

Planning Board
Worcester, Massachusetts
3:00 P. M., City Hall
Wednesday, June 14, 1972

3:00 P. M. - View

1. Winneconnett Road - preliminary - more than one building
2. High Street - abandon Aldrich Street to Pleasant Street

3:45 P. M. - Regular Meeting - City Hall

1. Call to order
2. High Street - petition to abandon - Aldrich Street to Pleasant Street
3. Sanitary refuse disposal system
4. Winneconnett Road - preliminary - more than one building
5. Simone Street - add to official map
6. Mill Pond Village - preliminary - more than one building
7. Stoneleigh Road - priority and Law Department report
8. Longview Heights - Section III bond
9. Discussion re: Environmental Protection Ordinance
10. Orient Street - priority
11. Doran Street - priority
12. Plans to be ratified
13. Date of next meeting
14. Any other business
15. Recess

5:30 P. M. - Dinner - Putnam and Thurston's Restaurant

7:30 P. M. Public Hearings - Council Chamber - City Hall

1. Hillsboro Village - Section VI - definitive subdivision
2. 121A Corporation - Chartwell Systems

8:30 P. M. - Regular Meeting - Room 209 - City Hall

1. Call to order
2. Items of public hearing
3. Adjournment

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The Planning Board met for its regular meeting on Wednesday, June 14, 1972 in Room 209, City Hall.

Members present were: Lloyd Anderson, Mrs. Joan Bagley, Roger W. Bruce, Clerk Frederick R Butler, and Chairman Carlton B. Payson. Others present were: *Atty Chris Abdella* Assistant Planning Director Francis Donahue, Planning Director Gerard F. McNeil, Senior Planner Robert Watson and Chief Engineer John J. Reney.

Call to order. Chairman Payson called the meeting to order at 4:05 P. M.

High Street - petition to abandon - Aldrich Street to Pleasant Street. Attorney Alfred Whiting explained that Worcester County National Bank wants to discontinue High Street as a public way and to remove it from the Official Map from Aldrich Street northerly to Pleasant Street.

It will be used by Worcester County National Bank for a parking garage and access in connection with the new Worcester County National Bank complex.

After discussion it was decided that Mr. Whiting should submit more detailed plans by the next meeting on June 28, and if need be the Board would have a special noon meeting regarding them. Traffic Engineer Robert Johnson and the Board could then see the overall picture more clearly.

Winneconnett Road - preliminary - more than one building. The Board went on a view of Winneconnett Road prior to the meeting. Mr. Raymond Morin of Thompson-Liston Associates said there would be three buildings. Chairman Payson suggested this be tabled for two weeks until the next meeting and in the meantime, Mr. Morin could discuss the matter with the Planning Department.

Simone Street - add to Official Map. It was decided to table this item for two weeks until the next meeting on June 28.

Coes Pond Village - preliminary - more than one building. Assistant Planning

Director Francis Donahue discussed this project with Fire Chief Hackett, and Planning Director McNeil discussed it with his staff. Mrs. Bagley moved to approve the preliminary plan with the following conditions:

I. Detailed, illustrated information as follows:

- a. Base map at 2'-0" contour interval showing all existing and proposed grades.
- b. Cross sections thru and elevations of all proposed retaining walls.
Cross sections to extend to illustrate meeting with existing grades.
- c. Areas to be graded and areas to remain undisturbed.
- d. Entire proposed interior walk and circulation system.
- e. Corner elevations for all buildings and parking areas - proposed.
- f. Typical cross sections thru buildings located on severe grades.
 1. illustrate treatment of grading
 2. illustrate treatment of drainage problems
- g. All parking lots to be fully illustrated.
 1. individual bays
 2. islands
 3. turning radii

II. Requirements as follows:

- a. Additional access.
 1. full subdivision street connector at Brookline Street
 2. full subdivision street connector at Wyola Drive
- b. Suggest very seriously developer purchase parcels east of Brookline Street to facilitate road layout and grading.
- c. Redesign of roadway.
 1. Not to be 10% grade or more, over more than 25% of entire length of roadway excluding so-called Richard Healy Lane up to development road intersection.
 2. Circulation system and building locations must meet the approval of the City of Worcester Fire Chief.
- d. Development density,
 1. Reduce density of low-rise to 250 units with open parking; or

2. Maintain existing low-rise density and locate a minimum of 30% of parking under structures.
- e. Require developer to provide complete hydraulic analysis of the site and adjacent drainage area.
- f. Require developer to provide adequate surface and sub-surface drainage along eastern property line, during and after construction to prevent run-off onto, or erosion of adjacent properties.

Mr. Butler seconded the motion and all were in favor.

Stoneleigh Road - priority and Law Department report. Mrs. Bagley made a motion to give this a Number 1 priority. Mr. Butler seconded it and it was unanimously voted. It was recommended that the Law Department make the necessary change in the covenant and the Planning Department will so inform the owners on Hingham Road that such an amendment is being made. It was also voted that Stoneleigh Road be maintained free of pot holes at notcost to the abutters. All were in favor.

Longview Heights - Section III bond. After a discussion, Mr. Anderson moved that this be tabled until the next meeting so that a decision on this may be received from the Commissioner of Public Works Vincent Hynes. It was seconded by Mrs. Bagley. All were in favor.

Discussion re: Environmental Protection Ordinance. Mr. McNeil read the petition of Robert B. Blair to establish an Environmental Protection and Environmental Aesthetics Ordinance. Mr. Payson suggested the Planning Board look over the petition and also the Law Department before the next meeting on June 28.

Orient Street - priority. Mrs. Bagley moved to give a #5 priority to Orient Street. Mr. Bruce seconded the motion. All were in favor.

Doran Street - priority. Mrs. Bagley moved to give Doran Street a #5 priority. Mr. Butler seconded the motion. All were in favor.

Plans to be ratified. Mr. Butler made a motion that was seconded by Mr. Bruce to ratify the following plans that were signed. All were in favor.

#1613 - plan of land on Millbury Street, owned by White and Bagley Realty Trust, signed 6/12/72.

#1614 - plan of land on Chilmark Street, owned by Walter and Pauline Tetreault, signed 6/9/72.

#1615 - plan of land on Orient Street, owned by Robert A. and Barbara Awad, signed 6/14/72.

Date of next meeting. The date of the next meeting is scheduled for June 28.

560 Mill Street - more than one building on a lot. Mr. McNeil said Lester Chase had been given preliminary approval and received a variance from the Board of Appeals to permit construction of more than one building on a lot, located at 560 Mill Street. The license board told the owners to revise the plan.

7:30 P. M. - Public Hearings - Council Chamber.

Hillsboro Village - Section VI - definitive subdivision. Chairman Payson read the notice on the petition of Nicholas A. Papale for approval of the subdivision plan entitled Hillsboro Village, Section VI which is a continuation of Goldthwaite Road in Worcester. Mr. Payson asked first to ~~be heard~~ from the proponents. Douglas Liston of Thompson-Liston Associates spoke for Mr. Papale. He showed a preliminary plan dated in 1957. He said it was approved at that time as to how the streets would be connected. Now they wanted to connect from Goldthwaite to Hillsboro Village. There are single family lots. The street is to be built to city specifications. Mr. McNeil said the plan did not show all frontages and wanted the plan revised to show same.

Those opposed were: Thomas Donahue who resides at the corner of Longmeadow and Hillsboro. He asked if the Board had viewed the area and Mr. Payson replied that they did. Mr. Donahue showed pictures to the Board of the property across the street

from his home owned by Mr. Papale, which showed piles of rubbish. Mr. Donahue asked Mr. Papale if he had been warned by the Health Department about dumping rubbish there, and Mr. Papale said he had. Mr. Papale said because of all the rain we had, there was no way of getting a bulldozer through to clean up.

Mr. Payson said this was a Health Department problem.

Mr. Thomas Donahue asked Mr. McNeil if Mr. Papale's subdivision met all requirements and Mr. McNeil said existing Section V (Goldthwaite Road) has an outstanding bond that has not been released. The Law Department is taking over the bond to have the street put in the right condition.

Ben Gordon of 133 Longmeadow said across the street from his home is land owned by Mr. Papale. The land is excavated. There is an extreme amount of water and gullies. The sidewalk is in poor condition and the street is damaged. It is all in a most unsightly condition.

Mr. Payson said if it concerns water or sewerage, it comes under the Health Department.

Anthony Matulaitis of Pompano Road, said because of run-off he wanted to know when the problem would be alleviated. Mr. Papale said when the street is built, the problem will be taken care of. Mr. Papale said on Pompano Road there is some run-off but didn't know at this time what will be done about it.

Mr. John Reney said the preliminary plan was reviewed and he suggested changes and Mr. Liston made them to protect the general area.

Mrs. Belle Rose - 5 Longmeadow said that with no drains the lots have run-off.

Attorney Sam DeSimone of 340 Main Street said he represented himself and Mellwood Realty Corp. He wanted to know if the street will connect into Pierce and Darling Street and Mr. Papale said no. He asked Mr. Liston whether the lots on the westerly

side are owned by Mr. Papale and Mr. Papale said they were.

Arthur Bellrose of 135 Longmeadow, Ben Gordon of 133 Longmeadow and Thomas Donahue of 131 Longmeadow wanted to be on record as being opposed.

The hearing was closed at 8:15 P. M.

121A Corporation - Chartwell Systems. Mr. Payson read the notice regarding Chartwell Systems Realty Trust for the formation of the Corporation under the General Laws of Massachusetts, Chapter 121A as to:

1. Whether the proposed project meets the legal qualifications,
2. Whether it conflicts with the Master Plan of the city,
3. Whether the proposed project would be detrimental to public safety, convenience or in the best interests of the public or the city, or is inconsistent with the most suitable development for Worcester and whether the project constitutes a public use and benefit. The area under consideration is located south of Swan Avenue and west of Mill Street to the rear of the Mill-Swan School.

Mr. McNeil explained the definitions of a blighted, decadent, etc., area.

Attorney Charles Abdella said the Board of Appeals decision had been taken to court and the Board of Appeals had been upheld.

Chairman Payson called for proponents regarding whether the area is blighted, sub-standard, decadent, etc.

Attorney Edward J. Lonergan on behalf of Thomas Kneeland of Chartwell Systems and Robert Gill, engineers, said there were 12 buildings proposed, only three will not face difficult problems because of ledge. It is MHFA financed. The area otherwise probably never would be developed if it weren't for 121A.

He said Judge Rutledge on December 31, 1971 said in court this land could not be developed for single family homes or two family homes. It was not economically feasible. Mr. Payson then asked for those opposed.

Dr. Cataldo of 411 Mill Street asked if the Board knew the value of 22 acres of God given forest. He said the area could be made into a park or walk area. He said we didn't need anymore multi-family housing. He stated Plumley Village East and Upland Gardens are always advertising for tenants. Mr. Payson said if the people in the area want a park there, they should go to the Parks and Recreation Department.

James Roberts of 27 Olive Drive said he was opposed to the project.

Mrs. Margaret Donovan of 5 Blaine Avenue said she was opposed to anymore mult-family housing and that 90% of the people are also opposed.

Sara Robertson, a member of the School Committee, but not appearing in an official capacity, said she was neither in favor nor opposed to this project. She also said 25% of this project was for low income families and this will mean an increase in the number of school children. She said the Planning Department took a count of school children on a national average, but this figure does not hold true of Worcester. She said the School Department should be consulted on these matters and the figures given by the Planning Department are not realistic. She stated she does not want bussing for children and she wants more cooperation.

Mr. Payson remarked we cannot stop growth.

Mary Russell of 11 Merriweather Road said in her opinion the area today is not what she would call 'blighted'.

Mr. Payson then asked whether it conflicts with the Master Plan. The land is properly zoned and a special permit is allowed.

Mr. Payson asked if such a project is in the best interest of the city. Attorney Edward Lonergan said there were going to be sufficient roadways in the project, it would be attractive, have a tennis court, tot lots, etc. and would be in the best interest of the city.

Dr. Cataldo wanted to know if a traffic survey had been made. He said the traffic in the area doubled in the past year. He mentioned traffic in peak times is backed up from Park Avenue and Mill Street as far back as the Big Discount Store. He stated more apartments in the area would make the situation unbearable, unless the city is ready to spend a lot of money to correct the traffic situation.

He also asked about the safety regarding the foot bridge proposed in the project.

Mr. McNeil said regarding the traffic, that eventually Mill Street near the Big Discount Store would be connected to Main Street when the circumferential highway is built. Mr. Serrali of Mill Street said with an additional 400 units going in, traffic would be increased tremendously.

Thomas Sweeney, Assistant Superintendent - School Plant, wanted to know if all safety standards were going to be adhered to during construction.

Mr. Kneeland said the developer would have a policeman on duty through all stages of construction and there would be a field office on the spot which would be fully staffed. Mr. Sweeney requested a letter from Mr. Kneeland regarding same.

Mr. Payson then read whether this project would be of public use and benefit. It was decided it was beyond question.

Regarding Item 5: to determine whether there would be any relocation of families. Because it is vacant land, this does not apply.

James Robinson stated that last year, appointed officials (including Carl Koontz) objected to 121A Corporations.

Mr. Payson closed the hearing at 9:40 P. M.

Regular Meeting - Room 209 - City Hall.

Hillsboro Village - Section VI - definitive subdivision. Mr. John Reney said he made a recommendation to the Commissioner of Public Works, Vincent Hynes. A motion was made by Mrs. Bagley for the Law Department to immediately take legal action on the bond and have the new subdivision taken up at the next meeting on June 28.

Mr. Butler seconded the motion. All were in favor.

121A Corporation - Chartwell Systems. The following findings were made by the Board in regard to 121A Corporation - Chartwell Systems:

1. The project area is a blighted open area because it is unduly costly to develop soundly through the ordinary operations of private enterprise by reason of the existence of ledge, and by reason of the necessity for unduly expensive excavation, fill and grading, and by reason of the need for unduly expensive retaining walls.

Mr. Anderson moved that it is a blighted area and Mrs. Bagley seconded it. All were in favor.

2. The proposed project does not conflict with the Master Plan of the City.

Mrs. Bagley made the motion and Mr. Anderson seconded it. It was unanimously voted.

3. The project would not be in any way detrimental to the best interests of the city or to the public safety and convenience, nor inconsistent with the most suitable development of the city.

Mr. Anderson made a motion in agreement with this and Mr. Butler seconded it. All were in favor.

4. The project will constitute a public use and benefit.

Mr. Anderson made a motion in agreement and Mr. Butler seconded it. All were in favor.

5. There will be no need for relocation of families since the site is vacant. Mr. Anderson made a motion this is not applicable and Mrs. Bagley seconded it. It was unanimously voted.

6. The project will not be in contravention of any Zoning Ordinance or Subdivision Regulation of the City of Worcester. Mrs. Bagley made a motion in agreement with this statement and Mr. Butler seconded it. All were in favor.

It was concluded that Chartwell Systems Realty Trust does satisfy the legal qualifications to form a 121A Corporation for development of the site.

It is the Board's opinion, however, that the "Policy of the City of Worcester Regarding 121A Corporations" as formulated by the City Manager's Executive Housing Committee and approved by the City Manager, which limits 121A approval to residential development only, with priority consideration to be given to those developments in urban renewal areas is a valid policy and as such the enforcement of this policy is in the best interests of the city. It is the Board's recommendation therefore, that legal qualifications notwithstanding, the policy as stated above be adhered to. Mrs. Bagley made a motion in favor of this and Mr. Butler seconded it. All were in favor.

Subdivision Control Performance Guarantee. The Law Department has reviewed the procedures by which the Planning Board may guarantee performance by a developer under Subdivision Control (Ch. 40A, Sec. 81U) and respectfully submits its report. Mr. Charles Abdella further stated while the statute provides that performance guarantee may be by (1) bond, deposit or negotiable securities or (2) recorded covenant, it is the opinion of the Law Department that a mere covenant without security by performance bond or cash deposit does not offer the City the type or quality of protection that was intended by the General Court. Consequently

it is respectfully suggested that the Planning Board seriously and immediately amend its Rules and Regulations so as to require a performance bond by any developer notwithstanding the option he elects.

It is only by this action can the City have adequate protection and sufficient liquidity of assets to protect and safeguard the community.

A motion was made by Mrs. Bagley to add the letter as written to the Planning Board by Mr. Abdella, to the new Subdivision Regulations.

Mrs. Bagley, Mr. Butler and Chairman Payson voted in favor. Mr. Anderson abstained from voting.

560 Mill Street - more than one building on a lot. At its meeting on January 19, 1972, Mr. McNeil said the Planning Board voted to give preliminary approval to an application submitted by Lester Chase to permit construction of more than one building on a lot located at 560 Mill Street in the City of Worcester. The license board told them to revise the plan.

Adjournment. The meeting was adjourned by Chairman Payson at 10:35 P. M.