

City of Worcester, Massachusetts

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Planning & Regulatory Services Division

Memorandum

To: Albert LaValley – Worcester Planning Board

From: Michelle M. Smith, Chief Planner

CC: Planning Board Members

Date: Revised October 6, 2020

Re: **Country Club Acres (aka 190 Mountain Street, East) – Definitive Site Plan Amendment**

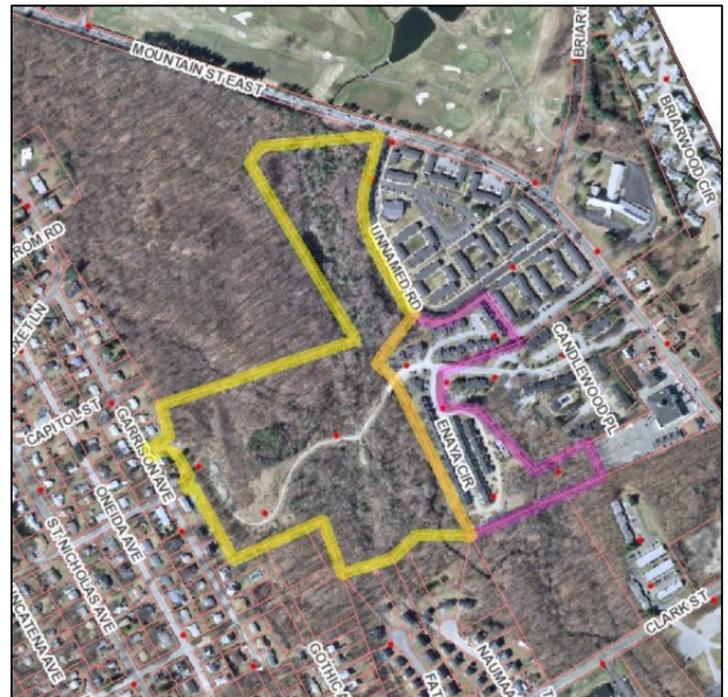
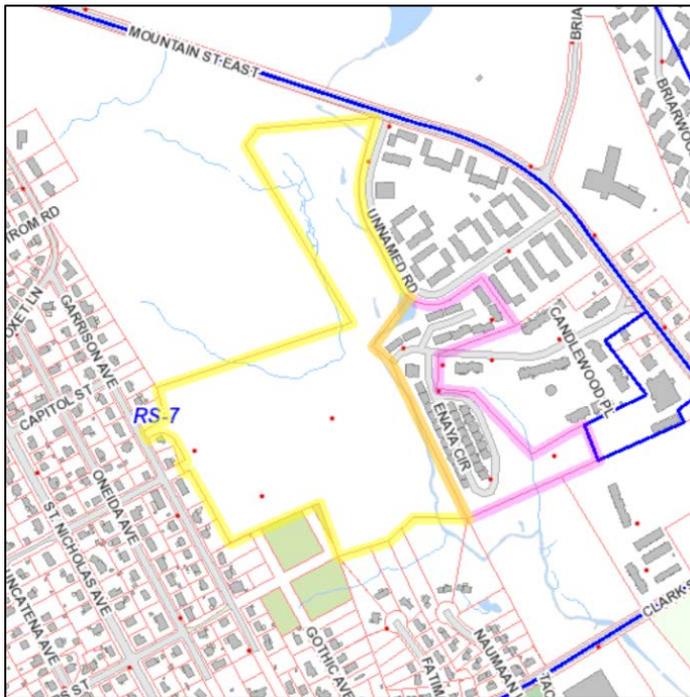
Project Summary

Worcester Country Club Acres, LLC seeks a Definitive Site Plan Amendment

Petition Purpose: The applicant seeks to modify the previously approved plan, involving the construction of 108 dwelling units with a network of associated drives and related site work as part of a Continuing Care Retirement Community (CCRC), in order to reflect changes to the proposed site improvements, layout, grading, and phasing associated with the project.

Zone Designation: RS-7 (Residence, Single Family) zoning district & Water Resource Protection Overlay District (WR(GP-2 & GP-3))

Location



Planning Board

Worcester City Hall, 455 Main Street, Room 404 (4th floor), Worcester, Massachusetts 01608

Telephone: (508) 799-1400 x31440 Fax: (508) 799-1406

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Website: www.worcesterma.gov/planning-regulatory



Project Summary

- The original Phases 1-3 and a portion of Phase 4 (+/- 68 units and related network of drives), including a +/- 3,000SF club-house, of the overall 108 unit CCRC development are substantially complete. The remainder of the site is either vegetated or has been disturbed as part of site work related to construction activities, with the construction of Drive B or “Shamy Circle” and 40 units (i.e. 65-72 & 77-108) remaining to be completed.
- The applicant seeks to modify the previously approved plans in order to:
 - Modify the phasing plans (i.e. construction sequence for Phase IV & V) and limit of work for consistency with the Conservation Commission Order.
 - Modify slope stabilization methods to minimize use of rip-rap slopes in favor of retaining walls and vegetated slopes.
 - Change the gate type to be located at Garrison Avenue (single-arm proposed; double arm previously approved).
 - Add 4 optional guest parking spaces (across from unit 73-74) along Cobblestone Lane within the driveway network.
 - Establish the name for the remaining Drive B as “Shamy Circle”.
 - Modify the footprints of structures 77-79 (larger) 65-68 (smaller).
 - Revise grading, layout, and materials proposed to reflect and accommodate the above changes.

Recommendation

If approved, staff recommends the following conditions of approval:

1. Prior to issuance of a building permit, provide one (1) full-size, to-scale, stamped/sealed original of a final revised definitive site plan-set, stormwater report and checklist and O&M plan, and complete architectural plans for all structure types, as well as a .pdf file of each the same, to the Division of Planning & Regulatory Services reflecting the following:
 - a. Provide a legend reflecting all existing and proposed line-types and symbols;
 - b. Provide applicable book and page numbers for the recorded open space restriction & plans;

Architecture:

 - c. Label the architectural type for each unit and provide the number of bedrooms.
 - d. Provide dimensions of height in feet and inches and exterior materials on the elevations.

Grading and Drainage:

 - e. Clarify stormwater basin access roads surface treatment and provide a corresponding detail.
 - f. Modify guardrail at the northerly end of Shamy Circle to incorporate flared ends and provide an independent gate, showing corresponding details, at the proposed access road to prevent unauthorized vehicular traffic from traversing such roads.
 - g. Provide top and bottom wall elevations at end points, points of intersection, and the highest point for all retaining walls.
 - h. In areas where slopes are proposed in excess of 1.5H:1V a retaining wall shall be used in lieu of a slope/embankment in order to minimize steepness. Alternatively, grading may be revised to reflect slopes less than 1.5H:1V where space may allow.
 - i. Clarify the proposed daylight locations of any drainage infrastructure required in support of the proposed retaining walls and drainage for any abutting slopes. Reflect swales located within close proximity to walls on corresponding sections.
 - j. Clarify location and scour protection at the proposed daylight location for drywells (if any). Any such locations shall not be mid-slope where grades exceed 2.5H:1V.

Site Layout

- k. Extend the security fence from the existing terminus in the rear-yard of unit 105 westerly along the top of the slope to provide fall protection.

- l. Extend sidewalk along Cobblestone Lane to Garrison Avenue.
- m. Provide a detail for the proposed sidewalk.
- n. Label proposed crosswalks and provide corresponding detail.
- o. Adjust plan sheets showing Cobblestone Lane access gate to reflect the proposed gate detail provided on Sheet D1.
- p. Provide a detail for the proposed gate arm.
- q. Remove the word "optional" from the proposed 4 parking spaces along Cobblestone Drive and incorporate their construction within Phase E.

Lighting

- r. Add an additional streetlight along Shamy Circle northwest of unit #99.
- s. All intersections and crosswalks shall be illuminated to higher levels (generally 1 fc or higher, 0.5 fc minimum) by one or more nearby "street lights".
- t. Clearly label proposed street light locations.
- u. Lighting shall be consistent with existing fixtures and temperatures.

Landscaping

- v. Clarify extent of sloped areas to be treated with SC105 blankets.
- w. Revise to provide a minimum of one 2.5" caliper shade tree per remaining unit (i.e. a total of 40 trees). Diversity in species proposed shall be provided so that no tree comprises more than 25% of the proposed tree plantings.
- x. Provide evergreen plantings (minimum 4' height) along the north side of Cobblestone Lane where it meets Garrison Avenue. Said planting shall extend into the site from Garrison Avenue for a distance of 100 feet and be spaced approximately 5 feet apart and be in addition to the 40 shade trees required.

Phasing & Erosion Control Plans:

- y. Revise detail for the proposed 1.5:1 slope (labeled as 2:1) to reflect information regarding construction sequence, proposed compaction, and stabilization monitoring/methods.
 - z. Reflect all proposed improvements including amenities (parking area) as part of the phasing plan within construction sequence. The four additional parking spaces on Cobblestone Lane shall be completed as part of Phase E.
2. **Prior to commencement of Phase 2**, provide a statement, prepared and stamped by a professional engineer, certifying that the improvements conducted to-date are in full compliance with the approved site plan, as amended.
 3. **Prior to issuance of a building permit** for any remaining dwelling unit, the fronting "street" shall be improved to binder course.
 4. **Prior to the issuance of a certificate of occupancy** for any remaining dwelling unit, site infrastructure including utilities, sidewalks, traffic safety features (guardrail and fencing), and street lights shall be extended to the location of said dwelling and be operational. Additionally, if said structure required connection to a drywell a, written certification shall provided at this time stating that the stormwater system has been constructed in substantial compliance with the approved plans and that the infrastructure functions as designed registered Professional Engineer, currently licensed to practice within the Commonwealth of Massachusetts.
 5. **Phase Completion** - Landscaping and site amenities (including parking) planned for a given phase shall be completed prior to the issuance of occupancy certificates for the subsequent phase (e.g. – all site improvements completed for Phase F prior to the issuance of occupancy certificates for Phase G dwellings).
 6. **Prior to the issuance of building permits for dwellings in Phase i**, all streets (including top coat), sidewalks, landscaping and all other common elements shall be fully completed.

7. **Prior to issuance of a building permit for any walls**, provide to-scale copies of all proposed retaining walls, including plans and sections. Such plans shall be designed and stamped by a Professional Engineer licensed in the Commonwealth of Massachusetts. Wall sections shall reflect surrounding terrain – including swales.
8. **Upon completion of each retaining wall**, a certification shall be provided by a Professional Engineer licensed in the Commonwealth of Massachusetts that each such wall was constructed in substantial accordance with the specifications on file and is structurally sound.
9. **Slope Construction** - Construction of all slopes greater than 2:1 shall be overseen by a Professional Engineer. Upon completion of all slopes greater than 2:1 a certification from a Professional Engineer licensed in the Commonwealth of Massachusetts shall be provided to the Division of Planning & Regulatory Services certifying the slopes were constructed in compliance with the plans on file and that the slopes are globally and surficially stable.
10. Coordinate roadway signage placement and any necessary directional numbering with the DPW&P, Police and Fire Department to ensure adequacy for emergency response purposes.
11. Gated access at Garrison Avenue shall be provided with a key box or comparable means suitable to the Worcester Fire Department upon installation.
12. During all phases, temporary turn-around measures shall be provided as needed in a location and condition acceptable to the Fire Department and consistent with the requirements of the Subdivision Regulations (IX. C.8.a).
13. Any chain-link fencing (including fence posts) shall be black vinyl coated.
14. No single species of street tree shall constitute more than twenty-five percent of the total number of street trees shown on the approved plan in order to provide canopy resiliency. Trees shall be planted in compliance with Section X.J. and replaced as needed overtime. Any stakes shall be removed after 1 year to prevent girdling.
15. Prior to and continuing during all construction activities, appropriate soil erosion and sedimentation control measures including hay bales and silt fences, shall be installed and maintained subject to the oversight and direction of the Commissioner of Inspectional Services.
16. All tree and stump removal shall be in accordance with the Asian Longhorned Beetle program requirements and all new trees and shrub plantings shall be Asian Longhorned Beetle and Emerald Ash Borer resistant.
17. Subject to the Zoning Enforcement Officer's determination that the units comply with all the relevant provisions of the Zoning Ordinance.
18. All work shall conform to the City of Worcester's Subdivision Rules and Regulations, Zoning Ordinance, Planning Board decision and conditions of approval, and to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
19. Provided that the project is constructed and operated in substantial accordance with final revised definitive site plans, including architectural renderings, calculations, and operation and maintenance plans and schedules, on file with the City of Worcester and in accordance with all applicable governmental codes.

Waivers

The applicant has requested the following waivers from the plan requirements:

1. Label existing trees in excess of 9" caliper on the plan

Review of Definitive Site Plan Amendment

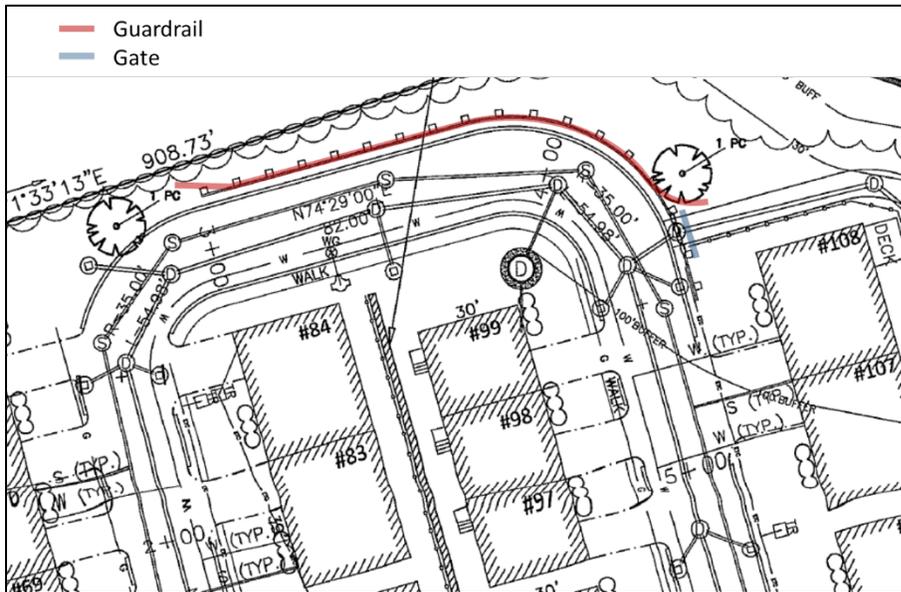
The following standards shall be used by the Planning Board in reviewing all applications for site plan review. These standards are intended to provide a frame of reference for the applicant in development of applications. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation. Applicants are encouraged to evaluate the extent to which the site plan, its immediate and general locus, and the City more generally can tolerate the development being proposed and adjust their proposals accordingly.

Staff comments are provided in *blue italics*.

1. Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic controls.

The revised gate configuration, eliminating the driveway median, appears to improve access for emergency vehicles to the site. The applicant should discuss how changes to the gate design effect vehicular access to and movement throughout the site. Please clarify how the new gate is proposed to operate (pin pad, key card, unrestricted, etc.) with a revised design which provides for only one lift/control point.

The guardrail on the northerly portion of Shamy Circle does not utilize an appropriate end treatment (e.g. – taper away from the roadway). Further, interrupting the guardrail with a heavy chain is not a safe or appropriate treatment to provide vehicular access to the detention basin area located below a steep slope with a 90 degree bend along Shamy Circle. Staff recommends that the ends of the guardrail be flared away from the roadway, that the eastern end be tapered around the north side of the access road, and that a separate, heavy-duty gate be installed to control access on the access road (see figure).



2. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

3. Location, arrangement, appearance and sufficiency of off-street parking and loading.

The ordinance requires that one off-street parking space be provided per dwelling unit. The developer has proposed a combination of garage and surface parking (within driveways), in excess of the requirements of the Ordinance (minimum of 1 per unit). The applicant is proposing to provide 4 optional surface spaces along Cobblestone Lane which were not previously proposed.

4. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

Please comment on proposed lighting locations along Shamy Circle.

5. Adequacy of stormwater and drainage facilities.
The applicant has requested a waiver from providing calculations. The applicant should instead simply provide a copy of the original report which complies, if unchanged, for the file and quantify the net change to impervious area, if any based on the addition of parking and changes to the structure footprints with a cover letter explaining such changes and stamped stormwater checklist.
6. Adequacy of water supply and sewerage disposal facilities.
7. Adequacy, type and arrangement of trees, shrubs and other landscaping elements in accordance with the Landscaping Design Standards set forth in Article V, Section-5(C).
8. In the case of an apartment complex or other multiple dwelling, the adequacy of useable common property or open space.
9. Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.
10. Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.
11. Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
Please discuss the swale proposed at the base of wall behind units 90-99 and how this has been designed to avoid any undermining wall stability.
Several locations appear to provide grading resulting in areas steeper than 1.5H:1V. Staff recommends use of a retaining wall in such areas (e.g. north of unit #72), rather than use of a sloped embankment or a reduction in the steepness of the proposed grading where possible (e.g. to the northeast of Sammy Circle).
12. Adequacy of erosion and sedimentation control measures to be utilized during and after construction.
13. Conformance and compatibility of the site plan design with structures listed in the most recent State Register of Historic Places.
14. Adequacy and impact on the regional transportation system.
15. Adequacy of plans and protective measures to ensure minimal risk of contamination to surface or ground water.
16. Conformance of the site design with the purposes and intent of the Worcester Zoning Ordinance.

Background

- On November 7, 2018, the Planning Board approved an Amendment to the Special Permit for the CCRC with conditions (see Table 1). As required per condition 6, the applicant intends to provide the Board with a status update as to the Special Permit conditions of approval and completion of Phase I work. Staff notes that there is **no action** required by the Board as it relates to the update on the CCRC Special Permit. Enforcement of the conditions of the Special Permit is conducted via the Department of Inspectional Services. A list of conditions and related status is provided below:

Table 1: CCRC Special Permit Status Update

	CCRC Special Permit Condition	Current Status
1	Construction is authorized through December 31, 2022 in accordance with the phasing plan and conditions herein.	Ongoing.
2	Work in Phase I shall consist of the following: a. Work to complete construction of units #58-64 and #73-76 fronting Cobblestone Lane. Construction of additional units is not authorized. b. Site work related to Phase I construction activities.	Complete.
	c. Work to complete existing roadways (Cobblestone Lane, Drive A, Drive C, Drive E, and Drive F), including installation of sidewalks, guardrails, and street lighting in accordance with the approved site plan, as amended. Such activities shall be completed no later than December 31, 2019 .	Ongoing; sidewalks (except connection to Garrison Avenue) & guardrail complete, 4 lights on uppermost portion of Cobblestone Lane remain off-line.
	d. Mill and pave Cobblestone Lane with a 1.5 inch finish course of asphalt pavement between Mountain Street East and Poor Farm Brook. This work shall be completed no later than December 31, 2019 .	Ongoing; paving scheduled.
	e. Reconfigure Cobblestone Lane at its intersection with Mountain Street East as shown in the approved plan, subject to applicable DPW&P approvals. This work shall be completed no later than December 31, 2019 .	Ongoing; striping and signage remain.
	f. Commencing only after April 1, 2019, and only after a site plan amendment reflecting as-built conditions and incorporating any other changes proposed by the petitioner has been filed and acted upon by the Board: i. Work to construct Drive B, through base course, and related utility infrastructure, not including dwelling units. ii. Work on units #77 and #78.	Yet to commence.
	3	Phase I shall be completed by June 1, 2020 , or earlier if otherwise specified in condition 2.
4	Work in Phase II shall consist of the following: a. Construction of units #65-72 and #79-108 (i.e. – units fronting Drive B). b. Top course paving for all streets in the development that have not been previously paved to a completed state.	Yet to commence.
5	Phase II shall not commence prior to the full completion of Phase I.	Ongoing.

6	<p>Prior to commencing with work in Phase II, the applicant shall meet the following conditions:</p> <p>a. The applicant will provide a status update to the Planning Board concerning the status of the project relative to the conditions of approval and completion of Phase I work, including a statement prepared and stamped by a professional engineer certifying that the improvements conducted are in full compliance with the approved site plan, as amended.</p>	Statement forthcoming.
	<p>b. A bond shall be posted in an amount to be recommended by DPW&P to account for completion of final asphalt top coating;</p>	Not yet complete; holdback of permits for Phase i proposed.
7	<p>In accordance with the Planning Board Rules for Special Permits: Article II, Section 6(F) – Consultant Review Fee, the petitioner will pay the City of Worcester an amount not to exceed \$7,500 to retain an outside engineering consultant to review the stabilization of steep slopes and embankments created on-site, and to identify locations of concern in terms of long-term surface stability.</p>	Not yet complete. The applicant should coordinate with DPRS staff to provide for such a review to be completed.
8	<p>Any work performed that is not in accordance with the approved site plan is conducted “at risk” and may be subject to applicable remedies, including removal and restoration at the owner’s expense.</p>	Ongoing.
9	<p>Prior to and continuing during all construction activities, appropriate soil erosion and sedimentation control measures including hay bales and silt fences, shall be installed and maintained subject to the oversight and direction of the Commissioner of Inspectional Services.</p>	Ongoing.
10	<p>All tree and stump removal shall be in accordance with the Asian Longhorned Beetle program requirements and all new trees and shrub plantings shall be Asian Longhorned Beetle resistant.</p>	Ongoing.
11	<p>No rock crushing or grinding operations shall be permitted onsite and the contractor shall take steps to limit unnecessary noise and comply with the City of Worcester’s General Revised Ordinance Relative to Noise Control.</p>	Ongoing.
12	<p>All work shall conform to the City of Worcester’s Zoning Ordinance, Planning Board decision and conditions of approval, and to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.</p>	Ongoing.
13	<p>The applicant will maintain and make repairs to Cobblestone Lane during the course of construction, keeping it in a state of good repair, to the satisfaction of the Building Commissioner.</p>	Ongoing.
14	<p>During construction, the applicant will prohibit any construction equipment used in the construction of the development from operating on Cobblestone Lane between the hours of 7:00 P.M. and 7:00 A.M.</p>	Ongoing.
15	<p>Hairdressing and haircutting services shall be provided in the Community Center at least one full day a week in a properly equipped facility.</p>	Ongoing.
16	<p>Regular housekeeping services will be made available to residents by the condominium association, or the owner, as applicable.</p>	Ongoing.

17	A registered nurse or nurse practitioner shall be available at regular hours, at least four (4) hours per week, at the Community Center to provide diagnostic and screening services, first aid, vaccinations, and the like.	Ongoing.
18	The owner of the development or the condominium shall maintain a permanent arrangement with a rest home or nursing home licensed by the Commonwealth, which arrangement shall provide for a coordinated program of health services designed to enable the residents of the condominium to live independently and which arrangement will provide for priority admission to said rest home or nursing home for the residents of the condominium.	Ongoing.
19	There shall be a Community Center that will provide a properly equipped hairdressing facility, a properly equipped medical examination room, recreation and exercise rooms, library and reading room, caterer's kitchen and a dining room with a minimum of 1200 square feet.	Ongoing.
20	The development shall qualify for, and maintain its status as, "housing for older persons" as defined in Title 42 USC, section 3607.	Ongoing.
21	Rights and obligations of the petitioner under this Special Permit shall be binding upon its successors, assigns, devisees, and transferred, with particular reference to any organization of unit owners, as that term is defined under M.G.L. c. 183A, section 1, or similar entity in the event the project is hereby submitted to the provision of M.G.L. c. 183A pursuant to the execution and recording of a master deed for the creation of a condominium.	Ongoing.
22	In the event the project is submitted to the provisions of M.G.L. c 183A, the master deed shall define the common areas and facilities to mean and include the entire project, exclusive of the individual units and the master deed shall include the following language or language of similar import – Country Club Acres is a housing community limited to occupancy by seniors 55 years of age (a "qualified person"), their spouses, including the surviving spouse of the deceased qualifying persons and a relative by blood of marriage of the qualified person or such spouse provided that such relative must be 55 years of age or older ("qualified relative"). A unit owner shall not occupy or use the unit or permit the same or any part thereof to be occupied or used for any purpose other than as a private dwelling for qualified persons or the spouse of a qualified person or a qualified relative it being understood and agreed that the property is to be used solely for senior housing.	Ongoing.
23	Access to the property from Garrison Avenue shall be restricted by a locked gate and shall be limited to owners of the units in the project and emergency vehicles only; such gate shall be in place and operational by December 31, 2019 . The gate may be left in an open position during periods of active construction.	Not yet complete; changes to the gate are requested via this site plan amendment.
24	An open space covenant restriction, running in favor of the City of Worcester pursuant to Article X, Section 4.2 of the Worcester Zoning Ordinance, shall be recorded no later than February 28, 2019 and a copy thereof shall be filed with the City of Worcester Planning & Regulatory Services Division.	Complete; recorded in Book 63432, Page 163 (see also Plan Book 952, Plan 29).

25	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.	Ongoing.
26	Provided it is in accordance with the site plan approval on file with the City of Worcester and in compliance with all governmental codes.	Ongoing.

- In 2019, the applicant obtained an updated order of conditions for the project from the Conservation Commission. Staff notes that the applicant may require modifications to this approval, depending on the adjustments made in response to comments.
- On June 12, 2002, the Planning Board approved a Special Permit for CCRC, a Definitive Site Plan and More Than One Building on a Lot approval for this project.