PLANNING BOARD MEETING

September 27, 1989
7:00 P.M.

Present: Planning Board Members

Frank DeFalco, Vice Chairman
Joan Sadowsky, Clerk
George Russell
John Reynolds

Francis Donahue, Director, BLUC
Michael S. Latka, Director, OPCD
Philip Hammond, AICP, Planning Coordinator, OPCD
David Dunham, Environmental Planning Coordinator, OPCD
Judy Stolberg, Administrative Assistant, OPCD

Frank DeFalco, Vice Chairman, called the meeting to order at 7:00 P.M.

Public Comments - Zoning Ordinance Report

Richard West, President, Wescor Parking Systems Corp., suggested that Article IV, Section 7 should differentiate between high and low turnover parking spaces, a 7 foot width for each compact space be considered and narrower aisle requirements be promoted. See attached written statement.

Julie Sanders, Preservation Worcester, expressed support for Site Plan Review and the Mixed Use Overlay Zones. She recommended that the Office of Planning and Community Development be designated as the coordinating entity for site plan review due to the recent budget cuts and departmental reorganization. She also encouraged preservation of buildings displaying architectural merit in overlay zones. See attached written statement.

Demetrios Moschos, representing the Worcester Area Chamber of Commerce, commended the Planning Board for the work that has been done on the report. He stated that the Chamber of Commerce is concerned about the time between the advertisement and adoption of the ordinance and the effect on development. He said there should be some discussion with the City Council regarding this issue before the ordinance is brought to the Council. He also said the Chamber feels the Site Plan Review threshold is too low and the residential unit figure should be higher. He said the Planning Board and other Boards involved with the zoning ordinance should have the proper staff to complete the workloads that will be involved. Referencing Article V, Section 2, he said the Chamber felt that a joint meeting regarding Site Plan Review and Subdivision Approval would be

inappropriate. Mr. Moschos stated the Chamber's concern that the hazardous materials storage capacity was too low in the Aquifer Protection Districts and would inhibit industrial development. The Chamber also would like to see the procedural aspect better coordinated, e.g., the number of copies required should be standardized.

Mr. Russell asked Mr. Moschos if the Chamber had any suggestions as to how to protect the water supply. Mr. Moschos replied that there were existing laws on the books and agencies to regulate those concerns, e.g. DEP, OSHA, etc.

Robert Lian, Attorney representing the Fallon Clinic, stated that Fallon would like to suggest two revisions and introduced William Picard to explain those suggestions.

William Picard, AICP, William Picard Associates, stated that one suggested revision was directly related to Fallon and its operations and the other concerned the City as a whole. He recommended a change in the Aquifer Protection Article XII Table 12.1 impervious surface from 20% to 30%. The second suggestion concerned the designation of a new Business Office 2 Zone. See attached written statement.

Mr. Russell asked if Mr. Picard was referring to current Manufacturing Zones. Mr. Picard responded that he was and also areas where there are major traffic problems.

Janet Slovin, Downtown Development Division, Worcester Business Development Corp., stated that she was representing the Zoning Committee. She stated the committee recommends the establishment of a fixed filing fee schedule for site plan review by the Planning Board. She also stated that in a Mixed Use Overlay Zone a Special Permit should be voluntary and be required if the floor to area ratio is being increased. See attached written statement.

James Collins, representing Clark University, had some question regarding the Institutional Zone setback requirement in Table 4.2. He stated that his interpretation of the report was that in Institutional Zones, there could be no building in the first 50' from the property line with buildings at the height of the present abutting zone in the second 50'. He would like the language for the second 50' to be in the first 50'.

Mr. Russell said the wording meant 50' from the nearest non-institutional residential structure. Mr. DeFalco said the wording was unique because it is a new zone.

Deborah Carey, Mass. Audubon Society, applauded the effort and perserverance of the Planning Board. She said the Site Plan Review provision makes sense. She would like to see the slope threshold lowered. She urged the Planning Board not to back away from the initiative it has started.

Michael Pike, representing the Lake Quinsigamond Watershed Association, stressed the importance of the lake as a viable source of drinking water. He stated the entire watershed area should be protected and the Board should be sensitive to hazardous material storage near the watershed.

Evelyn Silver, Regional Environmental Council, urged the Planning Board to stick to their guns.

David Magid stated that the goal should be to protect existing uses from future airport growth. He noted that real estate values decline as decible levels increase. He referred to Article XI, Section 2 (2) which refers to Community Noise Equivalent Level (CNEL) as defined by the FAA and said that this method is currently being phased out.

William Sweeney, 35 Florence Street, referred to Article IV Table 4.2 and said the numbers should be there for side yard and setbacks for multi-family uses in RG-5.

Mr. Reynolds explained they are for the first units and do not apply for additional units of multi-family dwellings.

Jonathan Randall, representing the Citizens Advisory Council For the Airport, questioned what study would be used as a basis for noise overlay contours and suggested it should be the Part 150 Noise Study currently underway. He said he was concerned that the airport be allowed to grow in manner least detrimental to the area.

Philip Hammond submitted a written statement from the Providence and Worcester Railroad as part of the public record. See attached written statement.

At this time the Planning Board wished to publicly express their appreciation and thanks to John Keaney, former Planning Board Chairman whose term had expired and has recently been replaced, for his contribution and hard work over the years. He will be greatly missed.

Mr. Russell moved that the hearing be closed and Mr. Reynolds seconded the motion. The vote was unanimous. Mr. DeFalco, Vice Chairman, closed the hearing at 8:05 P.M.

Other Business

Mr. Russell nominated Frank DeFalco as Chairman. Mr. Reynolds seconded the nomination. The vote was unanimous.

Mr. Russell nominated John Reynolds as Vice Chairman. Ms. Sadowsky seconded the nomination. The vote was unanimous.

A draft report on the High Meadow Estates Definitive Plan noting the rationale for the Board's recent denial was presented for review. The Board will act on this definitive plan at their next meeting.

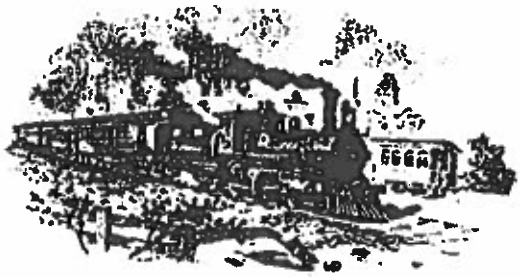
Mr. Russell expressed his concern that since the City Manager was disbanding the License Board and thus, car lots and junkyard licenses would be the purvue of the Police Department, there would be no public hearing or abutter notification. He was afraid that the process would be strictly administrative. He asked that the Chairman express these concerns to the City Manager.

The next meeting will be held on October 11, 1989 at Lamartine St.

Adjournment

The Chairman adjourned the meeting at 8:25 P.M.

/jis
Attachments



December 16, 1988

The Honorable Mayor Jordan Levy
City of Worcester
City Hall
Main Street
Worcester, MA 01608

Dear Mayor Levy:

This letter reiterates the concerns our Company has over the proposed zoning ordinance which is currently being reviewed by the City Council and the subject of public hearings. This subject was previously brought to your attention in my letter of August 29, 1988. Phil Hammond, Planning Coordinator, of the Office of Planning and Community Development suggested I once again contact you. I have reviewed the proposed ordinance on behalf of the P&W. P&W as you know, maintains its primary operational facilities on Southbridge Street in the City and is planning to relocate its corporate headquarters from Woonsocket, Rhode Island to Worcester. P&W's operations are located in an MG-2.0 zone. It is essential that the new headquarters building be located adjacent to the operations.

In reviewing the proposed zoning ordinance, I noted that a change in permitted uses in manufacturing districts is contemplated which would prohibit office buildings. This modification seems unduly restrictive and is very problematic for P&W. Allowing office buildings which are ancillary to uses permitted in the district would afford businesses the flexibility necessary to conduct their activities efficiently. P&W respectfully suggests that the schedule of uses in the proposed ordinance be modified to permit office buildings in manufacturing districts.

Thank you for the opportunity to comment on the proposed ordinance. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Heidi J. Eddins

Heidi J. Eddins
Secretary and General Counsel

HJE:jsb
cc: City Council Members

PROVIDENCE AND WORCESTER RAILROAD COMPANY
P.O. BOX 1169, WORCESTER, MA 01601 (508) 752-0272 FAX (508) 795-0748

DRAFT

Site Plan Review

The Worcester Planning Board has recommended disapproval of the High Meadow Estates Definitive Plan submitted pursuant to the following standards set forth in Article X, Section 7(d)(3):

i) As submitted, the definitive plan lays out 252 house lots on 85 acres. This layout resulted from a reduction of 14 lots from an original plan of 266 lots. However, the definitive plan appears to lay out 250 buildable lots. Two parcels, #240 and #244, have no sill elevations and appear unbuildable. Thus, the total number of lots in the definitive plan is 250 not 252.

The plan, as presented, is segmented in terms of content for municipal review. The plan, as reviewed by the Worcester Conservation Commission, is only the streets and utilities layout, not parcel/subdivision layout. Each individual lot will be required to get a Conservation Commission determination. The Planning Board was required to judge the merits of the total subdivision that contains lots deemed unbuildable by Commission review. Specifically, 66 lots may be unbuildable because of severe slopes, Paxton soils and proximity to wetlands. The plan as presented contains house lots that are restricted because of environmental considerations.

A Supplemental Final Environmental Impact Report (SFEIR) for this project was rejected by the State's Department of Environmental Protection on May 17, 1989. The resolution of major issues raised in this report clouds the Planning Board's ability to determine clearly the extent of environmental impact. In light of the Board's charge to review all associated impacts of project development, the definitive plan has failed to comply with the MEPA process relative to final approval

ii) Traffic volume and level of service (LOS) impacts from the project interfere with abutting rights of way, specifically Maravista Rd., Birch Hill Rd. and Stoneleigh Rd. Project impact presents a LOS of E for neighborhood streets and roadways. In addition, site access near the Ararat St./I-190 interchange will reduce the level of service to a LOS of E in an area having a high accident rate.

iii) The site is an important open space resource as identified by the Worcester Conservation Commission and detailed in Worcester's 5 Year Parks and Open Space Plan and the Worcester Master Plan. The definitive plan does not recognize this resource within the context of the subdivision of the site.

Highly erodable Paxton soils exist in an area of steep slopes abutting and within major wetland areas. These factors (soils and slopes) create a strong potential of site run-off which would degrade site wetlands and resources downstream (Salisbury Pond and Weasel Brook). It is questionable whether erosion control measures can realistically prevent environmental damage.

As noted in the Worcester Master Plan, difficult development sites should adhere to the concepts of performance zoning. Specifically, development should reflect tolerance toward its impact on various natural and built systems and should be flexible to these systems and community goals. The definitive plan does not display these planning concepts and does not meet community planning objectives i.e., preservation of open space, mitigation of environmental impact.

iv) Project density (252 lots) places pressure on the north Worcester area through the need to provide municipal services (schools and recreational facilities) and through the need to accommodate project impacts (roadway modifications).

v) As noted previously, a lowering of the level of service (LOS) of streets leading to the project site would be detrimental to the neighborhood and quality of life.

In addition, the potential existence of an abandoned landfill, as documented by the Worcester Health Department, abutting/on the site may pose problems if the area is excavated.

vi) During the planning process for the construction of I-190, the natural screening of the site was identified as a buffer for air pollution and noise. The removal of this natural buffer increases the susceptibility of the surrounding area to air and noise pollution impacts.

vii) The construction of detention ponds abutting existing homes on Sunrise Ave. is incompatible.

viii) The project does not provide any open space or recreational amenities. The current standard in Worcester for the provision of parkland is ten (10) acres per 1,000 persons. This definitive plan, with 252 units, does not contain any parkland. As previously noted, the site is identified as a valuable open space site in Worcester's 5 Year Parks and Open Space Plan.

ix) The existence of Paxton soils on steep slopes creates the potential of erosion impacts. The plan does not reflect performance zoning concepts in the Worcester Master Plan that promote site design and layout that mitigates environmental damage to sensitive and topographically difficult sites.

SUBDIVISION

Pursuant to City of Worcester Subdivision Regulations, the Worcester Planning Board disapproves the High Meadow Estates Definitive Plan based on the following:

Easements - Section X(C)(2)

Where a subdivision in traversed by a water course, drainage way, channel or stream, the developer shall comply with all rules and regulations set by the Worcester Conservation Commission.

The definitive plan received approval from the Worcester Conservation Commission for streets and utilities only. Applicability to the Wetlands Act was not determined for subdivision lots which will need individual Commission review. Thus, the Planning Board reviewed a plan that was approved only in part by the Commission. Therefore, the plan did not receive total approval, specifically streets, utilities, drainage and lot layout from the Commission.

Site Plan Review - Section IX(G)(3)

The definitive plan failed to meet the review standards for Site Plan Review - City of Worcester Zoning Ordinance - Article X, Section 7(d)(3).

Open Space - Section X(D)

The site, which is listed as a valuable open space resource by Worcester's Parks Department 5 Year Parks and Open Space Plan and the Worcester Master Plan, provides no parks or open space opportunities. Due to the project density and the limitation of these resources in the immediate area, the project is deficient in this standard.

Evironmental Impact - Section X(G)

As required by State law, this project must submit itself to the MEPA process. On May 17, 1989, the Supplemental Final Environmental Impact Report (SFEIR) was rejected by the Department of Environmental Protection. Therefore, the resolution of various environmental impacts remains pending.

Project Layout - Section IX(G)(3)

As presented, the plan depicts a subdivision of 252 lots. The layout was reduced by 14 lots from an original subdivision of 266 lots. However, two (2) lots (#240 and #244) contain no sill elevations and thus are unbuildable. Therefore, as submitted, the definitive subdivision reflects an error in the total number of house lots within the site.

Protection of Natural Features - Section X(E)

The project layout does not take into consideration the existence of highly erodable Paxton soils, steep slopes (25%-35%) and proximity to wetland areas. Planning concepts relative to tolerance to restrictive environmental features (soils and slopes) and flexibility in design as outlined in the Worcester Master Plan are not present. These natural features, as scenic points, community assets and irreplacable features whose value adds to site development, were not part of this subdivision layout.