

MINUTES
WORCESTER PLANNING BOARD
January 23, 2002

Planning Board Members Present: Joseph Sova
Joe Boynton
Samuel Rosario
Stephen Petro
John Shea

Staff Present: Paul Moosey, DPW Engineering
Michael Pace, Health/Code Enforcement
Judith Stolberg, Executive Office of Economic Development
Diana Collins, Executive Office of Economic Development
Stephen Parker, Executive Office of Economic Development
Michael Traynor, Law Department
Jeffrey Head, Law Department

Regular Meeting (5:30 P.M.) – City Council Chambers, City Hall

1. **Call to Order:** Chairman Joseph Sova called the meeting to order at 5:30 P.M.
2. **Approval of Minutes – January 9, 2002 Meeting:** Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to approve the minutes of the January 9, 2001 meeting.
3. **Meadowbrook Heights – Definitive Subdivision Approval:** Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 4-0 (Joe Boynton did not vote) to approve a request by the applicant for Leave to Withdraw without prejudice.
4. **Salisbury Hills (757 Salisbury Street) - Site Plan Approval:** Joe Boynton recused himself. Upon a motion by Samuel Rosario and seconded by John Shea, the Board voted 4-0 to approve the site plan with the following conditions:
 - **Applicant use concrete pipe for drain main lines unless otherwise approved by the Department of Public Works.**
 - **Applicant keep velocity in pipes under 10 feet per second.**
 - **Applicant file pump station maintenance plan with Department of Public Works.**
 - **Applicant shall install stop signs and a flashing signal beacon system at the intersection of Salisbury Street and Barry Road in accordance with City of Worcester traffic engineering standards.**
 - **A buffer of mixed evergreens be planted 15' on center in the first row and 15' on center offset in the second row all to be 6' in height and consistent with the landscape plan presented.**

- **Subject to Zoning Enforcement Officer’s determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of revised plan be submitted to the Executive Office of Economic Development (EOED) prior to release of decision.**

5. Salisbury Hills – Special Permit (CCRC): Joe Boynton recused himself. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to approve the Special Permit and imposed the following conditions:

- (1) The rights and obligations of the Petitioner under this Special Permit shall be binding upon its successors, assigns, devisees and transferees, with particular reference to any organization of unit owners, as that term is defined under M.G.L. c. 183A, § 1, or similar entity in the event the Project is hereafter submitted to the provisions of M.G.L. c. 183A pursuant to the execution and recording of a master deed for the creation of a condominium.
- (2) In the event the Project is submitted to the provisions of M.G.L. 183A, the master deed shall define the *common areas and facilities* to mean and include the entire Project, exclusive of the individual units and exclusive of any rights – including phasing rights – interests and/or easements reserved by the declarant, provided, however, that such reserved rights, interests and/or easements shall not conflict with, alter or negate any conditions of this special permit including the following,:
 - a) The foundations, columns, girders, beams, supports, party walls, common walls, main walls, roofs, halls, corridors, lobbies, public stairs and stairways, fire escapes and entrances and exits of the Project buildings not included as part of any unit;
 - b) Installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning and incinerating (but not including such equipment contained within a unit or exclusively serving a single unit);
 - c) The elevators, tanks, pumps, motors, fans, compressors, ducts, and in general all apparatus and installations existing for common use;
 - d) The land on which the building(s) is (are) located, or any lessee’s interest in any lease of such land which is submitted to the provisions of M.G.L. c. 183A;
 - e) The basements, yards, lawns, gardens, recreational facilities, parking areas and storage spaces (but not including basements, garages or storage spaces that are conveyed as part of a demised unit);
 - f) The premises for the lodging of custodian or persons in charge of the condominium;
 - g) Such community and commercial facilities as may be provided for in the master deed as being owned in common; and
 - h) All other parts of the condominium necessary or convenient to its existence, maintenance and safety, or normally in common use.

- (3) In the event the Project is submitted to the provisions of M.G.L. c.183A, the master deed shall define the word *unit* such that it comprises only the interior space of the demised premises, including any garages which may be conveyed therewith. A *unit* may also include any appurtenant areas such as driveways leading to a unit, balconies and terraces reserved to the exclusive use of the unit owner.
- (4) The program of resident services provided by the Project, at a minimum, shall include:
 - a) Transportation services to adequately meet the transportation needs of the residents;
 - b) Wellness programs;
 - c) A community center with library, computer/media room, game room, function space with caterer's kitchen and exercise area with lockers and showers;
 - d) Walking trails, tennis courts and a putting green;
 - e) Cleaning and other personal services (for example, barber/beautician/financial) on request;
 - f) Through a service provider agreement with the Jewish HealthCare Center (or other healthcare provider);
 - g) Priority admission to the Jewish HealthCare Center (or other center) for sub-acute care;
 - h) Seasonal health-care services such as flu shots and out-patient clinic; and,
 - i) Supervised conditioning and strength training programs.
- (5) Access to the property from Barrows Road shall be restricted by a locked gate and shall be for emergency vehicles only.
- (6) Except for that which is necessarily incidental to any utility work in Barrows Road, no construction traffic shall ingress or egress the Project via Barrows Road.
- (7) All conditions of the approved site plan are hereby referenced and incorporated as conditions of this Special Permit.
- (8) Petitioner shall establish and file with the Worcester Department of Public Works, a sanitary sewer pump station Maintenance and Operation Agreement (approved, as otherwise required by the Massachusetts Department of Environmental Protection).
- (9) All comments in the Worcester Department of Public Works' letter dated December 19, 2001 from Edward J. Carrigan to Joseph Sova shall be addressed to the satisfaction of said Department.
- (10) All comments in the Department of Public Works' memorandum from Ali R. Khorasani to Joseph F. Borbone dated October 12, 2001 shall be addressed to the satisfaction of the Department, specifically including the installation of stop signs and a flashing signal beacon system at the intersection of Salisbury Street and Barry Road in accordance with the City of Worcester traffic engineering standards.

(11) Project lighting shall be designed so that no excessive lighting shall emanate from the site to the surrounding environs. The Project, to the greatest extent possible, but particularly in parking areas and other outdoor open space areas, shall utilize so-called “shoe box lighting” to project such lighting directly down to the ground.

(12) An open space covenant restriction pursuant to Article X, Section 4.2 of the Worcester Zoning Ordinance shall be recorded as a prerequisite to the issuance of a building permit for the Project, and a copy thereof shall be filed with the Zoning Enforcement Officer.

(13) Construction of the Project shall be phased as indicated in the application and on the submitted plan(s) and all construction shall be completed no longer than eight (8) years from grant of this Special Permit.

6. Salisbury Hills (757 Salisbury Street) – More Than One Building on a Lot: Joe Boynton recused himself. Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 4-0 to approve the application.

7. Good Harbor Heights – Definitive Subdivision: John Shea recused himself. Notice of the hearing was read by the Clerk. Attorney Beth Shuster and Fred Hamway presented the plan. Philip Leary, 14A Kennebeck Street, asked to view the plan. Upon a motion by Samuel Rosario and seconded by Stephen Petro, the Board voted 4-0 to continue the hearing to February 13, 2002 so the applicant can submit an application for Site Plan Approval.

8. Roda Estates – Definitive Subdivision: The hearing was not opened. Site Plan Approval was taken collectively. Upon a motion by Joe Boynton and seconded by John Shea, the Board voted 5-0 to continue the item to February 13, 2002 at the request of the applicant.

9. Roda Estates – Site Plan Approval: See #8 above.

10. 114 Lincoln Street, Henschman Street, Frederick Street - Site Plan Approval: Upon a motion by John Shea and seconded by Stephen Petro, the Board voted 5-0 to continue the item to February 13, 2002.

11. 350 Greenwood Street – Parking Plan Approval: Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to approve the site plan with the following conditions:

- Applicant install a catch basin at the western end of the site.
- Applicant must use concrete pipe for drainage main.
- Applicant must install, at the east entrance on Southwest Cutoff, a 4-foot scored rumble strip.
- Applicant install two illuminated “No Left Turn” signs at the left side of each entrance.
- Applicant install two “Right Turn Only” signs at the western exit onto Southwest Cutoff.

- Applicant paint directional arrows on the pavement at the exit and entrance on Southwest Cutoff.
- Applicant install rumble strips at the entrance and exit on Southwest Cutoff to better direct the flow of traffic subject to the approval of the Department of Public Works.
- Subject to Zoning Enforcement Officer's determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.

12. 215 Chandler Street - Parking Plan Approval: Upon a motion by Samuel Rosario and seconded by Joe Boynton, the Board voted 5-0 to approve the parking plan with the following conditions:

- Subject to Zoning Enforcement Officer's determination that the parcel complies with all other relevant provisions of the Zoning Ordinance.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fence, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.

13. Plans To Be Endorsed: ANR Plan #5340 and ANR Plan #5347 were held so that DPW can determine the adequacy of the road. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5341 Indian Hill Road. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5342 Chester Street. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to deny endorsement of ANR Plan #5343 Strasberg Road/Spoffard Street because of inadequate access, width and drainage. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5344 Norfolk Street. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5345 Jennings Street. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5346 Kalmar Street. Upon a motion by Joe Boynton and seconded by Stephen Petro, the Board voted 5-0 to endorse ANR Plan #5348 Massasoit Road.

Other Business: None

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