

Planning Board

Worcester, Massachusetts

Wednesday, November 4, 1970
3:00 P. M. - View - City Hall

Agenda

3:00 P. M. - View - City Hall

1. Goldthwaite Rd. - more than one building
2. Rice St. - remove from Official Map

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

1. call to order
2. minutes of September 21, and September 28
3. Longview Heights, Section II - release of bond
4. Wedgewood V, Part III - release of bond
5. Brierway Dr. - priority
6. Rosemary St. - priority
7. Zoning Ordinance Amendment - re: Special Permits
8. Barnes Ave. - more than one building - preliminary plans to be ratified
9. date of next meeting
10. any other business
11. recess

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

7:30 P. M. - Public Hearings - Room 209 - City Hall

1. Rice St. - remove from Official Map
2. Caspar St. - more than one building

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

1. call to order
2. items of public hearing
3. Goldthwaite Rd. - more than one building - continued
4. adjournment

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

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

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

Minutes of September 21 and September 28. Mr. Koontz moved that the minutes of September 21 and September 28 be accepted. Mr. Segel seconded the motion. The motion was passed by a 4-0 vote.

Longview Heights, Section II - release of bond. Mr. Donahue reported that Section II of Longview Heights was complete, and Mr. Hynes recommended release of the bond.

Mr. Koontz made a motion that the bond be released. Mr. Butler seconded the motion. The motion was passed by a 4-0 vote.

Wedgewood V, Part III - release of bond. Mr. Donahue reported that Mr. Hynes recommended release of the bond.

Mr. Koontz moved that the bond be released. Mr. Butler seconded the motion. The motion was carried by a 4-0 vote.

Brierway Drive - priority. Mr. Donahue reported that the street rated a #1 priority, but that it had not been recently viewed.

Mr. Koontz made a motion that it be given a #1 priority.

Mr. Segel moved that the street be viewed at the next meeting, and the petition tabled.

Mr. Donahue pointed out that the street was viewed the previous year and assigned a #1 priority.

Attorney Abdella pointed out that a second assignment was not necessary.

Mr. Butler seconded Mr. Segel's motion.

The Board asked Mr. Roney to check on the status of the petition and report at the next meeting.

The motion was carried by a 4-0 vote.

Rosemary Street - priority. Mr. Donahue reported that the street had been given a #1 priority in 1967, but that it might have been turned down.

Mr. Segel made a motion to table the petition and view it at the next meeting.

Mr. Koontz seconded the motion. The motion was carried by a 4-0 vote.

Zoning Ordinance Amendment - Re: Special Permits. Mr. McNeil reported that the petition had been sent back to the City Council because of an error on the petition, and that the same petition, in error, was before the Board.

He recommended that it be sent back to the Council for correction. He said that he had spoken to Councillor McManus about the error.

Mr. Anderson suggested that the Chairman sign the letter of explanation and return it to the Council.

Mr. Segel suggested that Councillor McManus come before the Board to discuss the problem.

Mr. Butler made a motion to refer the petition to the Law Department.

Mr. Koontz seconded the motion. The motion was carried by a 4-0 vote.

Barnes Avenue - more than one building - preliminary. Mr. McNeil said that the item was withdrawn by the petitioner since the petition was not submitted properly, with sufficient information.

Plans to be ratified. Mr. Koontz moved that the following plans be ratified:

#1414 - plan of land at Wxchange and Summer Street, owned by
Worcester Redevelopment Authority, signed 10/16/70

#1415 - plan of land on Providence Street, owned by St. Vincent
Hospital of Worcester, signed 10/14/70

- #1416 - plan of land on Robertson Road, owned by Patrick Z. and Carol A. Sarkisian, signed 10/15/70
- #1417 - plan of land at Wachusett and Highland Streets, owned by D. L. and D. Incorporated, signed 10/29/70
- #1418 - plan of land on Greenwood Street and Southwest Connection, owned by the City of Worcester for Sewer Treatment, signed 10/29/70
- #1419 - plan of land at North Ashland and Highland Streets, owned by Josephine C. Debonis, signed 10/29/70
- #1420 - plan of land at Cottage and Fruit Streets, owned by Frank P. Giorgio, signed 10/29/70
- #1421 - plan of land on Bowdoin Street, owned by Vito J. and Isabel S. DePiro, signed 10/29/70
- #1422 - plan of land at Granite Street and St. Anthony Street, owned by Ernest P. and Rose G. Fernsten, signed 10/30/70

Mr. Segel seconded the motion. The motion was carried by a 4-0 vote.

Date of next meeting. The date of the next meeting was set for December 9.

Any other business.

Code Enforcement - Conformance with Master Plan. Mr. McNeil explained the Department's activities preparing the Code Enforcement Application and the need for a vote on conformance with the Master Plan.

Mr. Koontz asked if rehabilitation in the Code Enforcement area differed from the rehabilitation in the rest of the Model Cities area.

Mr. McNeil replied that this particular area was more stable and therefore more known than the rest of the Model Cities area.

Mr. Anderson asked why this expanded area was chosen.

Mr. McNeil replied that the Model Cities money was already committed for part of the area, and that the additional section to Park Avenue allowed a more contiguous area to be studied.

Mr. Mulford pointed out the boundaries of the area.

Mr. McNeil explained the loan and grant program for the area, and the advantages to the city.

Mr. Segel asked who differentiated between the outright grants and the 3% loans.

Mr. McNeil replied that eligibility was determined by the Federal Government. He explained that it was necessary for the Board to vote on whether the proposed program conformed to the Master Plan, and that the Master Plan showed a residential use for the area.

Mr. Segel asked if commercial and industrial uses would be aided by the program.

Mr. McNeil replied that direct aid was not available, but that these uses may be eligible for assistance by the Small Business Administration. He explained that the program would be handled by the Health Department, and that funding would go toward a 3 year administration of the program and public improvements. It was suggested that the Board review the application during the supper hour and vote at the evening meeting.

Robin Road - release of bond. Mr. Donahue reported that the work had been completed, and that Mr. Hynes recommended release of the bond.

Mr. Koontz moved that the bond be released. Mr. Segel seconded the motion. The motion was carried by a 4-0 vote.

Model Cities Boundary - request to extend. Mr. McNeil explained that the request was made by the City Manager and the Worcester Redevelopment Authority.

He said that the extension would allow federal funds to be used to rebuild the railroad bridge on Madison Street, and that the Madison-Grafton Connector could thus be built at a lower cost to the City.

Mr. Koontz made a motion that the Board recommend to the Council that the boundary of the Model Cities area be so extended. Mr. Butler seconded the motion. The motion was carried by a 4-0 vote.

Caspar Street - more than one building. Mr. Donahue explained that the Board of Appeals had given the petitioner leave to withdraw at its last meeting, and he suggested that the Board do the same at the evening public hearing.

At 5:30 P. M. the Board recessed to Putnam and Thurston's Restaurant for dinner. Mr. Anderson was absent from the evening meeting.

At 7:30 P. M. they met in Room 209, City Hall for the scheduled public hearings.

Rice Street - remove from Official Map. Mr. Philip Leader, Attorney for the Worcester Country Club, spoke for the petitioner.

Attorney Leader explained that there was one house on the street, and that it was owned by the club, that the Worcester Country Club owned all of the abutting property, and that the street was unimproved and had no utilities.

Mr. Reney said that the Bureau of Engineers had no objection to the petition.

Mr. Leader pointed out that the street had no connection to a public way in the City of Worcester.

There was no opposition to the petition. Mr. Koontz then declared the hearing to be closed.

Caspar Street - more than one building. Mr. McNeil said that the Board of Appeals had given the petitioner leave to withdraw, and he recommended that the Board do the same.

Mr. Segel made a motion that the petitioner be given leave to withdraw.

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

Mr. Koontz then declared the hearing to be closed.

At 8:00 P. M. the Board met for their regular meeting.

Goldthwaite Road - more than one building - continued. Mr. Douglas Liston spoke for the proponents. Gabriel Namen was Attorney for the opponents.

Mr. Koontz appraised everyone present of the fact that no new evidence could be accepted by the Board since the hearing had been closed.

Attorney Namen said it was his understanding that the hearing had been postponed for the abutters to retain counsel.

Mr. Liston said that he had requested the postponement for that reason, and that he now requested that the hearing be reopened.

Mr. Butler moved that the hearing be reopened.

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

Mr. Koontz then reopened the hearing.

Mr. Liston explained the revised plan, the reduction from 81 to 80 units, the reduction from 4 to 3 buildings, and the increase in the number of parking spaces.

Mr. Franchi described the proposed exterior treatment of the buildings.

He said that rents would range from \$180.00 to \$250.00 per month.

Mr. McNeil asked how Mr. Liston proposed to build the retaining wall along the property line.

Mr. Liston explained that the wall will involve no easements, that it would be heavily reinforced.

Attorney Namen said that the reduction of one apartment and one building did not mean an increase of open space. He asked about the spacing of the buildings. He asked about the danger of blasting to abutting properties.

He suggested that the Planning Board require a bond against such damage to be held by the Buildings Department. He questioned the effect of such a development on traffic and on the value of the adjoining properties. He asked how it could be economical to develop when it had previously been refused by the Worcester Housing Authority.

Mr. Giordano, Jr., asked about the proposal to run an 18" pipe into the 12" pipe in the street.

Mr. Liston said that surface run off was presently going into a 12" pipe, but that the state required an 18" pipe through the property.

Mrs. Giordano pointed out that the property in question was a low point for a very large area on Corning Avenue. She said that the backyards of the apartments would be very marshy.

Mr. Liston said that the water would be directed along the wall to the catch basin.

Mr. Giordano, Jr., pointed out that the property would be lower than the leeching field on his property, and he asked what would happen then.

Mrs. Giordano, Jr., asked about the retaining wall. She asked if Mr. Liston had considered building the apartments at a higher elevation to avoid the 12 foot wall.

Mr. Liston replied that it would not be feasible.

Mr. Koontz reminded those present that the Board could consider only those objections related to the zoning ordinance and the rules governing more than one building on a lot.

Attorney Namen pointed out that statutes only deal in minimums, but that the Board should consider the rights of the abutters regarding the effect of such

a development on them, the effect on traffic, safety, and the threat of damage to their property. He suggested that the Board provide for direct payment for damage by means of a bond to the Board. He said that insurance policies were very technical and that the burden of proof should not be on the abutting owners. He suggested that the Board scrutinize the plan more closely, allow fewer units, and require a larger setback from the property lines.

John Voci, of 18 Goldthwaite Road, pointed out that the existing water line was not large enough to take the existing run off, that the water backed up in his house during an ordinary storm.

Thomas McCarthy pointed out that the water level would be altered when the brook is changed. He said that there are a number of springs in the area. Mr. Liston explained the calculations involved in the approval of the drainage plan by the state, and he explained that these facts were well known to the developers.

Mrs. Giordano, Jr., asked if the retaining wall would replace the existing stone wall.

Mr. Liston replied that it would.

Mrs. Giordano, Jr., asked about saving the trees.

Mr. Liston replied that as many trees as possible would be saved.

Mr. Voci asked if a traffic light could be installed at the intersection of Lincoln Street and Goldthwaite Road.

Mr. Koontz replied that the residents would have to petition the City Council for a light.

Mrs. Helen Thomas suggested that the property be made into a park or developed at a much lower density.

Mrs. Giordano, Jr., suggested that a tall fence be built around the property. She said that she wanted privacy, that the buildings were too close to her property.

Attorney Namen asked that the Board consider all the evidence and put conditions in the plan to protect the abutters.

Mr. Koontz then declared the hearing to be closed.

At 8:00 P. M. the Board met for their regular meeting.

Rice Street - remove from official map. Mr. Segel made a motion that Rice Street be removed from the official map. Mr. Butler seconded the motion. The motion was carried by a 3-0 vote.

Zoning Ordinance Amendment - Re: Special Permit. Attorney Abdella reported that the intent of the amendment proposed by Councillor McManus was to make the issuance of a Special Permit more restricted to ~~encourage~~ encourage a more conservative interpretation of the ordinance.

Mr. Koontz asked Mr. McNeil what the Board's legal position was with respect to the petition.

Mr. McNeil said the restrictions could be placed on the Board of Appeals by imposing conditions on the issuance of special permits through the zoning ordinance.

Mr. Koontz suggested that the Board and the Department take the question under advisement.

Mr. McNeil agreed to do so.

Code Enforcement. - Conference with Master Plan. Mr. Segel made a motion that the Board approve the Code Enforcement Program as conforming to the Master Plan. Mr. Butler seconded the motion. The motion was carried by a 3-0 vote.

Goldthwaite Road - more than one building. Mr. Segel pointed out that the water problem of the residents was being helped by the development. He asked where the Board stood legally on the question of insurance.

Attorney Abdella replied that the Board could not guarantee that the residents would not have to go to court.

Mr. Segel asked if the revised plan met with the approval of the Department.

Mr. McNeil replied that the revised plan was acceptable, but not ideal. He said that the parking still had to be revised. He said that he was concerned about the construction of the wall at the property line. He suggested that the Board require a fence at the top of the retaining wall for safety purposes.

Mr. Koontz asked about the problem of an 18" pipe going into a 12" pipe.

Mr. Reney replied that the situation bothered him too, that if the state required an 18" pipe, they probably had good reason to do so.

Mr. Koontz suggested that the 12" main would probably back up. He asked how far the 12" pipe went before it got any larger.

Mr. Reney replied that he was not sure. He said that he would investigate the problem and report back to the Board if the Board wished to defer action until the next meeting. He said he would also check the record of complaints about the existing problem to find out what back up occurred. He said there might also be a problem of double versus single manholes.

Mr. McNeil pointed out that the Board had until November 24 to make its decision. He suggested that Mr. Reney contact the Department of Natural Resources and find out the reason for the 18" pipe.

Mr. Koontz suggested that the problem would remain regardless of the number of units built on the property.

Mr. Segel pointed out that housing in the city was badly needed, that the taxes would amount to more than \$51,000 per year, and that he would be in favor of the development if the drainage problem could be solved.

Mr. Butler suggested that the questions be checked out before a decision was made.

Mr. Segel made a motion to approve the definitive plan subject to the findings of Mr. Reney, the revision of the parking layout, and a 4 foot fence on top of the retaining wall,

Mr. McNeil suggested that action be deferred until the next meeting until all problems could be cleared up. He said he would notify all members of the date and time of that meeting.

The meeting adjourned at 9:30 P. M.