

Planning Board

Worcester, Massachusetts

Wednesday, September 30, 1970

3:00 P. M. - Room 209, City Hall

Agenda

3:00 P. M. - View

1. Redfield Rd. - add to official map
2. Elm Park Urban Renewal - plan amendment

4:00 P. M. - Regular Meeting - Room 209 - City Hall

1. call to order
2. minutes of June 24 and July 15
3. Elm Park Urban Renewal Plan - amendment #3
4. Mill St. - more than one building - preliminary
5. Goldthwaite Rd. - more than one building - preliminary
6. Miscoe Estates - bond reduction
7. McGill St. - priority
8. date of next meeting
9. plans to be ratified
10. any other business
11. recess

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

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

1. Redfield Rd. - add to official map

8:00 P. M. - Regular Meeting - Room 209 - City Hall

1. call to order
2. item of public hearing
3. adjournment

The meeting of the Worcester Planning Board came to order at 4:40 P. M.,  
Wednesday, September 30, 1970, in Room 209 City Hall.

Members present were: Frederic R. Butler, Carl H. Koontz and Carlton B. Payson.  
Others present were Charles Abdella, John J. Reney, Gerard F. McNeil, Francis J.  
Donahue and Alexander A. Pridotkas.

Mill Street - more than one building - preliminary. Mr. Lester Chase spoke for  
the petitioner. Mr. Merrill represented TASC Inc.

Mr. McNeil asked if Mr. Reney had seen the plans. Mr. Reney replied that he had  
not. Mr. McNeil explained that since the site was in an RS-7 zone, a variance  
would be required.

Mr. Chase said that a variance based on the original plans had already been  
granted by the Board of Appeals.

Mr. McNeil explained that due to the change in plan, it would be necessary to  
seek a new variance. He explained to the Board that both the original and the  
revised plans called for 60 units. He asked Mr. Chase about the arrangements  
for surface drainage.

Mr. Chase explained that water would be channeled into the surface line along  
the easement, that no surface water would be drained directly into the brook.  
Mr. Reney asked if the property line were the center of the brook. Mr. Merrill  
replied that it was. Mr. Reney explained that a program was currently underway  
to improve Tatnuck Brook, and he said that it would be necessary to check on  
the improvements planned for this section of the brook. Mr. Merrill explained  
that the development was to be constructed on filled land 10 to 15 feet above  
the water line.

Mr. Reney explained that it would also be necessary to check on the easements  
for the scheduled improvements.

Mr. Payson suggested that a decision could be subject to the approval of the City Engineer and the State Department of Public Works, Division of Waterways. Mr. Merrill explained that 62 parking places would be provided for the 60 units proposed, and that there would be about 40-2 bedroom units and 20-1 bedroom units.

Mr. McNeil pointed out that there were too many units on the lot, but that since the Board of Appeals had approved 60 units on the site, he must abide by its decision. He said that the parking access requirements had been met.

Mr. Koontz made a motion to approve the preliminary plan, subject to the approval of Mr. Reney and the State Department of Public Works.

Mr. Butler seconded the motion, and he asked Mr. Merrill about snow removal.

Mr. Merrill replied that snow would be drained into the brook.

The motion was carried by a 3-0 vote.

Mr. Koontz asked if the plan would come before the Board again. Mr. McNeil replied that it would come before the Board after the Board of Appeals decision. Goldthwaite Road - more than one building - preliminary. Mr. Douglas Liston and Robert Perry spoke for the petitioner.

Mr. Liston reviewed the details of the plan. He pointed out that 81 units were scheduled to be built on about 123,000 square feet of land. He explained the alternate plan reviewed by the department. He said that the Department would prefer that 12 units be eliminated and the parking be rearranged to provide more open space.

Mr. Koontz asked if health or safety hazards were involved.

Mr. McNeil replied that there were not, and that the proposal conformed to the zoning requirements.

Mr. Koontz asked why Mr. Liston preferred the one plan over the other.

Mr. Liston replied that the decision was based on the location of the pool and the amount of blasting involved.

Mr. Koontz asked if the Department's reason for reducing the number of units were the desire for additional open space. Mr. McNeil replied that the reason was based on the need for open space and on the long-term quality of the property.

Mr. Liston pointed out that the proposal conformed to the existing RG-5 zone.

Mr. Koontz pointed out that the Boards only concern was conformity with zoning and engineering requirements.

Mr. McNeil questioned the advisability of a 17 foot high retaining wall close to a 3 story building. He suggested stepping the wall. He said that Board approval was necessary for any work done in the area, under the Hatch Act.

Mr. Payson pointed out that the plan was only a preliminary one. Mr. Liston said that the final hearing was scheduled for October 14, 1970.

Mr. Reney said that he had not seen the plans and asked that 2 copies be sent to his office.

Mr. Koontz made a motion that preliminary approval be given subject to the approval of Mr. Reney, and that the 30 foot entrance requirement be waived.

Mr. Butler seconded the motion. The motion was carried by a 3-0 vote.

Miscoe Estates - bond reduction. Mr. Payson reviewed the request for a bond reduction and the letter from Mr. Hynes recommending that the bond be reduced to \$14,000.

Mr. Butler made a motion that the bond be so reduced. Mr. Koontz seconded the motion. The motion was carried by a 3-0 vote.

Any other business.

Salisbury Farms - Section IV - bond reduction and extension. Anthony Ciociolo and Attorney Henry Anderson represented the petitioner.

Mr. Donahue reviewed the request. He said that the bond of \$45,600, expired on July 1, 1970 and that Ciociolo Builders were requesting a one year extension. He said this was the first request for extension.

Mr. McNeil pointed out that this section included two instances of the wording "reserved for street purposes" which the <sup>Board</sup> ~~Committee~~ wished changed to "easement for street purposes". Mr. Payson officially requested such a change.

Mr. McNeil explained that the utilities and the base coat were completed, that the final coat and the sidewalk berm were yet to be completed.

Attorney Anderson said that he would consider the matter of the wording change.

Mr. McNeil pointed out that the matter had to be resolved before the bond was released.

Mr. Payson said that no bond reduction could be considered without a recommendation from Mr. Hynes, but that a decision on the extension could be made.

Mr. Koontz made a motion to extend the bond until July 1, 1971. Mr. Butler seconded the motion. The motion was carried by a 3-0 vote.

Elm Park Plan - Amendment #3. John Coughlin and Blair Norton represented the Worcester Redevelopment Authority.

Mr. Coughlin said that the first plan change would be in the off-street parking designation on the street behind Park Avenue. He requested a change to a residential designation to allow for a high rise for elderly persons to be built by the Worcester Housing Authority. The second change would be the location of the westerly boundary of the area, from the original location of Institute Road, to the new location of the road. He requested this change so

that the new street construction could be financed with cooperating funds.

He described the proposed housing units to be built between Pleasant, Hudson, and Townsend Streets.

Mr. Roney and Mr. McNeil approved the proposals on behalf of their departments.

Mr. Koontz made a motion to approve the two plan changes. Mr. Butler seconded the motion. The motion was carried by a 3-0 vote.

McGill Street - priority. Mr. Donahue reported that, the pavement width was 40 feet, that water and sewer lines were present, and that the street rated a #3 priority.

Mr. Koontz moved that the street be given a #3 priority; Mr. Butler seconded. The motion was carried by a 3-0 vote.

Minutes of June 24 and July 15. The Board voted to approve the minutes of June 24 and July 15.

Date of next meeting. The date of the next meeting was set for October 14.

Any other business.

Ratification of Chapter 90 Program Priorities. Mr. McNeil read the priorities approved by the City Council the previous night.

1. Millbrook Street Bridge
2. Lake Avenue North and Natural History Drive
3. Brooks Street and Ararat Street (needed for Route 52)
4. Gates Lane
5. Lake Avenue, from Belmont Street to Nonquit Street, and the reconstruction of Belmont Street

Mr. Payson suggested that the Northern Circumferential Highway have a higher priority than Lake Avenue south of Belmont Street.

Mr. McNeil suggested that the Northern Circumferential Highway priority should be included in a report to the Manager. He pointed out that Chapter 90 road reconstruction did not require a vote.

Mr. Payson said that the Program had been received and approved with the above recommendation to the Manager.

The Board recessed at 5:30 P. M. for dinner at Putnam and Thurston's Restaurant. Public Hearing. At 7:30 P. M. the Board met in the Council Chamber for its scheduled public hearing.

Redfield Road - add to official map. Mr. Elton Seaver of Redfield Road was present with his family.

Mr. Payson pointed out the road on an aerial survey, and explained that the cellar shown had been built by Mr. Seaver.

Mr. Seaver explained that the cellar was built without a building permit and that construction was stopped when the permit was refused due to lack of sufficient access to the lot. He explained that the access road was in Leicester.

Mr. McNeil pointed out that two arguments were applicable to this situation.

1. that an error had been made when the official map was adopted on June 9, 1953, or 2. that Redfield Road should be accepted as a public street. He said that in order to prove an error, Mr. Seaver would have to show that more than two owners were using the road as of June 9, 1953.

Mr. Payson pointed out that in 1953, the whole area in question was owned by one person and the City of Worcester.

Mr. Seaver pointed out that a recorded map of 1927 showed the lot in question as a buildable lot.

Mr. Reney said that the City would not want to accept as public a street with no access from Worcester. Due to the unusual conditions, however, he suggested that consideration be shown.

Mr. Seaver explained that he had been refused building permits in both Leicester and Worcester, and that he had been told that the Board would have to approve the addition of Redfield Road to the map before a permit could be granted.

Mr. Roney said that an accepted way in Cherry Valley would qualify for a access if it had twenty feet of frontage in Leicester.

Mr. McNeil asked if Mr. Seaver could petition the Board of Appeals for a variance, since he had a perfect argument for hardship.

Attorney Abdella pointed out that variances were only applicable to zoning and not a building permit.

Mr. McNeil pointed out that a variance could be granted under the Subdivision Control Laws.

Attorney Abdella suggested that the petitioner seek legal counsel.

Mr. McNeil said that the zone was RL-7, and he read the applicable section of the Subdivision Regulations.

Mr. Roney pointed out that there was access to the property within the Commonwealth and that the Building Inspector should be able to grant a permit.

Mr. Koontz suggested that one must look at the intent of the law to insure public safety. He said that since the property had access, Worcester should issue a permit.

Mr. Payson said that since this is essentially a legal problem, Mr. Seaver should hire a lawyer. He said that there was nothing the Planning Board could do on the petition before it.

Mr. Koontz said that Worcester was a City with a heart, and that all possible consideration should be given to help solve Mr. Seavers dilemma.

Mr. Butler made a motion to deny the petition. Mr. Payson seconded the motion. The petition was denied by a 3-0 vote.

Worcester Housing Development Corporation. Cohasset Street. Mr. Donahue reported that the \$13,000 bond had been executed.

The meeting adjourned at 8:30 P. M.