



The City of
WORCESTER

Planning Board

**MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE CITY OF WORCESTER**

Wednesday, May 17, 2023

Worcester City Hall – Levi Lincoln Chamber,
with remote participation options available via WebEx online at
<https://cow.webex.com/meet/planningboardwebex> and
call-in number 415-655-0001 (Access Code: 1601714991).

Board Members Present: Edward Moynihan, Vice Chair
Conor McCormack
Adrian Angus
Brandon King (*Participated Remotely*)

Board Members Absent: Albert LaValley, Chair

Staff Present: Michelle Smith, Division of Planning & Regulatory Services (DPRS)
Pamela Harding, Division of Planning & Regulatory Services (DPRS)
Steve Cary, Division of Planning & Regulatory Services (DPRS)
John Kelly, Inspectional Services (*Participated Remotely*)
Sean Quinlivan, DPW
Alexandra Kalkounis, Law Department (*Participated Remotely*)

Call to Order

Board Vice Chair Edward Moynihan called the meeting to order at 5:30 pm.

Postponements

Item 2: 128 Alvarado Avenue (PB-2022-029) – Definitive Site Plan & Amendment to Definitive Subdivision Plan

Request to Postpone the Public Meeting & Hearing to June 28, 2023

Extend the Constructive Grant Deadline to July 27, 2023

Item 5: 34, 36 & 38 Blackstone River Road (PB-2023-028) – Definitive Site Plan & More than One Building on a Lot

Request to Postpone the Public Meeting to June 7, 2023

Extend the Constructive Grant Deadline to June 29, 2023

Item 6: 21 Westwood Drive (PB-2023-031) – Definitive Site Plan

Request to Postpone the Public Meeting to June 7, 2023

Extend the Constructive Grant Deadline to June 29, 2023

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to grant the postponements.

New Business

3. 3 Oriol Drive (PB-2023-022)

a. Public Meeting – Definitive Site Plan Extension of Time

Taken first out of order.

Brian Grossman, attorney on behalf of Maple Multi-Family Land LLC, presented the extension of time request (a two-year extension) and gave an overview of the development process for the project thus far.

Mr. Cary provided staff comments, noting that a plan reflecting the original conditions of approval should be submitted; noted that variances granted were also extended.

No comment from Law or DPW

No public comment.

No Board discussion.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to grant the Extension of Time request for an extension of two-years, subject to staff-recommended conditions of approval.

4. 4 Brandt Lane (PB-2023-026)

a. Public Meeting – Preliminary Subdivision

Stephen Madaus, attorney on behalf of the applicant, presented the preliminary subdivision plan.

Pam Harding provided staff comment, noting that a definitive approval is still needed and describing specific staff concerns about roadway layouts.

No comments from Law.

Mr. Quinlivan provided DPW comment, citing concerns about existing utilities and easements; asked applicant about stream on site and how development would account for that and flooding on site.

Patrick Healy responded to DPW comments and anticipated Conservation Commission filings.

Pam Harding added comments regarding wetlands protections and DEP filings required due to contamination; Mr. Madaus responded.

Public Comment

Donna Dickey, 1 Pine Hill Road, expressed concern about soil contamination, citing previous attempts to develop the property; described garbage and messy state of the property; stated concerns about flooding.

Ron Dickey, 1 Pine Hill Road, stated concerns about traffic along Grafton Street during school drop-off; stated concerns about garbage dumping and the city dumping street sweepings.

Board Discussion

Mr. Angus stated that this was an appropriate use of the preliminary approval process, to hear concerns such as those that the abutters expressed; stated his support for more housing in the city.

Mr. King stated he was glad to hear the abutter concerns and supported the project.

Mr. McCormack stated his support and that he hopes the applicant develop their plans in accordance with the concerns expressed.

Mr. Moynihan stated his support and that he looks forward to seeing the aforementioned concerns addressed.

Mr. McCormack asked for staff clarification on staff comments to include in the motion; Ms. Harding clarified.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to approve the preliminary subdivision plan, subject to staff recommended conditions of approval and DPW comments.

Old Business

135 Brooks Street (PB-2023-003)

a. Public Meeting – Definitive Site Plan

Joshua Lee Smith, attorney, provide background on the project; described how the plan has evolved since the initial filing; described how the site layout has been flipped in response to City and abutter concerns, to move loading bays further from residential development; described changes to vehicular access to the site; addressed staff concerns about cul-de-sacs.

Greg DiBona, engineer, described changes to the site plan; discussed future use of C-Street; discussed landscaping improvements; noted that no tenants are chosen yet; discussed changes to lighting fixtures; described front façade and landscape screening buffer.

Michael Bahtarian, Acentech, described changes to noise study in response to flipped design.

Mr. Moynihan excused himself; turned the gavel over the Conor McCormack.

Ms. Harding provided staff comment; struck “independent” from comment regarding noise consultant.

Mr. Lee Smith responded to staff comments; addressed conditions of approval; addressed disagreement with neighbor with regard to noise.

Mr. Moynihan returned as chair of the meeting.

Ms. Harding noted she would defer to ISD on noise enforcement.

No comments from Law or ISD.

Mr. Quinlivan provided DPW comments.

No public comment.

Board Discussion

Brandon King stated his support.

Mr. Angus thanked the applicant for flipping the building.

Mr. McCormack also appreciated the applicant flipping the building; Mr. McCormack asked to clarify that the City still has an enforcement mechanism should there be noise complaint; Ms. Harding confirmed.

Mr. Moynihan asked questions regarding the vegetated buffer; Mr. Lee Smith responded; suggested that condition #17 be struck.

Mr. Lee Smith asked to strike condition 1g.; to modify condition 1p. to add “if necessary to comply with applicable noise regulations” relative to sound barrier and move to before certificate of occupancy; and move condition 3 to be under “prior to issuance of occupancy permit”.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 3-0 (Moynihan abstain and LaValley absent) to approve the Definitive Site Plan subject to staff recommended conditions of approval, as modified, and DPW comments.

New Business

7. Lot 2A Aurora Street (PB-2023-035)

a. Public Meeting – Definitive Site Plan

Zachary Gless, engineer from Existing Grade, Inc., presented the project, a single-family dwelling, on behalf of the applicant; described the development process thus far and particulars of the site plan.

Mr. Cary provided staff comment.

No comments from Law.

Mr. Quinlivan provided DPW comment.

No public comment.

Board Discussion

Mr. McCormack asked for clarification on condition of approval relative to foundation distance from wetland; Mr. Cary clarified.

Mr. Gless confirmed waivers requested.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to approve the Definitive Site Plan, subject to staff-recommended condition of approval and DPW comments.

8. 85 Boston Avenue (PB-2023-037)

a. Public Meeting – Definitive Site Plan

Zac Couture, engineer with H.S.T. Group, Inc, presented the project, a duplex on slopes greater than 15%.

Mr. Cary provided staff comment; asked applicant to comment on how ledge would be removed.

Mr. Couture described ledge removal process, stating it would be done with a hydraulic hammer; stated that two trees at southern corner of the lot would be saved.

No comment from ISD, Law, or DPW.

Public Comment

Carolyn Barelli, Anita Street, stated her concerns about the ledge on the property and the flooding issues that are already impacting the neighborhood; asked about ownership of the property; Mr. Moynihan and Mr. Angus reminded commenter of Board's purview.

Mr. Couture responded to the abutter's concerns.

William Beltre, abutter to the project, described his concerns about the impact on neighboring houses and the existing biodiversity on site; Mr. Cary clarified on allowed structures in the zoning district.

Lee Wheeler, Gleason Street, stated his concern about traffic impacts of the project; cited other concerns about ledge removal as part of the construction process; stated he would prefer to see a single-family house on the property.

Bart Lasky, 82 Boston Ave, stated his concerns about amount of ledge removal; stated concerns about rental units and that they do not fit with neighborhood character.

Board Discussion

Mr. McCormack reminded abutters that this project does meet zoning compliance and it is a by-right use; stated his support.

Mr. King reiterated Mr. McCormack’s comment.

Mr. Moynihan noted that drainage infrastructure is accounted for and that they have fulfilled site plan review requirement; noted other municipal departments that should be contacted about any issues that come up during construction.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to approve the Definitive Site Plan, subject to staff-recommended condition of approval and DPW comments.

10. 12 Jackson Street (PB-2023-002)

a. Public Hearing – Zoning Map Amendment

Taken out of order.

Jonathan Finkelstein, on behalf of petitioner, presented the proposed zoning map amendment, an extension of the RG-5 zone.

Mr. Cary provided staff comment.

No comments from Law, DPW, or ISD.

No public comment.

Board Discussion

Mr. King stated his support.

Mr. McCormack had no comment.

Mr. Moynihan stated his support; Mr. Cary clarified Board’s action.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to close the public hearing.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to favorably recommend the zoning map amendment and refer back to City Council.

9. 153 Green Street (PB-2023-038)

a. Public Meeting – Definitive Site Plan

Anthony Rossi presented the site plan and described the reasoning behind certain design choices.

Attorney Don O’Neil provided comment with regards to permitting timeline.

Michelle Smith provided staff comments with regards to architecture.

Public Comment

Steve Mita, Holden MA, provided comments relative to urban design.

Alex Guardiola, Chamber of Commerce, stated his support.

Board Discussion

Mr. McCormack stated his support and noted his appreciation for the choices in architectural design.

No comments from Mr. King.

Mr. Moynihan noted he was glad to see that the applicant had worked with city staff to improve the architectural plans.

Ms. Smith described how Board should motion the approval.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to approve the Definitive Site Plan, subject to staff-recommended condition of approval with modification to conditions 1j. and 1aa. and incorporating DPW comments.

Other Business

11. Approval Not Required (ANR) Plans(s)

- a. 218 Heard Street & Papineau Avenue (Public) (AN-2022-024)
- b. 26 Apthorp Street (Public) (AN-2023-025)
- c. 4 & 16 Orton Street & Jennings Street (Public) (AN-2023-026)
- d. 93 Piedmont Street, 140 Austin Street (Public) (AN-2023-027)

Mr. Cary presented the ANR plans.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted 4-0 (LaValley absent) to endorse items 11a – 11d.

12. Communications

- a. MassDEP – Issuance of Chapter 91 Simplified Waterways License – 215 Lake Avenue

Ms. Smith described the communication.

13. Board Policy and Procedures

- a. Now/Next Discussion of Presentation – August and October

Ms. Smith provided an update to the long-range planning process; Board discussed special meeting dates.

- b. Appointment to the Community Preservation Committee

Ms. Smith described the committee and appointment process; the Board discussed.

No appointment was made.

- c. Definitive Subdivision Application –new application form

Ms. Harding and Ms. Smith discussed.

14. Approval of Minutes - 03/15/2023; 04/05/2023; 05/03/2023

None approved.

On a motion by Mr. McCormack, seconded by Mr. Angus, the Board voted unanimously to adjourn at 8:57pm.