

WORCESTER PLANNING BOARD  
MINUTES OF AUGUST 22, 1990 MEETING

Board Members Present:

Frank DeFalco, Chairman  
Joan Sadowsky  
John Reynolds  
George Russell  
Michael Lopardo

Staff Present:

Francis Donahue, BLUC  
Philip Hammond, OPCD  
Robert Moylan, DPW  
Hossein Haghanizadeh, DPW

Regular Meeting

1. Call to Order - Chairman DeFalco called the meeting to order at 3:16 P.M.
2. Approval of Minutes - The minutes of the July 18, 1990 meeting were approved unanimously.
3. Oak Grove Estates - Amend Drainage Plan - Lawyers Michael Moschos and John Benson, as well as engineer Jim Gray, presented their plans to modify the retention pond for this subdivision. From an artist's rendition and engineering plans, Atty. Moschos detailed the function and layout of the 10 foot deep pond. The Board expressed concern about four items: retention pond maintenance; liability; pond fencing; and an agreement from the Worcester DPW allowing this type of pond.  
  
The Board was satisfied that the plan amendment was acceptable and set the four items noted previously as conditions. The amendment was approved 5-0 on a motion by John Reynolds and seconded by George Russell.
4. Longview Heights - Status Review - Attorney Anthony Tomasiello, Jr. briefed the Board about planned remedial work for the Erie Ave. subdivision. Deputy Commissioner Bob Moylan explained that the DPW has met with the developer and set a deadline of 10/31/90 to complete catch basin, roadway and site clean up work. No further building permits can be pulled until the developer completes the various work items. The City and the developer are reviewing a new design for the retention pond which is excessively deep and appears to pose a public safety threat.

Attorney Donald O'Neil, representing the abutters, expressed concern about subdivision conditions and their negative impacts on surrounding properties. After requesting help from the Board, Mr. O'Neil was advised that private action may be necessary to rectify problems associated with the subdivision.

The Board took the item under advisement and tabled it.

5. Clark Street - Site Plan Review - Walter Swartz of C.T. Male Engineering and Attorney Kevin Leary told the Board that they have met with Worcester's Water Resources Planning Committee to assess the project's impact on Worcester's Poor Farm Brook aquifer. Rather than move one building, the proponent plans to re-charge roof drains and pavement directly into the groundwater. This method will meet the impervious surface criteria set in the proposed Aquifer Protection Overlay District.

As part of the development, the Board asked that the following conditions be met:

- No underground storage tanks.
- A stockade fence and a row of hemlock must be planted to screen the DPW yard from the development.
- No HVAC equipment on building roofs.
- A noise indemnification clause must be placed in the leases of the units.
- Site impervious surfaces must be re-charged into the groundwater.
- Site erosion control measures during construction must ensure the protection of the brook.

The site plan was approved 5-0 on a motion by John Reynolds and seconded by George Russell.

6. Burncoat Meadows - Reduce Bond (#3) and Set New Bond - On a motion by George Russell, seconded by Joan Sadowsky, the Board voted 5-0 to reduce the bond by \$78,025.

A new bond for Christy Court for \$33,000 was set. A deadline for completion was established for June 1, 1991 and the project covenants can be released once the bond is posted.

7. Fantasia Estates - Set Bond - The Board voted unanimously to set a bond of \$87,000 and create a time limit for completion of September 1, 1991. Moreover, project covenants can be released after the bond has been posted.

8. Communication - Proposed Grafton Asbestos Recycling Plant - Worcester City Councillor Paul Clancy appeared before the Board to express opposition to a proposed asbestos recycling plant on Westboro St. in Grafton. This facility is in close proximity to a number of homes in Worcester and could have a negative impact. The uncertainty of how the plant will operate and the methods by which hazardous asbestos will be transported to the site is of great concern to the Worcester residents and Councillor Clancy. He asked that the Board go on record opposing the project.

However, because the Board had little details about the project and was unable to honestly assess its impact, they declined to oppose the asbestos plant. Still, the members recognized the potential impacts associated with the handling of hazardous materials, as well as how the asbestos would travel through Worcester to the plant. Therefore, on a motion by George Russell, seconded by Joan Sadowsky, the Board voted unanimously to express concern about the project.

9. Rosewood West (Scenic Heights) - Communication - Currently, the Worcester Conservation Commission is reviewing the site conditions. No action was necessary by the Board, thus the item was tabled.
10. Wrentham Road - Status - The Worcester Law Department continues to research whether the City has the legal instrument that obligates the developer to pave Wrentham Road.
11. Subdivision Regulations - Communication - The Board voted to meet on September 12, 1990 at 2:00 P.M. to review Worcester's Subdivision Control Regulations and to solicit municipal input in order to draft new more contemporary regulations.
12. Law Department Communication on Bonds - Tabled.
13. Plans To Be Ratified:
- 4284 Plan of Land on Heath St., owned by Debra Lane, signed on 8/6/90.
- 4285 Plan of Land on Goddard Memorial Drive, owned by Comfred Savings Bank, signed on 8/6/90.
- 4286 Plan of Land on Ryberg Terrace, owned by Mary Barry's Estate, signed 8/6/90.
- 4287 Plan of Land on High Ridge Road, owned by Charles Johnson, signed on 8/22/90.
- 4288 Plan of Land on Blithewood Ave., owned by Robert Ghiz, signed on 8/22/90.

4289 Plan of Land on Granite St., owned by Cathy Chan, signed on 8/22/90.

4290 Plan of Land on Wildwood Ave., owned by John Hanlon, signed on 8/22/90.

14. Date of Next Meeting

September 12, 1990 - Subdivision Regulations

September 26, 1990 - Regular Meeting

Public Hearing

1. Arboretum - Request to Re-appeal to the ZBA - Within the two (2) year limitation.

Attorney Robert Cunningham representing Arboretum Realty Trust outlined the proponent's argument that the project has undergone substantial changes, therefore the plan merits an opportunity to re-appeal to the ZBA a previous special permit denial.

Allowing for opposing comments, Chairman DeFalco opened the hearing up for comments, specifically from Rep. William Glodis, City Councillor Paul Clancy, Walt Wheeler - 27 Arboretum Drive, Paul Curren - 34 Upland St. and John Bartosiewicz - 41 Davenport Rd. In each case, the opponent noted similar reasons for denying the re-appeal request. Generally, all the opponents stated that the redesign did not make any substantial changes concerning trip generation, traffic along Upland St., the impact on the area's single family character. In particular, the project had a negative impact on the health, welfare and public safety of the area. Therefore, the project has not changed significantly and did not warrant a chance for re-appeal.

The Board was not convinced by Atty. Cunningham that the Arboretum project displayed substantial changes from the previous project. On a motion by George Russell, seconded by John Reynolds, the Board voted 3-1-1 (Chairman DeFalco abstained) to deny Arboretum Realty Trust's request to re-appeal to the Worcester ZBA.

2. Worcester Corporate Park - Definitive Subdivision

Attorney Austin Keane, representing St. Pierre Realty Trust, outlined the definitive plan for an industrial park on East Mountain St. and located primarily in West Boylston. The proponent was seeking waivers for several subdivision items:

- Waiver of a five foot sidewalk on one side.
- A reduction in the 60 foot right of way.
- The construction of "Cape Cod" berms.
- The planting of trees in the right of way.

In each case, the Board agreed with the proponent and voted unanimously to waive the subdivision requirements.

3. Austin St./Dewey St./Pleasant St. - Zone Change Petition

Richard Kazarin of 31 Blithewood Ave. presented his case for a zone change from RG-5 to BG-3.0. However, as presented, the change request amounted to spot zoning. The Board asked that the petitioner take a leave to withdraw to re-think the request.

The Board voted unanimously to grant a Leave to Withdraw.

4. Worcester Zoning Ordinance Amendment - Article IV - The members were unclear as to how this zoning petition to limit fast food establishments in business zones reached the Board. Due to this uncertainty, the Board voted unanimously to table the item.

The meeting was adjourned at 9:45 P.M.