

Planning Board
Worcester, Massachusetts

Wednesday, August 12, 1970
2:30 P. M., City Hall

Agenda

2:30 P. M. - View

1. Alvarado Avenue - more than one building on a lot
2. Lincoln Country Club - change of zone
3. Salisbury Street north of Barry Road - change of zone
4. Lynnwood Lane - bond review

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

1. call to order
2. minutes of June 22, 1970
3. Forest Hills, Section II - report of Law Department
4. Lynnwood Lane - bond review
5. Worcester Five Cents Savings Bank - re-appeal to Board of Appeals
6. Clayton Street - petition to re-name to Gaylord Street
7. Payson Street - petition for water pipe
8. Dillon Street - priority
9. Seconset Street - priority
10. Howe Street - priority
11. Rice Lane & Acton Street - priority
12. plans to be ratified
13. date of next meeting
14. any other business
15. recess

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

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

1. Alvarado Avenue - more than one building
2. Greenwood Street - more than one building
3. Salisbury Street - petition to change zone
4. Lincoln Country Club - petition to change zone

9:00 P. M. - Regular Meeting - Room 209, City Hall

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

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The meeting of the Planning Board came to order at 4:00 P. M., on Wednesday, August 12, 1970 in Room 209, City Hall, Worcester, Massachusetts.

Members present were: Lloyd Anderson, Frederic R. Butler, Carl H. Koontz, Carlton B. Payson and Philip A. Segel.

Others present were Charles Abdella, Francis J. Donahue, Gerard F. McNeil, Alexander A. Pridotkas, and John J. Reney.

Forest Hills, Section II. Mr. Raymond Sansoucy, Mr. Douglas Liston and Mr. Raymond Moran presented the revised plan for the Forest Hills subdivision. Mr. McNeil read the report of the Law Department outlining the legal requirements of a subdivision plan.

Mr. Anderson asked if this were the same proposal previously presented without adequate boundary descriptions. Mr. McNeil replied that it was. He then explained the plan to Mr. Koontz who was absent from that previous meeting.

Mr. McNeil asked that a check be made on the approval of the original subdivision plan to determine the extent of the bonded area. He explained to Mr. Moran that the cul-de-sac shown on the new subdivision plan did not correspond to that shown on the original plan, and that if this cul-de-sac fell within the bonded area of the previous plan, a new hearing would be required to change the plan.

Mr. Donahue reported that the cul-de-sac did fall within the bonded area.

Mr. Moran asked if the elimination of the cul-de-sac would also require a new hearing. He said that he did not intend to seek a change in the original plan. Mr. McNeil replied that it would require a new hearing and that it would be easier if the cul-de-sac were placed in its original position.

Mr. Moran gave an explanation of the new plan of the property. He pointed out the drainage pattern and the property lines.

Mr. McNeil pointed out that the basic issue involved the definition of a subdivision plan. He said that a lot was defined as land in one ownership with frontage on a public or private way. He pointed out that the subdivision plan as presented failed to show a proper subdivision into two or more lots because it did not indicate frontage for the lots nor did it adequately define the boundaries of the entire parcel. He said that any interior lot lines need not be shown.

Mr. Moran explained that all of the parcels had frontage, but that the frontage for one of the parcels was not shown on the plan. Mr. McNeil pointed out that the Board could not make a decision involving information that was not specifically described on a subdivision plan. He said that the boundary lines of the entire lot in question must be shown.

Mr. Moran asked if the presentation of a 1962 plan showing the entire area would help to clarify the matter. Mr. McNeil replied that it would, but that the entire lot, as defined by the Law Department, must be shown on any definitive plan.

Mr. Moran said that all Mr. Sansoucy wanted to do was to put in sewers on the street extension. He said that the Board had directed them to show a perimeter around the property in question, and that they had done this.

Mr. McNeil explained that the Board needed to know what the boundary of the entire lot was as well as the relationship of the lot to surrounding subdivisions.

Mr. Moran asked if this information had to be shown on a recordable plan.

Mr. McNeil replied that it did.

Mr. Sansoucy asked how the previous subdivision plan was accepted since this information was not given then.

Mr. McNeil replied that the previous approval was given through the leniency of the Board and did not constitute a policy for subdivision approval.

He explained that the Board must be provided with adequate information so that sound planning decisions could be made.

Mr. Segel asked if the assessment of the land in question would be affected if Mr. Sansoucy came in with a plan for the entire area.

Mr. McNeil replied that the assessment should not be affected since he was not requesting that additional lots be shown.

Mr. Payson asked Mr. Moran if he could prepare the necessary plans by next week. Mr. Moran replied that the westerly portion of Mr. Sansoucy's land had not yet been surveyed.

Mr. Payson asked if the lack of approval by the Board were delaying any building. Mr. Sansoucy replied that he needed land to build on and that he did not want to be delayed further by having to survey land he did not intend to use immediately.

Mr. Payson asked why additional property information could not be taken from the existing deeds. He explained that a survey was not really necessary.

Mr. McNeil said that the Board only needed to know about the land relationship, not specific survey information.

Mr. Liston said that the deed information was available. Mr. McNeil asked what scale was used. Mr. Liston replied that the scale was 1"=100'.

Mr. McNeil suggested that a map showing the necessary boundary lines drawn at that scale would be adequate.

Mr. Liston asked if the Board could grant a provisional approval of the plan. Mr. Butler explained that the 60 day limit was getting close and that it was necessary to make a final decision on the plan very soon. He asked Mr. Sansoucy if he had consulted with the Planning Department on the subdivision plan as he had been requested to do at the previous meeting.

Mr. Sansoucy replied that he had not.

Mr. Payson suggested that since all the Board needed was an overall plan, that the Board give its approval subject to revision by the City Engineer, the Planning Board, and the Planning Department.

Mr. Reney asked about the plans for the cul-de-sac.

Mr. Liston said that it would be constructed as shown on the original subdivision plan.

Mr. Payson asked if there were any objection to a provisional approval of the plan. Mr. Anderson pointed out that such an approval could not be given since the Board hadn't really seen the complete plan.

Mr. Liston requested an extension of the 60 day limit in order to present the plans at the next meeting.

Mr. Donahue said that the 60 days ended August 26th, and that if Mr. Liston could present final plans at the next Board meeting, an extension was not necessary.

Mr. Liston agreed to have the necessary plans ready by the next meeting.

Lynnwood Lane - bond review. Mr. Donahue reported that the Attorney for the plaintiff could not attend the meeting and had requested that discussion be postponed until the next Planning Board meeting.

Worcester Five Cents Savings Bank - re-appeal to Board of Appeals. Mr. Payson turned the meeting over to Mr. Anderson. Mr. Payson explained that since he was affiliated with the bank, it would constitute a conflict of interest if he voted on a matter pertaining to the bank. Mr. Anderson asked if all members of the Board were required to vote on the re-appeal request.

Mr. McNeil replied that the law required approval by all those members present and voting, less one, that would mean approval by three out of the four voting members.

Attorney
Harry Burgess and Ralph Hager presented the bank's request to be heard again by the Board of Appeals.

Mr. Burgess explained the bank's desire to be heard on the merits of the case.

Mr. McNeil asked him to review the bank's reasons for the new appeal.

Mr. Burgess said that the bank had new evidence to present concerning financial hardship.

Mr. Hager summarized the history of the problem. He said that the sign company had obtained a permit for a stationary sign, and that it had been inferred that obtaining a permit for a rotating sign would be a routine matter. He said that the bank had since realized this was not the case.

He indicated that since the bank's purchase of the property in the 1890's, competition had come in the form of flashing time-temperature signs of other banks. He explained that the bank was presently on the periphery of the downtown business district and that it would become even more remote as Worcester Center developed. He said that lack of a clearly visible sign was hurting bank business, and that this constituted a substantial hardship.

Mr. Segel made a motion to allow the Worcester Five Cents Savings Bank to go back to the Board of Appeals for another hearing.

Mr. Butler asked if the Board of Appeals had given its reasons for refusing the request. Mr. Hager replied that they had not.

Mr. Koontz asked why the rotating sign would be in violation of the zoning code. Mr. McNeil replied that signs hanging over or placed in a public way could not have moving parts. Mr. Hager asked if clocks could fall in this category.

Mr. McNeil asked Mr. Hager to summarize the new evidence to be presented.

Mr. Hager explained that because the bank had presumed the matter to be routine, they had not presented a well prepared argument. Mr. Burgess said that the Board of Appeals has indicated that the hardship was not adequately proven.

Attorney Abdella said that it was the view of the Board of Appeals that the cost of the sign alone did not constitute sufficient hardship.

Mr. Koontz asked the purpose of not permitting moving parts when flashing lights were allowed.

Attorney Abdella cautioned the Board to base its decision on the requirements of the zoning code itself and not on the merits of the code.

Mr. Segel resubmitted his motion to allow the bank to return to the Board of Appeals. Mr. Koontz seconded the motion. The motion was carried by a 4-0 vote.

Clayton Street - petition to re-name to Gaylord Street. Mr. McNeil read the request by the State Mutual ^{Assurance} ~~Insurance~~ ^{of America} Company, to re-name Clayton Street in the Laurel-Clayton project area to Everett Street or Gaylord Street.

He explained that there were streets by both names within the city limits.

Mr. Payson asked if it would be possible to name the street Everett Gaylord Street. Mr. Donahue said yes. Mr. Payson suggested that the Board call to the attention of the City Council the fact that there exist both Everett Street and Gaylord Street but that there is no Everett Gaylord Street.

Mr. Anderson asked if a Clayton Street would still exist beyond the project area. Mr. Donahue replied yes. Mr. Anderson asked that the Board delete the suggestion of Everett Gaylord Street as too confusing.

Mr. Koontz asked if the Board could suggest that there be an Everett Gaylord Square.

Mr. Payson then rephrased the letter to inform the City Council that both Everett Street and Gaylord Street exist within the city limits, but that no Everett Gaylord Square exists.

Payson Street - petition for water pipe. Mr. Donahue explained that the Board does not handle water petitions and that a mistake had presumably been made. He said that subsequent to the receipt of the water petition, the Department had received a sewer petition for Payson Street.

Mr. Anderson suggested that the petition be returned to the City Council.

Dillon Street - priority. Mr. Reney said that the Public Works Committee had just voted to build the road from Taunton Street southerly.

Mr. Anderson made a motion to pass the petition on to the City Council with a #2 priority. Mr. Koontz seconded the motion. The motion was carried by a 5-0 vote.

Howe Street - priority. Mr. Anderson made a motion to pass the petition on to the City Council with a #5 priority due to the lack of sewers. Mr. Butler seconded the motion. The motion was carried by a 5-0 vote.

Rice Lane - priority. Mr. Koontz asked if sewers were really necessary on such a small street. Mr. Payson called for a motion to hold the petition until the next meeting. The motion was made by Mr. Segel and seconded by Mr. Butler. It was carried by a 5-0 vote.

Acton Street - priority. Mr. Anderson made a motion to pass the petition on to the City Council with a #5 priority until the sewers were put in. Mr. Segel seconded the motion. It was carried by a 5-0 vote.

Plans to be ratified. Mr. Koontz made a motion that the following plans signed by the Secretary be ratified:

- #1383 - plan of land on Plantation St. owned by Notre Dame Normal Institute, signed 6/8/70
- #1384 - plan of land on Tennyson St. owned by Goldstein and Gurwitz, signed 6/12/70
- #1385 - would not accept drawing due to poor grey ink
- #1386 - plan of land at Orton and Jennings Sts. owned by Francis J. Penny, signed 7/9/70
- #1387 - plan of land at Summer and Laurel Sts. owned by Worcester Redevelopment Authority, signed 7/9/70.
- #1388 - plan of land on Laurel St. owned by the Worcester Redevelopment Authority, signed 7/10/70
- #1389 - plan of land on Hapgood Rd. owned by Howard A. Whittum et ux, signed 7/15/70
- #1390 plan of land on Exchange St. owned by the City of Worcester, signed 7/15/70
- #1391 - plan of land on Highland St. owned by Grace F. Peterson, signed 7/23/70

#1392 - plan of land at Belmont, Summer and Goldsberry Sts. owned by the Worcester Redevelopment Authority, signed 7/30/70

#1393 - plan of land on Madison St. owned by Wyman-Gordon Company, signed 8/4/70

#1394 - plan of land on Blake St. owned by Hyman S. Cramer, signed 8/4/70.

Mr. Anderson seconded the motion. It was carried by a 5-0 vote.

Date of next meeting. The date of the next meeting was set for Wednesday, August 19th. The following meeting date was set for Wednesday, September 9th.

Any other business. Winfield Heights. Mr. McNeil explained that the subdivision was presently covered by a covenant and that the streets were not constructed yet. He said that no provision had been made for the possible extension of St. Nicholas Avenue to Lincoln Street through the land presently known as Lincoln Country Club. He suggested that the Board should review the subdivision to provide for access through the Lincoln Country Club.

Mr. Koontz made a motion to set up the request for such an easement for a public hearing. Mr. Anderson seconded the motion. It was carried by a 5-0 vote.

Salisbury Street - change of zone. Mr. McNeil explained that the present subdivision plan indicated two area "reserved for future street purposes". He suggested that the Board should require the two titles to be changed to read "easement to the City of Worcester for street purposes". He said that this change in notation was a legal question and would not require a new hearing. He said that it should be done to avoid future legal problems. He pointed out that the bond was still being held by the city.

Mr. Koontz asked Mr. McNeil what he was recommending. Mr. McNeil replied that he was recommending this change to be made on this and all future subdivision plans. He suggested that the Board ask Mr. Ciociolo to change the wording and to grant the easements to the city in order to retain approval of the plan.

Mr. Payson suggested that Mr. McNeil approach Mr. Ciociolo with the request without reference to the status of the plan. Mr. McNeil agreed.

Mr. Koontz made a motion that the wording be changed. Mr. Butler seconded the motion. The motion was carried by a 5-0 vote.

Minutes of June 22, 1970. Mr. Butler made a motion that the minutes of June 22, 1970 be accepted as corrected. Mr. Anderson seconded the motion. The motion was passed by a 5-0 vote.

The Board recessed for dinner at Putnam and Thurston's Restaurant and returned to the Council Chamber at 7:30 for public hearings.

Alvarado Avenue. - more than one building on a lot. Mr. William J. Scaglione, of 127 Alvarado Avenue, presented the plans for more than one building on a lot. He described the lot in question. He pointed out that his lawyer was presently working out an easement for sewer construction through the land formerly known as Bedford Avenue. He said that if this were approved, the sewer would be constructed from the back of the house to Coburn Avenue. He said that if necessary, he could provide a septic tank or a pumping station to Alvarado Avenue.

Mr. Reney said that he had no objection to the plan if Mr. Scaglione could provide the necessary easements.

Mr. McNeil said that the Board of Appeals had already approved the plan subject to the approval of the Planning Board.

Mr. Payson asked if anyone were in opposition to the proposal. There were no opponents. Mr. Payson then declared the hearing to be closed.

Greenwood Street - more than one building on a lot. Attorney Joseph Lian Jr. of 507 Main Street, Worcester, represented Irving Coven and the Shawshien Worcester Realty Trust Company. He explained that Mr. Riley was unable to attend.

Attorney Lian described the proposal for 72 units. He indicated that the petitioner had already consulted Mr. Sharistanian^N relative to the utility layout, and that the necessary changes had been made.

Mr. Reney pointed out that the sewer lines had to be in the middle third of the street, and that he would prefer that the median at the entrance from Greenwood Street be eliminated.

Mr. McNeil pointed out that the street on the property could not be accepted as a city street.

Mr. Reney said that the city would require an easement on the property. He said that beyond that, the plan was acceptable. He suggested that the owners make an agreement with the city so that the sewers would not be assessed.

Mr. Payson called for opponents of the plan to speak. There were no opponents. He then declared the hearing to be closed.

Salisbury Street - change of zone. Attorney Edward C. Maher spoke on the behalf of the petitioner. He requested that the hearing be postponed until September 9th so that the petitioner could have additional time to prepare more adequately the presentation for the requested change in zoning.

Mr. Payson explained to those present that such a postponement was acceptable since it was well within the 60 day limit of the time of the petition.

Attorney Richard Wall, of Griffin and Wall, representative of many of the abutters in the area, said that he had no objection to the postponement. Mr. Koontz made a motion that the hearing be continued to Wednesday, September 9th. Mr. Segel seconded the motion. The motion was carried by a 5-0 vote.

Lincoln Country Club - change of zone. Attorney William Bernstein, 390 Main Street, Worcester, spoke on the behalf of the petitioner, James J. Forhan. Attorney Bernstein described the present zoning of the area in question. He explained that the petitioner seeks to extend the present RG-5 zone on the westerly side of the property to include the property, to a distance of 750 feet from Lincoln Street. He said that this is the first step in the undertaking of a project which will greatly benefit the city. He explained that it was the desire of the developers to protect all abutters and improve the value of the abutting land. He said that since this undertaking involved many millions of dollars, that it would have to be done in stages. He said that the first necessary step would have to be a change in zoning. He said that the area would be developed as a Planned Unit Development, and that ponds, brooks, and trees would be maintained.

He presented aerial photographs of the area, and he described the property in question. He pointed out that a natural buffer area existed between the property and the single family homes in the area, and that the property was some distance from the church. He said that the proposed RG-5 zone line would, roughly, run along the brook shown on the photograph, and parallel to Lincoln Street. He suggested that this brook would act as a natural divider.

Attorney Bernstein described the proposed development as consisting of mainly one and two bedroom units located in low rise cluster units and town houses. He said that projections suggested that the area would be best suited for low rise development with smaller unit sizes. He explained that no detailed drawings had been drawn because of the uncertainty of the zoning. He said that the rents would range from 200 to 500 dollars per month. Attorney Bernstein then described the proposed zone change along Lincoln Street, extending the present BL-1.0 zone from 100 feet to 750 feet back from Lincoln Street.

He explained that the Ramada Inn was interested in locating in this area, and that they were anticipating using 10 acres of this proposed business zone for a motor inn. He introduced Mr. Arthur Duggan, Executive Vice-President and owner of Consolidated Motels, State College, Pennsylvania.

Mr. Duggan gave a background of his company and its constant search for uniqueness in building and services. He described the plan as that of a rectangular building with a central enclosed court yard. He pointed out the three level dining room, cocktail lounge, banquet facilities, lobby, coffee shop, recreation room, sauna baths, exercise rooms, health club, and enclosed pool area. He described the various sleeping accommodations. He said that the motor inn would include 152 sleeping units, dining for 225 people at one sitting, a cocktail lounge capacity of 180 people, a banquet capacity of 600 people, and parking for 562 cars. He then showed slides taken from an existing Ramada Inn in Salisbury, Pennsylvania, to give those present an idea of the proposed Worcester Motor Inn.

Mr. Koontz asked Mr. Duggan how much land was necessary for the motor inn.

Mr. Duggan replied that 10 acres were needed for the inn as presently proposed

plus possible expansion of its facilities. He pointed out that the inn would be well set back from Lincoln Street, and that it was set up for a minimum impact on Lincoln Street traffic. Attorney Bernstein explained that the depth was necessary in order to allow the motor inn to be well set back from Lincoln Street. He said that it made no sense for it to be directly on Lincoln Street.

Mr. Koontz asked Attorney Bernstein if the same ends could be accomplished with the use of an RL-7 zone for the Planned Unit Development and an RG-5 zone for the motor inn.

Attorney Bernstein replied that the use of the BL-1.0 and RG-5 zones made sense from a legal standpoint, since it represents the extension of present zones and avoids the question of spot zoning.

Mr. Payson asked Mr. McNeil to read to those present the permitted uses in an RG-5 zone. Mr. McNeil did so.

Attorney Bernstein pointed out that the more unrestricted zoning would make the project more attractive to financial backers and that the more restrictive the zoning, the more limited the participation of financial institutions.

Attorney Bernstein gave the Board assurance of his integrity and the intentions of his clients.

Mr. Payson asked if any other proponents desired to be heard. There were none.

Mr. McNeil asked how many units were proposed.

Attorney Bernstein replied 1200 at a density of 16-17 per acre.

Mr. McNeil asked what business uses were planned within the Planned Unit Development. Attorney Bernstein replied that none were necessary. He said that he could not give a definite answer, however.

Mr. McNeil asked what percentage of 1, 2, and 3 bedroom units was anticipated. Attorney Bernstein replied that less than 10% of the units would be 3 bedroom. Mr. McNeil asked what plans were being made for the 16 acres to be zoned BL-1.0 which were not included in the motor inn plan.

Attorney Bernstein explained that the access road to the motor inn and to the development would use one acre of this land, and that while several possible uses were being considered for the remaining 15 acres, nothing definite was planned.

Mr. McNeil said that the Planned Unit Development concept outlined by Attorney Bernstein did not include services for the projected 4000 people in the project, but that it did include 15 acres of business area which would probably end up serving other parts of the city. He indicated that this concept did not really describe a Planned Unit Development as the Board saw it.

Attorney Bernstein explained that due to the staging requirements of such a large development, that this kind of layout was necessary from an overall planning and financial standpoint. He suggested that the plan for the area amounted to the containment of residential land as opposed to the extension of business frontage. He said that since the motel required a depth of 750 feet, that it made legal sense to continue the zone boundary along the entire property along Lincoln Street. He indicated that if this were not done, the financial world might question the validity of the business zone.

Mr. McNeil explained that it was necessary for the Board to exercise the utmost caution at this point, since this project was the first Planned Unit Development before the Board.

He said that he still questioned the extension of the BL-1.0 zone, since it could be developed as a small shopping center in competition with Lincoln Plaza and with the new Worcester Center.

Attorney Bernstein pointed out that in a project second in scope to Worcester Center, it was impossible to say exactly what will be developed on the entire 102 acre site without a zoning commitment from the Planning Board. He said that the Board could not, in good conscience, agree that this kind of development was a proper land use for the property and then make it impossible for the land to be developed as such. He told the Board of Mr. McNeil's cooperation in the projects development, but he stressed the need for greater mutual confidence in order to realize its completion. He explained that definite commitments had been made by the Ramada Motor Inn and by the developers of the 76 acres at the rear of the property. He said that these commitments should be a sound basis for cooperation with the Planning Board, the City of Worcester, and the City Council.

Mr. Payson asked those present if anyone else wanted to be heard.

Mr. Stanley P. Pietrewicz of 81 Wayside Road asked what recourse the residents in the area had. He said that he wanted more information.

Mr. Payson replied that after the hearing, the Planning Board would make a recommendation to the City Council, and that the petition would be before the Council for a final decision. He explained the special permit requirements for a proposed Planned Unit Development as well as the additional subdivision hearings before the Planning Board.

Mr. Nicholas Papale, of Main Street, asked if condominiums were proposed.

Attorney Bernstein replied no.

Mr. Payson asked if there were any opponents to the proposed zone change.

There were none. Mr. Payson then declared the hearing to be closed.

Regular Meeting - Room 209. The Board then returned to Room 209 for their regular meeting.

Alvarado Avenue - more than one building. Mr. Payson suggested that approval be given subject to the granting of a sewer easement to the city.

Mr. Segel asked that the Board request that the chain presently on city property be replaced on the owner's land. Mr. Anderson said that this was a policing matter and not the Board's concern.

Mr. Anderson moved that the Board grant approval of the petition for more than one building on a lot, subject to the granting of a sewer easement.

Mr. Koontz seconded the motion. The motion was carried by a 5-0 vote.

Greenwood Street - more than one building. Mr. Reney said that the only problem appeared to be the placement of the drains and the median at the entrance.

Mr. Anderson moved that the petition for more than one building on a lot be approved, subject to the approval of Mr. Reney. Mr. Koontz seconded the motion. The motion was carried by a 5-0 vote.

Lincoln Country Club - change of zone. Mr. Donahue showed the Board a map of the area. He explained that the buffer zone between the property and the single family homes was the proposed subdivision "Winfield Heights" and did not really constitute a buffer.

Mr. Payson asked if there were any way to protect the RS-7 area through subdivision control laws.

Mr. McNeil replied that once the zone was changed, the developers really did not have to come in for a Planned Unit Development Special Permit.

He said that it was necessary for them to come in with a petition for more than one building on a lot.

Mr. Payson asked if the zone change could be made to RL-7 for a Planned Unit Development.

Mr. McNeil replied yes. He said that this would give the Board additional control and would put a greater restriction on the possible density.

Mr. Anderson asked what Mr. McNeil would propose.

Mr. McNeil said that he would propose to allow the 10 acres of business zoning for the motor inn. He voiced concern about the additional 15 acres of business zoning. He proposed granting a zone change from RS-7 to RL-7 for the Planned Unit Development.

Mr. Koontz asked how important the necessity of obtaining a special permit would be as far as financing goes.

Mr. Payson replied that it was not that important.

He agreed that the additional business zoning was questionable.

Mr. Anderson pointed out that financial institutions not only consider the proposed use to which the land will be put, but that they consider the alternative uses should the project fail. He said that they would be more inclined to lend money on land with few land use restrictions.

Mr. Payson said that under an RG-5 zone, the developers could do pretty much what they wanted to without further control by the Board. Mr. McNeil agreed that the Board needed assurances that a Planned Unit Development would actually be built on the property.

Mr. Koontz said that if the best use of the land were the development of a Planned Unit Development, then the Board should approve a zoning change to make a Planned Unit Development possible, and it should stop short of anything else.

Mr. Anderson asked what zone would accomplish this. Mr. McNeil replied that a Planned Unit Development was allowed by special permit only in both RL-7 and RG-5 zones.

Mr. Donahue explained that the proposal presented by Attorney Bernstein was not necessarily a Planned Unit Development and that the developers would not have to go through the Board of Appeals.

Mr. Koontz asked if the 76 acres for residential uses and the 15 acres for business were combined into a 90 acre Planned Unit Development, could 15 acres of that be used for business purposes. Mr. McNeil replied that it could, if the business serviced the residents of the Planned Unit Development primarily.

Mr. Koontz said that he could see the validity of encouraging business uses at the start of such a project by drawing on a larger area.

Mr. McNeil explained the business staging required in a Planned Unit Development, and he pointed out that this was a safeguard of the zone.

Mr. Butler said that he could not see that such a project would be an attractive location for business with Lincoln Plaza across the street. He also suggested that the residents of the area did not really understand what was proposed for the property. Mr. Koontz agreed, and said that these people look to the Board for protection of their interests.

Mr. Payson asked if the Board could approach the project in stages, for the purpose of arriving at a decision. He asked that the 10 acre motor inn site be considered first, and that the Board recommend a change from RS-7 to BL-1.0 for that site only, and that the remaining land be rezoned RL-7 instead of BL-1.0.

Mr. Segel asked what the Board was so afraid of regarding the remaining 15 acre site. Mr. Payson replied that the Board was concerned with the protection of other establishments in the area.

Mr. Segel pointed out that the Board should not use the possibility of business competition as a basis for its decision. He said that the proposed development represented a considerable investment in land alone, and that the developers were not about to jeopardize their own interests.

Mr. Payson pointed out that the developers were asking for a carte blanche ticket for the whole area.

Mr. Segel asked if the developers did not get 85% additional land for business use without a zone change. Mr. Payson replied that they did.

Mr. Koontz said that if the choice were between strip development along Lincoln Street and development in depth 800 feet back, then providing depth for this development might not be a bad idea.

Mr. Segel said that the financial institutions involved would want to be positive of the zoning.

Mr. Anderson asked if the 10 acre site were rezoned BL-1.0, and if the rest of the land were changed to RL-7, would Attorney's Bernstein's clients be able to accomplish what they proposed. Mr. McNeil replied yes, and he suggested that the Board limit its discussion to the proper land use for the property.

Mr. Segel said that the investment in the area would amount to 50-75 million dollars, and he suggested that the Board consider this investment in making its decision. He also pointed out that business uses in proximity to Lincoln Street made more economic sense than business uses deep within a Planned Unit Development.

Mr. Payson said that the developers had not really told the Board what they intended to do with that particular area. He explained that it was necessary for the Board to be aware of a proposed use before it could go ahead with a zoning change.

Mr. Segel said that Attorney Bernstein had explained that the change was for financial reasons, and that the Board should do its best to foster such a development.

Mr. Payson pointed out that the Board could table the petition until it had more information to go on. Mr. Segel argued that the Board must trust the intentions of the developers.

Mr. Butler suggested that the discussion be continued at the next meeting.

Mr. Anderson said that there was no reason for postponing a decision, since the Board really did not need more information.

Mr. Koontz asked if zoning 10 acres for a motor inn amounted to spot zoning. Attorney Abdella replied that he could not give a definite answer.

Mr. Segel asked what would happen if a motor inn were not placed on that site, if a fabricating plant were put there instead. Mr. Anderson pointed out that this was the kind of thing the Board was afraid of.

Mr. Koontz asked what was the most restrictive zone in which a motel could be placed. Mr. McNeil replied that a "hotel" was permitted in an RG-5 zone.

Mr. Payson asked how the Board felt about continuing the discussion at the next meeting.

Mr. Segel asked what the director would propose for the 76 acre residential area. Mr. McNeil replied RL-7. Mr. Segel asked why. Mr. McNeil replied that this would represent the proper use of the land. Mr. Butler questioned the use of the word "proper". Mr. McNeil explained that in an RG-5 zone, there were too many other uses possible which might not be compatible with the area. He pointed out that it was the Board's duty to protect the residents of the area from such uses.

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Mr. Payson called for a motion to table the petition until the next meeting. Mr. Anderson so moved. The motion was seconded by Mr. Butler. The motion was carried by a 5-0 vote.

The meeting adjourned at 10:10 P. M.