

**Minutes
Worcester Planning Board
February 9, 1994**

Planning Board Members Present: John Reynolds
George Russell
Joseph Sova

Staff Present: Karen L. Sherman, OPCD
Michael Caforio, DPW
David Holden, Code Commissioner
Joe Borbone, Acting Traffic Engineer

View: 2:30 p.m.
Dinner Break: 4:00 p.m.(Thai Orchid, Commercial Street)
Regular Meeting: 5:30 p.m., City Hall - City Council Chambers

1. **Call to Order:** Chairman Reynolds called the meeting to order at 5:30 p.m.
2. **Approval of Minutes:** The Board unanimously voted to approve the minutes of January 26, 1994. The *MOTION* was made by Joseph Sova and seconded by George Russell.

Public Hearing Items:

3. Burt Street - Request to Remove from Official Map (Continued)

The Chairman noted that DPW's concern was for existing water and sewer lines within the street. The Law Department's verbal recommendation regarding this issue was that because of the Official Map statute and its reference to the installation (and maintenance) of water and sewer lines within the street, the Planning Board is not in a position to recommend removal of the street. The gating of the street was suggested as an alternative security measure. The petitioner, who was in agreement with the recommendation, was referred to Public Works and the Fire Department for specifications on granting those departments access for maintenance and emergency situations. The issue was filed without prejudice.

4. High Meadow Estates - Preliminary Subdivision: Cal Goldsmith, representing Bovenzi, Inc. (owners), presented the preliminary subdivision plan with the aid of a scaled model. He indicated that the petitioner was requesting the following waivers: 1. Section IX (C)(8)(a) cul-de-sac length (The proposed roads are 775 and 875 feet respectively.), 2. Section IX (E)(1) Centerline grade on horizontal curves (The proposed centerline grade along the horizontal curve on Road "A" is 10 percent.), and 3. Section X (F)(1) Sidewalks (Sidewalks on only one side of each roadway is proposed.). The Chairman noted the numerous technical concerns expressed by DPW in their letter dated February 8, 1994, including sanitary and surface sewer mains, water lines and hydrants, and the proposed streets. Additionally, the Code

Commissioner presented some written concerns regarding some deficiencies in the plan, including: frontage of one lot, excessive slopes on individual lots and potential Conservation Commission jurisdiction.

A petition stating that "the undersigned as neighbors and abutters of the proposed development by Mr. Bovenzi and associates endorse the current proposal as delineated on the map given to the (Greater) Worcester Land Trust" was submitted and signed by approximately seventy-five individuals. Members of the Greater Worcester Land Trust spoke regarding the public-private partnership involved in this transaction and the Conservation Restriction which will run with the land. Debbie Cary, a trust member and Mass. Audubon staff, gave a background of the Trust as well as the land involved.

Concerns expressed by other residents of Stoneleigh, Claridge and Ararat Streets included the following: concern for increased traffic on Ararat Street, concern over area drainage, concern over potential connection to an adjacent subdivision to the north, areas subject to flooding on the western portion of the site which have not been identified on the plan, and the value of the land as open space in its entirety. Reynolds expressed concerns regarding the proposed lengths of the two cul-de-sacs and suggested that the developer may want to reassess a interconnected roadway design.

Peter Bovenzi (owner) presented additional details including the planned transfer of approximately 78 of the 87.9 acres to the Greater Worcester Land Trust with a \$40,000 maintenance endowment contingent upon the development plan being approved by the Planning Board. The current design of the plan "avoids" the on-site wetlands areas which were severely impacted in prior designs. Reduction in roadway length as well as lot numbers is proposed.

Russell made a *MOTION* to approve the preliminary subdivision application with the requested waivers, indicating that the applicant should address the concerns expressed in DPW's letter as well as by Board members and the Code Department prior to the submission of the Definitive Subdivision Application. Sova seconded and the Board voted unanimously in favor.

5. 27 Second Street - Site Plan Approval: An agent from the ReMax agency represented the petitioner in this application for the construction of a single family home and garage on a lot with a slope of greater than 15%. No department expressed any concerns regarding the petition. Sova made a *MOTION* to approve the application with provisions for the installation and maintenance of appropriate soil erosion and sediment control measures. Russell seconded the motion and the Board voted unanimously in favor.
6. 135 Brooks Street (Continued): Atty. Brodeur indicated that the consulting team had reviewed the draft list of conditions prepared by OPCD as a result of site plan revisions as well as departmental concerns.

Russell made a *MOTION* to approve the application with the following conditions:

A. Site Plan Revisions

1. Revised site plans dated 1/14/94 which incorporate some of the following changes:
 - widening of the existing sewer easement from 15 to 20 feet,
 - drainage system improvements designed to address both flood control and water quality in accordance with DPW standards,
 - layout changes to southern parking lot area and driveway to improve flows and direct exiting traffic northward on Brooks Street as well as extension of pedestrian walkways from cinema entrance,
 - sidewalk improvements and extension along the property line on Brooks Street, &
 - construction/design detail modifications to proposed utility systems designs as requested by DPW.
2. Snow storage areas to be set back from wetlands buffers and catch basins as required in *Worcester Conservation Commission Order of Conditions* (DEP File No.#349-455).
3. Increased height of the proposed earthen berm and additional plant materials to provide better screening and separation from the proposed sidewalk improvements.
4. Compliance with the six (6) concerns expressed by DPW in their attached letter dated January 25, 1994.

B. Additional Improvements

5. Site lighting fixtures located at the perimeter of the project must be equipped with glare shields to prevent off-site glare.
6. Traffic mitigation strategies proposed to be funded and constructed by the proponent including the following:
 - upgrading the intersection of Mountain Street West and the I-190 southbound off-ramp to fully-actuated operation if needed;
 - a phasing adjustment to allow a lead for westbound traffic on Mountain Street West at the I-190 ramps;
 - signalization of the Brooks Street/Mountain Street intersection to facilitate left turns to and from Mountain Street West, and
 - reconstruction of the traffic island at the intersection of Brooks Street and Ararat Street if determined necessary by the City of Worcester during the eighteen month period following the opening of the cinema.
7. Provision of a traffic officer on site during peak times to direct traffic flows to the north rather than through the residential neighborhood.
8. Funding and implementation of a "local" directional signage program to funnel cars to West Mountain Street in accordance with the requirements of DPW.
9. As recommended by Joe Borbone, Acting Traffic Engineer, the cul-de-sac option for lower Brooks Street will be evaluated by the city during the eighteen-month period following the opening of the cinema. If this evaluation determines that a cul-de-sac is warranted, the proponent will fund the reasonable cost of the design and construction of the cul-de-sac option.

C. Miscellaneous:

10. Provision of on-site security during hours of operation.
11. Semi-annual progress meetings with neighbors regarding traffic impact and other neighborhood issues for the first two years of operation.
12. Coordination with Mass. Highway in order to implement the proposed off-site signage program to encourage use of Exit #3 off Rte. 190,
13. Coordination with WRTA to fund and construct a bus stop on-site, if feasible.

Councilor Patton indicated that on behalf of the residents in the area, a petition to close lower Brooks Street to through traffic via a cul-de-sac had been submitted to the City Council and referred to the Planning Board. Brodeur indicated that National Amusements would fund and construct whichever option was approved.

Joe Borbone, Acting Traffic Engineer stated that the cul-de-sac option should be evaluated within the eighteen-month period following the opening of the cinema and that in his experience, any problem which would warrant a cul-de-sac or intersection improvements at Brooks and Ararat Streets would become evident in a short period of facility operation. Traffic studies for the area indicate that traffic should not be at problem volumes but that his department wants to be sensitive to the neighborhood concerns. His concerns were added to condition number nine.

Sova seconded the motion to approve the application and the Board voted unanimously in favor. Additionally, the Board approved a letter of support for the off-site signage program addressed to Peter Donahue, Mass. Highway District Engineer.

7. 610 Lincoln Street: The Chairman discussed this item briefly and noted that on advice of counsel, this issue was not appropriately before the Board and that he recommended that it be filed. The Board concurred.
8. Front Street (Worcester Common Fashion Outlet) - Site Plan Approval Amendment and Extension: The Chairman noted that a set of amendments has been provided to the Board by staff of Mirick, O'Connell, DeMallie & Lougee, Attorneys at Law on behalf of the petitioner. D.M. Moschos, Esq. noted that several changes to the initial amendment proposal were suggested as a result of a meeting with OPCD staff. He explained that the petitioner wished to phase the project, deferring some of the conditions previously set by the Board until the second phase.

The Chairman expressed several concerns regarding the Board's review authority over the project and discussion ensued. Sova made a *MOTION* to approve the extension of petition with the following amended conditions subject to review and advisement by counsel:

1. The Planning Board acknowledges and approves of the construction of the renovations from the construction of the new building into two distinct phases of construction to be referred to as Phase I and Phase II. Any approvals in the decision, or amendments thereto, are not contingent upon the commencement or completion of Phase II or the full completion of Phase I.
2. In addition to the waivers, the Planning Board also waives jurisdiction, if any, over internal renovations. The Applicant will not be required to obtain any additional approval from the Planning Board in connection with such renovations.
3. Condition 2 of the decision, which requires that the Worcester Center Boulevard loading area be properly screened and shielded through wall construction (ten foot height or greater), landscaping and tree planting with materials compatible with surrounding land uses, only applies to the construction of the new building under Phase II and is deferred until the completion of the Phase II construction and occupancy of the new building.
4. Condition 5 of the decision, which requires that utility improvements and connections be subject to the requirements and the approval of the Commissioner of Public Works, only applies to Phase II and compliance with condition 5 is deferred until the commencement of the construction of the Phase II building. Notwithstanding the foregoing, the Commissioner of Public Works shall retain all jurisdiction over those components of Phase I that normally are subject to his review and approval.
5. Condition 6 of the decision, which requires that erosion control plans for the new building be subject to the requirements and the approval of the Commissioner of the Worcester Department of Public Works and the Commissioner of the Department of Health and Code Enforcement, only applies to Phase II and compliance with Condition 6 is deferred until the commencement of the construction of the new building.
6. Condition 9 of the decision, which requires that the applicant submit a supplemental traffic report is deferred until the commencement of Phase II.
7. Except to the extent that the decision is extended or amended by this instrument, the decision of January 20, 1993, remains in full force and effect.

Russell seconded and the Board voted unanimously in favor.

9. 648 Chandler Street - Parking Plan Approval: Caforio asked the petitioner through the Chairman whether or not there would be any alterations to the existing paved conditions. The petitioner noted that no changes with the exception of the installation of a drive-thru window would be made to the site or the building footprint. Sova made a *MOTION* to approve the plan with no conditions. Russell seconded and the Board voted unanimously in favor.

10. 67 Vernon Street - Parking Lot Approval: Rev. Black from Grace Community Church presented the application to the Board. Sova made a *MOTION* to approve the application with the condition that the applicant indicate the location of the six designated handicapped parking spots as required by the Code Commissioner. Russell seconded the motion and the Board voted unanimously in favor.

11. Plans to be Ratified: Sova made a *MOTION* to ratify the following plan:

<u>Approval Not Required</u>	<u>Signature Date</u>
4615 Rural Street	2/1/94

Russell seconded and the Board voted unanimously to ratify the plan as presented.

Other Business:

12. The discussion of a potential Subdivision Regulation Amendment regarding the frontage waiver issue was continued until the next meeting. OPCD staff provided draft text to the Board with assistance from the Legal Department as requested.

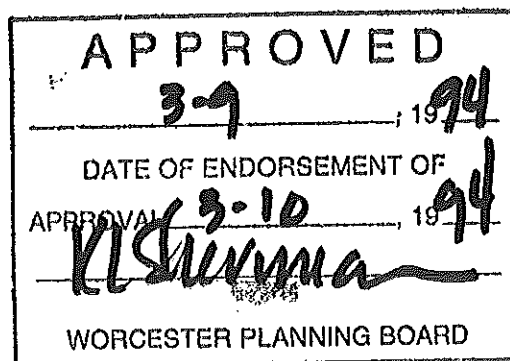
13. The draft Parking Lot Plan checklist was reviewed and discussed briefly and will be revised for use by OPCD for plan review and recommendations.

14. Subdivision Status - Forest Hills Section II: Correspondence was sent to the latest contact on file and no response was received. Reynolds indicated that a second notice should be sent and that the Law Department should take up the issue.

15. Subdivision Status - Trenton Estates: Sherman noted that the developer had responded to correspondence sent by the board asking for a status report and he indicated that he would be willing to meet with the Board in March and that he would be forwarding a letter detailing the progress of the development.

16. Next Meeting: February 23, 1994 at 2 p.m. in the Personnel Training Room.

17. Adjournment: Sova made a *MOTION* to adjourn, seconded by Russell and voted unanimously. Chairman Reynolds adjourned the meeting at 6:50 p.m.



**CITY OF WORCESTER
WORCESTER PLANNING BOARD**

PLEASE TAKE NOTICE

DATE: February 10, 1994

At a meeting held on *February 9, 1994*, the Worcester Planning Board voted unanimously to approve the *Parking Plan Approval* application filed by *Wolcott-Marshall, Inc for Robert Dolan, owner*.

The Project involves *permitting an existing parking lot* at a parcel located at *648 Chandler Street, Worcester, Massachusetts*.

Proper notice on *January 26, 1994*, was given for the meeting by the Planning Board.

The *Parking Plan Approval* was granted with no conditions.

Authorized Planning Board Member

Name
José T. Regalado

Date
2-25-94

**CITY OF WORCESTER
WORCESTER PLANNING BOARD**

PLEASE TAKE NOTICE

DATE: February 10, 1994

At a meeting held on *February 9, 1994*, the Worcester Planning Board voted unanimously to approve the *Site Plan Approval* application filed by *Theodore Ruderman, owner*.

The Project involved *construction of a single family home* at a parcel located at *27 Second Street*, Worcester, Massachusetts.

Proper notice on *January 12, 1994*, was given for the meeting by the Planning Board.

The *Site Plan Approval* was approved with the following conditions:

1. Installation and maintenance of suitable soil erosion and sediment control measures.

Authorized Planning Board Member

J. de T. Repass
Name

2-25-94
Date

**CITY OF WORCESTER
WORCESTER PLANNING BOARD**

PLEASE TAKE NOTICE

DATE: February 10, 1994

At a meeting held on *February 9, 1994*, the Worcester Planning Board voted unanimously to approve the *Parking Plan Approval* application filed by *Grace Community Church, owner*.

The Project involves *permitting an existing parking lot* at a parcel located at *67 Vernon Street, Worcester, Massachusetts*.

Proper notice on *January 26, 1994*, was given for the meeting by the Planning Board.

The *Parking Plan Approval* was granted with the following condition:

- The petitioner is to identify the six designated handicapped parking spaces as required by the Code Commissioner.

Authorized Planning Board Member

Name
John Reynolds

Date
2-25-94

CITY OF WORCESTER WORCESTER PLANNING BOARD

PLEASE TAKE NOTICE

DATE: February 10, 1994

At a meeting held on *February 9, 1994*, the Worcester Planning Board voted unanimously to approve the *Site Plan Approval* application filed by *Brooks Street Realty Corp.*

The Project involved *construction of a 92,000 gross square foot Showcase Cinema complex* at a parcel located at *135 Brooks Street*, Worcester, Massachusetts.

Proper notice on *December 1, 1993*, was given for the meeting by the Planning Board.

The *Site Plan Approval* was approved with the following conditions:

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 - layout changes to southern parking lot area and driveway to improve flows and direct exiting traffic northward on Brooks Street as well as extension of pedestrian walkways from cinema entrance,
 - sidewalk improvements and extension along the property line on Brooks Street, &
 - construction/design detail modifications to proposed utility systems designs as requested by DPW.
2. Snow storage areas to be set back from wetlands buffers and catch basins as required in *Worcester Conservation Commission Order of Conditions* (DEP File No.#349-455).
3. Increased height of the proposed earthen berm and additional plant materials to provide better screening and separation from the proposed sidewalk improvements.
4. Compliance with the six (6) concerns expressed by DPW in their attached letter dated January 25, 1994.

B. Additional Improvements

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 - a phasing adjustment to allow a lead for westbound traffic on Mountain Street West at the I-190 ramps;
 - signalization of the Brooks Street/Mountain Street intersection to facilitate left turns to and from Mountain Street West, and
 - reconstruction of the traffic island at the intersection of Brooks Street and Ararat Street if determined necessary by the City of Worcester during the eighteen month period following the opening of the cinema.
7. Provision of a traffic officer on site during peak times to direct traffic flows to the north rather than through the residential neighborhood.
8. Funding and implementation of a "local" directional signage program to funnel cars to West Mountain Street in accordance with the requirements of DPW.
9. As recommended by Joe Borbone, Acting Traffic Engineer, the cul-de-sac option for lower Brooks Street will be evaluated by the city during the eighteen-month period following the opening of the cinema. If this evaluation determines that a cul-de-sac is warranted, the proponent will fund the reasonable cost of the design and construction of the cul-de-sac option.

C. Miscellaneous:

10. Provision of on-site security during hours of operation.
11. Semi-annual progress meetings with neighbors regarding traffic impact and other neighborhood issues for the first two years of operation.
12. Coordination with Mass. Highway in order to implement the proposed off-site signage program to encourage use of Exit #3 off Rte. 190,
13. Coordination with WRTA to fund and construct a bus stop on-site, if feasible.

Authorized Planning Board Member

John J. Murphy
Name

2-25-94
Date