

OK 25 15
ANT

OK
20

The Planning Board met for a special meeting on Wednesday, December 28, 1988 at 10:00 A. M. in Room 209, City Hall. Members present were Chairman John F. Keaney; Clerk Joan C. Sadowsky; John T. Reynolds. Also present were Director Francis J. Donahue; Director Michael S. Latka; Assistant Commissioner of Public Works Gerhard P. Muenchmeyer; Assistant City Solicitor Michael Traynor; Assistant Director Steve Antonelli; Senior Planner Alexander A. Pridotkas and Planning Coordinator Philip Hammond.

Call to Order

Chairman Keaney called the meeting to order at 10:00 A. M.

Chestnut Street - abandon portion

Mr. Donahue stated that at its public hearing, the Board heard proponents and opponents regarding the removal of a portion of the side area of Chestnut Street at Clinton Street from the official map, closed the hearing but tabled the item to give time for the petitioner and the abutters to resolve their problems. The Board has to make a recommendation to the City Council within 45 days of receiving the petition.

Attorney Michael G. Moschos, representing the petitioner, stated it is proposed to construct a 10-story building containing a 202-unit housing development with indoor parking. The area is zoned BG-6.0 and the proposed use will not disturb abutters. All the concerns of the abutters have been addressed.

Attorney Richard J. Gallogly, representing some of the abutters, stated the main issue is the access way.

Attorney Moschos stated that the present access is narrow but will be widened to 30 feet from Clinton Street easterly. The abutters will still be able to use it.

Willy Sclarsic, architect, stated that the three-level garage will have its own independent access ramps and there will be three accesses into the development.

Attorney Gallogly questioned if any traffic studies were made in this area.

Sotir Papalilo, petitioner, stated that this was discussed with the city's traffic engineers.

Mr. Donahue stated that a traffic report was received from them and they do not foresee any problems.

Attorney Gallogly stated the parties involved cannot agree today on the issue of the access way and requested the Board to withhold approval.

Mr. Keaney replied that the members of the Board took time off from work to hold this special meeting out of courtesy to the petitioner and the abutters. The Board withheld making a decision at the public hearing so that the issues could be resolved.

Mr. Reynolds stated that he is disturbed that some of the information came in so late.

Mr. Papalilo stated that he is the only abutter to Chestnut Street. He tried to

reach the surrounding property owners but to no avail. The access way will be an improvement from its present condition, there will be no impact to the abutters and will deal with legal rights in the future.

Attorney Gallogly stated that Mr. Lainer, an abutter, has legal rights to the access. The proponents should have meetings with the abutters to resolve the problems.

Attorney Moschos replied that they will meet with them to discuss the concerns of the abutters.

Attorney Gallogly stated that he is still opposed to the petition and it should be denied.

Spiro Giannopoulos, 80 Pleasant Street, stated the proposed development will improve the area and is in favor of the petition.

Mr. Latka stated that it is a blighted and decadent area and the proposed development will be an asset to the area and the city. There is a need for housing in the downtown area. The Office of Planning and Community Development has discussed the proposal with the Massachusetts Housing and Finance Agency and other agencies and they are supportive of the proposal. The Office of Planning and Community Development recommends that the Board recommend to the City Council approval of the petition to abandon a portion of Chestnut Street.

Mr. Muenchmeyer stated that the entire package should be discussed regarding the embankment on Chestnut Street, a cul-de-sac at the end of Clinton Street and

providing easements to the city to service its utilities.

Mr. Keaney questioned if the opposition are abutters to the petition to abandon Chestnut Street.

Attorney Traynor replied all parties of interest can be heard by the Board. The Board only makes a recommendation to the City Council. If it recommends approval, the Board could recommend that certain conditions be put upon the approval.

Mr. Donahue stated if the street is abandoned, the petitioner should replace any easements that are given up. The City Council and the License Board will be reviewing the plans.

Mr. Reynolds questioned if Clinton Court is also being abandoned.

Attorney Traynor replied this request is not in the petition but only the abandonment of Chestnut Street.

Marvin Lainer, an abutter, stated that the access way extends all the way to Clinton Street.

Mr. Keaney questioned if there should be an access to Clinton Street.

Mr. Papalilo replied that a 30-foot easement through his property to Clinton Street will be granted if the development does not go through.

Mr. Keaney stated that the Board is only making a recommendation on the petition to abandon a portion of Chestnut Street. All other concerns will be addressed by the City Council.

Mr. Reynolds moved that the Board recommend to the City Council the petition to abandon a portion of the side area of Chestnut Street be approved subject to the following conditions.

1. All existing sanitary sewers, surface sewers and water mains and connections are properly located or easements provided to adequately service the area.
2. The integrity of Chestnut Street is maintained by embankment, filling or retaining walls as may be necessary.
3. Clinton Street, at Chestnut Street, to be provided with a turnaround for emergency vehicles, fire equipment and Department of Public Works service vehicles.
4. The developer to submit detailed engineering plans and decree plans subject to review and meeting all Department of Public Works requirements.
5. A new 30-foot wide access way from Clinton Street easterly serving the rear of the buildings fronting on Pleasant Street be provided by the petitioner.
6. The deed should contain a reversion clause to protect the city in case the proposed development is not constructed.

Mrs. Sadowsky seconded the motion. The vote was unanimous.

Adjournment

Chairman Keaney adjourned the meeting at 11:00 A. M.