

**Minutes  
Worcester Planning Board  
March 23, 1994**

**I. Regular Meeting - 6:00 p.m., City Hall - Room 310**

Planning Board Members Present: John Reynolds  
Joan Bagley  
Joe Sova  
Joe McGinn

Staff Present: Karen L. Sherman, OPCD Principal Staff  
Michael Traynor, Assistant City Solicitor  
Mike Caforio, DPW Engineering  
David Holden, Code Commissioner

1. **Call to Order.** Chairman Reynolds called the meeting to order at 6:00 p.m.
2. **Approval of Minutes - March 9, 1994.** Joe Sova made a MOTION to approve the minutes of March 9, 1994 with the changes noted. Joan Bagley seconded and the Board voted unanimously in favor.
3. **Definitive Subdivision and Site Plan Approval - 74 Pineland Avenue**  
The Chairman noted that the Board was in receipt of comments from the Law Department as requested. Both he and Mrs. Bagley noted that it was their inclination to reject the application based on the unique site conditions and the requested frontage waivers. Atty. DeSimone, representing Etre Builders, asked whether the Board would consider continuing the matter until he had a chance to review the file and advise his client. Joe McGinn made a MOTION to refer the matter to respective city departments in order to identify deficiencies in the plan and provide additional information to the Board. Bagley seconded and the Board voted unanimously in favor.
4. **Request to Amend the Worcester Zoning Map - 330 Plantation Street**  
The Clerk read the Public Hearing notice into the record. Atty. Sam DeSimone, representing the petitioner presented some background of the case. He explained that the petitioner has been issued a foundation permit for a 2 1/2 story multi-family residential construction on one of the lots in question prior to the enactment of the 1991 Zoning Ordinance, however, the property has no non-conforming status. The proposed extension of the RL-7 zone would bring several residential uses in the ML-1.0 zone into conformance with zoning. The petitioner's proposed multi-family structure would require a Special Permit from the Board of Appeals and the Parking Plan would require Planning Board approval.

Both Bagley and Reynolds questioned the RL-7 proposal and suggested that RG-5 might be more appropriate. The issue of potential "spot zoning" was discussed briefly. Mrs. Gardella,

an abutter on Wells Street expressed concern for a more intense residential zone and stated that she preferred that multi-family uses to be subject to further Board review. Reynolds asked if anyone else wished to speak on the matter.

Joe Sova made a MOTION to close the hearing. Joe McGinn seconded and the Board voted unanimously in favor. Joan Bagley made a MOTION to recommend approval of the petition as presented.

**5. Request to Amend Subdivision Covenant - Oak Grove Estates**

The Clerk read the Public Meeting Notice into the record. Atty. Michael Moschos explained to the Board that the purpose of the meeting was to amend the covenant for the subdivision to respond to neighborhood demand to abandon Ann Road. The proposal would include designation of the abandoned Ann road right-of-way as a buildable lot within the subdivision after the reconfiguration of several adjacent lots.

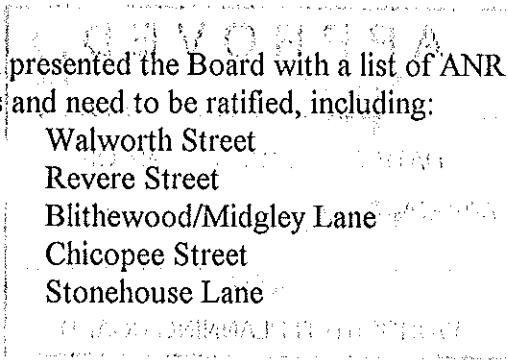
Joann Lyerla of 12 Lambert Circle raised concerns over the closure of Ann Road because of the incomplete status of The Grove subdivision, where she is a resident. Lambert Circle has not been completed to the City's standards and acts as primary access to the homes within The Grove as well as a secondary access to Oak Grove Estates via Bjorkland. She expressed concerns about the condition of the road because it is used by construction equipment, has only a topcoat of pavement, has some drainage problems and does not have street lights. Moschos clarified why there was no progress on completion of The Grove and explained that his clients have a legal right to use Lambert Circle, but its' maintenance is not their responsibility. Bagley questioned whether Lambert offered adequate access.

Mike Traynor clarified to the Board that the proposed Ann Road is not a point of access presently. He also expressed some concerns regarding the procedure of this petition. He noted that the petition had been advertised as a public meeting, rather than a hearing and that the petition should not be to amend the subdivision covenant, but to amend the definitive subdivision approval and subsequently the covenant. He stated that the Board could condition the approval so that Ann Road would not be removed from the Definitive Subdivision Plan until Lambert Circle was accepted as a public street by the City, for example. He suggested that the petition be clarified, re-advertised and continued until the next available hearing date. The Board concurred.

**6. Plans to be Ratified**

Sherman presented the Board with a list of ANR plans which have been signed by Board members and need to be ratified, including:

- 4619 Walworth Street
- 4620 Revere Street
- 4621 Blithewood/Midgley Lane
- 4622 Chicopee Street
- 4623 Stonehouse Lane



Joe Sova made a MOTION to ratify the plans presented. Bagley seconded and the Board voted unanimously in favor.

**7. Subdivision Issues**

**A. Request to Accept Covenant - Wildwood (Section 2) Subdivision**

On a MOTION by Bagley, seconded by Sova, the Board voted unanimously to accept the covenant for Wildwood (Section 2) as completed.

**B. Request for Release Bond - Miscoe Estates (Section III & IV) Subdivision**

On a MOTION by Sova, seconded by Bagley, the Board voted unanimously to release the bond for Miscoe Estates (Section III & IV).

**C. Request to Release Covenant - Parsons Hill Drive (Lot 46)**

On the issue of Parsons Hill (Lot 46), the Board requested additional information and tabled the matter.

**8. Paris Ave. (from Swan Ave. 2,000 feet) - Request to Make Public**

Traynor explained that the petition to make public that portion of the street would provide a Council layout which would be put on the Official Map and constructed by the City. He also explained that the Law Department had recommended that the City file special legislation to remove the Article 97 restriction from the land in order to alter the "way". The Planning Board review of the issue should reflect the Board's role as "overseers" of the Official Map and should reflect a long-term planning perspective in its opinion to the City Council.

City Councilor Griffin noted that the primary reason behind the petition is to alleviate anticipated limited access throughout the area during the pending construction of the City's water treatment plan and pipeline. Simply grading the area would make the way passable.

McGinn asked if there was information available to the Board regarding the allowable uses within the area based on its "protected" status as an open space holding of the Airport Commission. Reynolds questioned whether designation as a public street would open up the area to further development. McGinn noted that potentially, the Airport Industrial Park might be expanded. Traynor noted that the current corridor is in effect a cleared utility easement for the adjacent Wildwood Estates and should not be considered a "way". McGinn added that as a practical matter, maintenance of the easement does not seem inconsistent with the property's designation as an open space holding. The matter was continued until the next meeting.

**9. Miscellaneous**

Reynolds expressed concern over the re-printing and lack of availability of the Zoning Ordinance. He directed Sherman to make inquiries to the City Manager regarding the publication of the revised document expressing concerns over the potential legal ramifications of providing the public with outdated information.

**Adjournment :** The Chairman adjourned the meeting at 7:15 p.m.

**Next Meeting:** April 13, 1994