

Worcester Planning Board
Minutes of July 18, 1990

Board Members Present:

Frank DeFalco, Chairman
Joan Sadowsky
John Reynolds
George Russell
Michael Lopardo

Staff Present:

Francis Donahue, BLUC
Philip Hammond, OPCD
Michael Traynor, Law Department
Robert Moylan, Jr., DPW
Hossein Haghanizadeh, DPW

Regular Meeting

1. Call To Order - Chairman DeFalco called the meeting to order at 3:30 P.M.
2. Approval of Minutes - The minutes of the June 20, 1990 meeting were approved unanimously.
3. Oak Grove Estates - Amend Drainage Plan

Attorney Michael Moschos, representing BayBank, requested an amendment to the approved Oak Grove Definitive Plan to allow for the construction of an above ground retention pond instead of an underground retention facility. The request evolves from the BayBank's concern about the cost of constructing the pond. As presented, the retention pond appeared to be eighteen (18) feet deep. The Board felt uncomfortable with a ten (10) foot above ground pond but their feelings about a deeper pond were even stronger. Until detailed plans can be provided, the Board reserved judgement on allowing the amendment. The item was tabled.

4. Indian Lake View - Preliminary Subdivision and Site Plan

The proponent did not appear. Therefore, the Board unanimously denied the preliminary plan and site plan for failure to appear before the Board.

5. Longview Heights - Drainage Problem

The deplorable subdivision/site conditions of this project have caused drainage problems to abutters downstream along Erie Avenue. Attorney Donald O'Neil, representing the abutters, noted that some remedial action (staked hay bales) has taken place and urged continued monitoring of this project.

DPW Deputy Commissioner Moylan expressed shock over the project and pledged a swift DPW response to control the site/project.

The Board voted to have the developer of Longview Heights appear at the next meeting to explain matters.

6. Fourth Street - Site Plan Review

Continuing from the June Board meeting, William R. Picard, AICP, of Picard Associates, responded to the following items:

- Snow removal - its disposal will be by grassy knoll area to the rear;
- Project buffer zone - four (4) to six (6) foot shrubs will be placed alongside abutters;
- Play area - elimination of tennis court and install play equipment;
- Sidewalks - will be continued up Fourth Street to project;
- Dumpster location - to be located at the corner/rear of project;
- Post office boxes - to be constructed in an interior room by the front entrance.

The Board voiced their concern about project components that they perceive to inadequately serve a residential complex of this size and density. In particular, the Board noted that:

- Solid waste - the number of dumpsters (2) were inadequate to serve a 134 unit building. Either more dumpsters are needed at different locations and/or more frequent disposal is required.
- The removal/disposal of snow to a grassy area off of the parking lot will need a drain system to control run-off, etc.

George Russell made a recommendation to place a number of conditions on the site plan approval. However, the motion was not seconded.

Following extensive give and take, the Board voted 4-0-1 to recommend approval with recommendations on additional dumpsters/disposal and a complete snow removal program.

7. Clark Street - Site Plan Approval

Walter Swartz, of C.T. Male Engineering, responded to questions raised on this project which was tabled from the June meeting.

Feeling that the proponent did not answer directly the comments of various municipal departments relative to project layout and the aquifer protection zone, the Board requested more detail.

Again, the Board tabled the project and asked the proponent to contact the municipal Water Resources Planning Committee to discuss the project.

8. Wrentham Road - Status Review

The DPW will review the project bond to see if funds are available and are set aside to pave this street. The item was tabled.

9. Orton Street - Set Bond Amount

The Board set a bond of \$82,000.00 and authorized the release of Phase II covenants upon the posting of the bond. A deadline for the bond was set for 6/30/91 and its was approved unanimously.

10. Attleboro Street - Private Street Opening

The proponent presented this plan for opening up Attleboro Street to service newly constructed homes. The conditions of this prior agreement would be:

- that the roadway would be a private drive not a public street with no City commitment/obligation to maintain;
- the drive would lead up to and end at the last house.
- the site would be loamed and seeded after completion;
- an earth berm and erosion control is required to mitigate impact on abutters.

Therefore, the Board recommended approval to the City Council Public Works Committee subject to the posting of a bond in order to guarantee performance of the conditions noted above.

11. Rosewood West (Scenic Heights) - Subdivision Review

A meeting has been scheduled with the developer and DPW to discuss status. No action was necessary by the Board.

12. Plans to be Ratified

- 4272 Plan of land on Spring Valley Road, owned by Mary Lane, signed on 6/26/90
- 4273 Plan of land on Benson Avenue, owned by George Brown, signed on 6/20/90
- 4274 Plan of land on Clark Street, owned by Teamsters of America, signed on 7/6/90
- 4275 Plan of land on Burncoat Street, owned by Putnam and Kosla, signed on 7/6/90
- 4276 Withdrawn

- 4277 Plan of land on Svenson Avenue, owned by Gary Carbonneau, signed on 7/6/90
- 4278 Plan of land on Vincent Circle, owned by Javelin West Realty, signed on 7/18/90
- 4279 Plan of land on Dominion Road, owned by Antonio Corapi, signed on 7/18/90
- 4280 Plan of land on Wildrose Avenue, owned by Donald O'Neil, signed on 7/18/90
- 4281 Plan of land on Mountain Street East, owned by St. Pierre Family Realty Trust, signed on 7/18/90
- 4282 Plan of land on Mountain Street East, owned by St. Pierre Family Realty Trust, signed on 7/18/90
- 4283 Plan of land on Mountain Street East, owned by St. Pierre Family Realty Trust, signed on 7/18/90

13. Date of Next Meeting - August 22, 1990

14. Any Other Business

Worcester Zoning Ordinance - George Russell motioned that the City Council be requested to provide an update on the approval process of the proposed Worcester Zoning Ordinance. It was approved unanimously.

Subdivision Regulations - The Board voted unanimously to ask the OPCD to help form a review committee with all municipal departments relative to new/updated subdivision control regulations.

Public Hearing

Arboreteum - Request to Re-appeal to the Zoning Board of Appeals Within Two (2) Year Limitation

1. Attorney Robert Cunningham, representing Francis Murphy, Trustee of Arboreteum Realty Trust, presented the applicant's case for a re-appeal to the ZBA. The low rise multi-building project was reduced to 182 units of affordable/elderly housing from the original special permit proposal of 244 units. Attorney Cunningham outlined the various reasons the project is a new project therefore allowing the proponent to re-appeal the ZBA.

Prior to Mr. Cunningham's presentation, Michael Traynor, Assistant City Solicitor, narrowed the focus of the agenda item in order to center the debate on the issue. The item before the Planning Board was is this a new project? If so, does the Board agree with the ZBA's decision to allow the proponent to re-apply for a special permit with the two (2) year limitation?

After the proponent's presentation, the Board opened the issue up for debate. First, Mr. Paul Curren, Auburn Town Meeting Member, voiced his opposition to the project. He did not see any significant changes to the scale of the multi-unit project, other than the total number of units, that would make it a significantly different project. The project was not materially different, therefore did not warrant an exemption from the Board.

Next, Representative William Glodis stated that the proponent did not deserve to be granted a waiver from the two (2) year limitation. He saw no change to the project.

Michael Traynor, Assistant City Solicitor, advised the Board that in order to judge whether the plan was different, the Board should review the original ZBA decision to deny the project. The Board asked that a copy of the reasons for denial be presented so that the re-appeal could be judged accordingly.

A number of persons spoke against the project stating that the project as presented was no different than the original special permit project that was denied. Their opposition, which focused on project differences that are not apparent between the old and new plans, centered around project type (multi-family), density, traffic generation, negative impacts on community character and incompatibility with the surrounding land uses. Persons who spoke in opposition were: George Jewel, Auburn Selectman; Lorraine Nordgren, Auburn Selectwoman; James Hurten, Auburn Selectman; Jay Leader, 33 Bayberry Drive; Jane Petrella, 245 Greenwood Street; Helen White, 41 Davenport Road; and Connie Brosnihan, 53 Tennyson Street.

George Russell, in pointing out several project issues relative to building heights, design, access/egress, traffic generation, interior roadway design and subdivision layout, identified that the proponent has not shown clearly that the plan as presented is new. In outline form, what are the changes in the plan that make it significantly different from the original plan that was denied?

On this basis, the Board directed Mr. Cunningham to outline and detail project changes that would help the Board gauge the newness of the plan. Before the Board can make a decision on the re-appeal, they will need to see the significant/material changes in the project as outlined by the proponent. Moreover, the Board requested a copy of the original denial from the ZBA.

The hearing was adjourned until the next meeting on August 22, 1990.