zoning map would need to be amended. This proposed amendment to the Zoning Map is an extension of an abutting business zone. No parties voiced any opposition.

George Russell made a MOTION to close the public hearing. Joseph Sova seconded and the Board voted unanimously in favor. Joseph Sova then made a MOTION to recommend approval of the petition to amend the zoning map in the area from RS-7 to BG-3.0 as requested. Joan Bagley seconded the motion and the Board voted unanimously in favor of the motion.

4. 495 Shrewsbury Street - Parking Lot Approval: Discussion regarding potential conditions of approval included the following conclusions which will be addressed by the petitioner prior to the next meeting of the Board: The lot should be sealed and re-stripped and a note added to the site plans to indicate such and a five foot vegetated buffer is to be established on Plantation Street as well as to buffer abutting residents on Warden Street. The details of the proposed landscaping should be to the specifications of OPCD staff. The item was continued until the next meeting.

5. Pond View Acres - Definitive Subdivision Approval/Site Plan Approval: Saarinen expressed concerns raised by DPW in their letter dated December 2, 1993. George Russell expressed concern over the requested waivers. Reynolds asked the petitioner whether any of the waivers were necessary for approval of the plans without revisions. The petitioner responded that the

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proposed waiver regarding the street line at the intersection of Brookline and Gray's Circle is necessary in order to avoid obtaining an easement from an abutter.

Sherman presented the Board with a draft Conditional Approval letter, expressing the general and specific conditions of approval for Pond View Acres as proposed in revised site plans. Michael Traynor suggested a further condition regarding the petitioner's legal interest in Brookline Street and their expressed intent to improve a portion of the street and provide utilities which will be made public in the future upon Council action.

Joan Bagley made a MOTION to approve Conditional Definitive Approval of Pond View Acres subdivision with the six (6) conditions noted in the draft letter from Stephen O'Neil, OPCD Director to the petitioner presented to the Board as well as the additional condition suggested by Traynor. The conditions established include the requested waivers as corrected by staff. Joseph Sova seconded the motion and the vote in favor was unanimous.

6. 831 Millbury Street: Atty. John Allen, III presented a package of supplemental information for the Board based upon questions asked at the November meeting. Information on other licensed sites in Massachusetts, radiation levels and suggested screening techniques was presented as well as a state Department of Health Radiation Control Program permit. An FCC permit is pending.

Based upon this supplemental information, George Russell made a MOTION to approve the application, with the following conditions: 1. The dish should be painted an off-white color to match the side of the building, 2. The rear of the antenna will be enclosed to provide a smoother surface, and 3. Fast growing pine trees should be planted along the property line to screen sight lines. Joseph Sova seconded the motion and the Board voted unanimously in favor.

7. 257 Pleasant Street: On a MOTION by Joan Bagley, seconded by George Russell, the Board voted unanimously to deny the application based upon insufficient information. The project involved conversion of a five-story apartment building into a forty-eight unit lodging house at 257 Pleasant Street with off-site parking.

8. 28 Cataract Street - Site Plan Approval: Joseph McGinn made a MOTION to approve the application with the following conditions: 1. Installation of proper erosion control measures, 2. Stabilized slopes and established vegetation prior to occupancy, and 3. Sewer tie-in to Monica Street at the specifications of DPW. The motion was seconded by Joseph Sova and the Board voted unanimously in favor.

9. Hope Avenue and Webster Street: George Russell made a MOTION to approve the site plan approval petition with the following conditions: 1. Parking lot landscaping should be provided to the specifications of OPCD staff, 2. A divider should be provided within the parking lot to separate ingress from egress on both Hope Ave. and Webster Street accesses to the site, 3. Parking lot striping should be provided, and 4. the five conditions set in Public Works' letter dated December 6, 1993 must be met to the satisfaction of DPW staff. Joseph Sova seconded the motion and the Board voted unanimously in favor.

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10. 135 Brooks Street: Atty. Lawrence Brodeur, representing National Amusements, made a brief presentation of the request by National Amusements to demolish an existing facility and construct a fourteen cinema 4,000 seat complex at 135 Brooks Street. Representatives from Beals and Thomas (Landscape Architects) and Vanasse and Associates, Inc. (Transportation Engineers) presented site plans and addressed landscaping, on- and off-site signage, lighting, internal circulation and proposed street improvements. Saarinen noted that the intersection of Ararat Street and Brooks is dangerous and any widening would require further land acquisition by the City. He noted that pre- and post-development runoff calculations need to be clarified for Public Works review. Brodeur noted that the project falls within MEPA threshold for review and that an Environmental Notification Form will be filed with the Executive Office of Environmental Affairs in January for comment. National Amusements presented an overview of their anticipated hours of operation.

Many abutters spoke and raised concerns regarding local traffic impacts, the existing Little League field on Ararat Street, on-street parking, public safety, hours of operation, and access from I-190. Councilor Patton suggested to the Board and to residents that he would be willing to facilitate a community meeting with the consultants, petitioners, and residents. The petitioner requested that the meeting be continued until the second meeting in January (1/26) and the Board agreed.

12. 19 Glennie Street: Joseph Sova made a MOTION to approve the site plan application based upon the plan as revised December 13, 1993. Joan Bagley seconded the motion and the Board voted unanimously to approve the application. The petition involves the licensing and expansion of a pre-existing parking lot at 19 Glennie Street.

13. 61 Pearl/55-65 Pleasant Street - Parking Lot Approval Amendment: Tim Sears, representing Northeast Savings, presented the proposed amendment. Joseph McGinn made a MOTION to approve the amendment as requested. Joseph Sova seconded the motion and the Board voted unanimously in favor of the amendment.

14. 50 Southwest Cutoff - Parking Lot Approval: The Chairman noted that he had requested that OPCD staff prepare a summary of the petition's background. The petition was re-advertised on December 1, 1993. Reynolds noted that the petition has been substantially changed since its initial submission in 1992 and that he has concerns over the issue of an assumed "grandfathered" zoning status based upon a prior ANR plan. Discussion over these issues with the petitioner, Board members and Michael Traynor resulted in a resolution to continue the item until the next meeting in order to clarify zoning issues with the Code Commissioner. Several letters of opposition from abutters were read and placed in the file.

15. Oak Grove Estates - Discussion of Ann Road: Atty. Michael Moschos, representing True view Worcester Corporation and the Lodge Corporation (owners of Oak Grove Estates, Phase II and III), explained to the Board that his clients intend to petition for an amendment to the conditional definitive subdivision approval at the meeting of January 26, 1994.

16. Paris Avenue - Add to Official Map: Saarinen noted that this segment of land referenced in the petition is actually a city-owned utility easement rather than a street and therefore, the request does not fall within the standard for streets. A letter stating such will be conveyed to the City Council.

17. Humbolt Ave. - Request to Make Public: Joan Bagley made a MOTION to recommend a Priority 4 status to the City Council based upon information provided by Public Works and OPCD. Joseph McGinn seconded the motion and the Board voted unanimously in favor of the recommendation.

18. Roy Street - Accept as Public: Joan Bagley made a MOTION to recommend a Priority 3 status to the City Council based upon information provided by DPW and OPCD. Joseph McGinn seconded the motion and the Board voted unanimously in favor of the recommendation.

19. Ararat Street - Request to Make Public: Joseph Sova made a MOTION to recommend a Priority 1 status for this request by the Public Works Commissioner. Joan Bagley seconded the motion and the Board voted unanimously in favor of the recommendation.

20. The Villages of Moreland Green - Bond Reduction/Extension of Completion Date: Joseph Sova made a MOTION to approve the request for the following: 1. reduction of the bond by \$13,000 for Greenview Lane in its entirety, Greenside Lane in its entirety, and Moreland Green Drive from Station 1+00 to Station 8+35.79 as shown on plans and recommended by Public Works, 2. extension of a project completion date to July 1, 1994 and a bond expiration date of September 1, 1994, and 3. reduction of the bond for a portion of Ledgewood Lane (Station 400+20 to Station 407+17) by \$55,280. Joan Bagley seconded the motion and the Board voted unanimously in favor of the request.

21. Plans to be Ratified: Joan Bagley made a MOTION to ratify the following plans:

<u>Approval Not Required</u>	<u>Signature Date</u>
4602 Tennyson Street	December 1, 1993
4605 Franklin Street	November 29, 1993
4606 W.Mtn./Lanesboro	December 6, 1993
4607 Pineland	December 6, 1993

Joseph Sova seconded the motion and the Board voted unanimously to ratify the plans presented.

22. Any Other Business:

Scenic Heights - Request for Establishment of Performance Bond and Project Completion Date: Based upon a recommendation from Public Works, Joseph Sova made a MOTION to approve the request for the following: 1. Performance Bond in the amount of \$541,000 for the construction of Foxmeadow Drive and Quaker Road plus contingency, and 2. Project completion date of September 1, 1994 and bond expiration date of November 1, 1994. The motion was seconded by Joan Bagley and the Board voted unanimously in favor of the request.

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23. Next Meeting: January 12, 1994

24. Adjournment: Chairman Reynolds adjourned the meeting at 9:50 p.m.

APPROVED
WORCESTER PLANNING BOARD
Karen Sherman
CLERK *OPCD Staff* *1/13/94*
DATE