

Worcester Planning Board Minutes
May 15, 1991
Personnel Training Room

Planning Board Members Present: Frank DeFalco
John Reynolds
George Russell
Michael Lopardo

Staff Present: Michael Latka, Assistant City Manager For Development
Stephen O'Neil, OPCD
Philip Hammond, OPCD
David Dunham, OPCD
James Fasser, OPCD
Judith Stolberg, OPCD
Michael Traynor, Law Department
Michael Caforio, DPW

Chairman DeFalco convened the meeting at 2:01 P.M.

1. 796 Millbury Street, White Hen Pantry - Parking Plan Approval: Attorney Samuel DeSimone, representing White Hen Pantry and Worcester Community Credit Union, explained this project had received License Board approval on February 14, 1991 which was one day after the advertisement of the new Zoning Ordinance. Therefore, the project was subject to Parking Plan Approval. The Board expressed concern about fencing around the property and the dumpster pad. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted unanimously to approve the Parking Plan with the condition that stockade fencing be placed around the property and around the dumpster pad.
2. 1341 Main Street - Site Plan Approval: Attorney Samuel DeSimone, representing the proponent, explained that the number of units had been reduced from six to four so the plan conforms to the zoning and parking requirements. He stated that there would be a snow storage area, adequate lighting and a drainage collection system from the roof of the building channelled into surface drainage on Main Street. He said they felt the drainage would be better after construction than it is presently. The Board expressed concern about the gravel driveway and the proponent stated he would be willing to put in trees to alleviate the potential noise and dust problem. Upon a motion by George Russell and seconded by Michael Lopardo, the Board voted unanimously to approve the Site Plan with the condition that six foot pine trees line the driveway to create a barrier.
3. 27-41 Austin Street, Franklin Square Parking Garage - Parking Plan Approval: James Soffan, the developer, explained this project already has a parking lot license and was one of the

projects caught up in the transition from the old to the new Zoning Ordinance. Assistant City Manager, Michael S. Latka expressed the City's full support for this project because of its tremendous impact on the downtown area. DPW had expressed concern regarding drainage and sanitary connections but Stephen O'Neil, OPCD Director, stated that the developer and DPW representatives had met and came to agreement on most of the issues and would continue to work together. William O'Connell, an abutter, said he was concerned about damage to his building during construction, security for his building once the garage is built and a wall between the properties which has already been erected as part of an agreement with Mr. Soffan when the property was sold. Mr. DeFalco explained that these were problems to be worked out between the parties and not in the purvue of the Board. Janet Slovin, Executive Director of Target Worcester, urged immediate approval of the plan because it is a key project in the downtown area and is in the public interest. Mr. Reynolds expressed concern regarding the close proximity of the garage to residential buildings and the possibility of exhaust fumes. Mr. Soffan responded that the garage had been designed in conformance with all codes. There was some discussion as to whether Health Department concerns could be placed as conditions for approval. Mr. Traynor responded that the Board's only purvue was the parking layout and Health Department issues would not be allowable approval conditions. Upon a motion by Michael Lopardo and seconded by John Reynolds, the Board voted unanimously to approve the Parking Plan with the condition that the DPW receive detailed plans that reflect utility connections.

4. 67 Lincoln Street, Worcester Girls Club - Waiver of Fee and Site Plan Approval: Richard Lamoreaux, the architect for the project, displayed a building model and presented the plan to the Board. He stated that they have letters from nearby churches which authorize parking in their lots for the building and that parking relief had been granted by the ZBA based on these letters. The Board requested that copies of these letters be sent to OPCD to be placed on file. Mr. Caforio stated that DPW had met with the project engineers to resolve some DPW concerns. DPW recommended approval subject to final review by DPW. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted unanimously to approve the Site Plan subject to DPW review. Upon a motion by George Russell and seconded by Michael Lopardo, the Board voted to reduce the fee to the minimum amount of \$175.00.
5. 56 Laurel Street, Lodging House - Waiver: Michael Pastyrnak, the owner, stated his project had already received License Board approval and he presently has a lodging house license. He was asking that the Board waive the process. The Board responded that they could only waive fees and submission requirements. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted unanimously to waive the submission requirements and accept what Mr. Pastyrnak has submitted. Upon a motion by

John Reynolds and seconded by George Russell, the Board voted unanimously to approve the Site Plan on condition that the required fee is paid.

6. 39 Burncoat Street - Informal Discussion: Scott Sinrich discussed his parking plan for the property which included parking within the setback and stacking of cars. The Board informed him that neither of these are permitted in an RG-5 zone. No action was required.
7. 800 Main Street - Waiver of Fee: Mr. Hammond explained the importance of this project because of the provision of affordable housing, the elimination of a neighborhood nuisance and the return of this property to the tax roles. The Board expressed the opinion that the group that would develop the project was not a non-profit. Upon a motion by George Russell and seconded by John Reynolds, the Board voted unanimously to deny the waiver request.
8. Scenic Heights - Status Review: Mr. Donahue asked that this item be withdrawn.
9. Indian Hill - Status Review: The proponents stated that they were willing to address health and safety issues but did not feel they should be responsible for all the problems from the previous developer. They felt the costs to produce as-built plans were too prohibitive. Mr. Caforio stated that DPW's position was that if the Board felt this was a worthy cause, they would insist on a decree plan for the roads but would be willing to forego as-built plans. There was concern that this would set a precedent. Mr. Caforio stated that DPW would not consider this approach if this were a secure project but that if the project were to be completed during this construction season, it was the best solution. Mr. Traynor stated that there was no security on the project from the previous owners because of the failure of the Bank of New England which put the project in FDIC receivership. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted unanimously to accept a covenant for the lots and waive the requirement for as-built plans. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted acceptance of the project covenant be contingent on the proponents actually taking ownership since they presently only have a purchase and sale agreement.
10. Eastern Orthodox Management Corporation - Waiver of Fee: John Guidry and Larry Hardy from TASC Architects requested a fee waiver stating they were a non-profit and the fee had not been included in their financial planning for the project. Mr. Reynolds expressed a concern that it was difficult to distinguish between a profit and non-profit enterprise. Upon a motion by George Russell and seconded by John Reynolds, the Board voted unanimously to deny the request for a fee waiver.

11. Michael Scirpoli, Jr. - Waiver: Mr. Scirpoli stated his six unit project, located on Wells Street, had received a Use Variance from the Zoning Board of Appeals but he had not pulled his building permit until after the new Zoning Ordinance was enacted. He was asking that the process and fee be waived. Again the Board could not waive the process. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted unanimously to waive the submission requirements. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted to approve the plan and reduce the fee to the minimum of \$175.00.
12. 1030 Main Street - Waiver or Reduction of Fee: Attorney Mark Donahue stated that none of the fees site plan fees were built into the proposal. He said the apartments would all have Section 8 HUD subsidies and the mission of the WCMHC is to provide quality affordable housing to mentally impaired individuals, thus fees should be waived. Upon a motion by Michael Lopardo and seconded by John Reynolds, the Board voted to reduce the fee to the minimum \$175.00.
13. ANR Plans - Communication From Attorney Jonathan Finklestein: None of the Board were willing to sign these perimeter plans. Mr. Traynor said the Board could either sign the plans or notify the City Clerk that time has expired without action by the Board. OPCD will so notify the City Clerk.
14. Discussion on Zoning Map Timetable: Mr. Hammond stated the map was approximately 80% complete and would be ready for presentation to the Board in early June. The Board decided to set a date for this presentation at the next meeting.
15. Orton Street Subdivision - Phase II Bond Extension: Attorney Jonathan Finklestein stated that an unexpected delay in the installation of the gas lines necessitated the request for the extension. He stated they were willing to extend the Letter of Credit also. Upon a motion by John Reynolds and seconded by Michael Lopardo, the Board voted unanimously to extend the completion date to October 1, 1991 and correspondingly the Letter of Credit expiration.

The Board reaffirmed its decision to have meetings on the first and third Wednesdays of the month.

Chairman DeFalco adjourned the meeting at 4:40 P.M.