

Received
DONALD J. O'NEIL, Esq. Worcester City Clerk

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DONALD J. O'NEIL, ESQ.

DJO@ONEILBARRISTER.COM

October 30, 2023

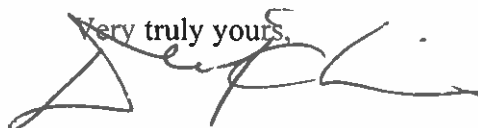
Worcester Planning Board
c/o Division of Planning & Regulatory Services
455 Main Street Room 404
Worcester MA 01608

Re: Brookline Street Extension Subdivision Amendment

Dear Members,

I am writing on behalf of my client, Norcross Development, LLC, to request an additional one-year extension to the subdivision plan, originally approved in 2018, to allow further time to complete the as built plans for the subdivision and the review and acceptance of same by the Department of Public Works. No changes to the approved plan are proposed and no additional site work beyond what has already been completed is anticipated. My client expects the plan preparation and review process to be completed well in advance of October 31, 2024 but is requesting additional time to cover any unforeseen circumstances. I enclose herewith a completed Definitive Subdivision Plan Application along with a check for the required filing fee made payable to the City of Worcester. Please let me know if you need anything further.

Very truly yours,



Donald J. O'Neil

cc. Scott Barrows

City of Worcester Planning Board



DEFINITIVE SUBDIVISION PLAN APPLICATION

**Division of Planning & Regulatory Services
455 Main Street, Room 404, Worcester, MA 01608
Office 508-799-1400 Ext. 31440 – Fax 508-799-1406**

1. The undersigned applicant, being the owner of all land included within a proposed subdivision shown on the accompanying plan entitled Definitive Subdivision Plan in Worcester MA owned by Norcross Development, LLC and prepared by Robert D. O'Neil, Jr. Massachusetts Registered (Engineer) (Surveyor), Registration Number 39400, dated May 8 2018, submits such plan as a Definitive Plan of the proposed subdivision and makes application to the Board for approval thereof.
2. The land within the proposed subdivision is subject to the following easements and restrictions: Subdivision Performance Agreement Secured By Surety recorded in Book 62359, Page 203; Deed of Easement For Street Purposes recorded in Book 57827, Page 361; and Drainage Easement Deed recorded in Book 57827, Page 358
3. There are appurtenant to the land within the proposed subdivision the following easements and restrictions: None.
4. A preliminary Plan of the proposed subdivision was approved by the Board on 20 . The modifications recommended at this meeting have been incorporated in the accompanying plan.
5. The applicant agrees if the Definitive Plan is approved, to construct and install all improvements within the proposed subdivision required by the Rules and Regulations of the Worcester Planning Board as in force on the date of this application and as modified and supplemented by the work specifications and other requirements of the Public Works Commissioner and the Health and Code Enforcement Commissioner.
6. The applicant covenants and agrees to complete all said required improvements; (1) within three (3) years from the date of approval of a Definitive Subdivision Plan of ten lots or fewer; or (2) within five years from the date of approval of a Definitive Subdivision Plan of more than ten lots.
7. The applicant agrees if this application is approved, to file with the Board within twenty (20) days of such approval a bond in form satisfactory to the Board and conditioned on the completion of all required improvements in the time and manner prescribed, in a penal sum sufficient in the opinion of the Planning Board upon the advice of the Commissioner of Public Works to cover the cost of such work and executed by the applicant as principal and a surety company authorized to do business in the Commonwealth of Massachusetts and satisfactory to the Board as surety or secured by the deposit with the City Treasurer of money or negotiable securities satisfactory to the Board in the amount equal to the penal sum of the bond.

OR

8. The applicant further agrees, if this application is approved, to cause the Definitive Plan of the subdivision to be recorded in the Worcester District Registry of Deeds or in the Worcester Land Registry District within six (6) months of such approval, and agrees not to sell or to offer to sell, any of the lots within the subdivision.

9. The owner's title to the land is derived under deed from Paul Hoogasian, dated January 27, 2016, and recorded in the Worcester District Registry of Deeds, Book 55019, Page 291; or Land Court Certificate of Title Number _____, registered in Worcester Land Registry District, Book _____, Page _____ and Worcester Assessor's Book _____, Page _____.

Applicant's Signature: 

Applicant's Name (Please Print): Norcross Development, LLC

Applicant's Address: 16 Norcross point

Shrewsbury, MA 01545

Applicant's Phone Number: (617) 592-9512 Fax Number: (508) 755-9655

Accepted this _____ day of _____, 20____ as duly submitted under the Rules and Regulations of the Planning Board.

For

WORCESTER PLANNING BOARD

By:

Division of Planning & Regulatory Services

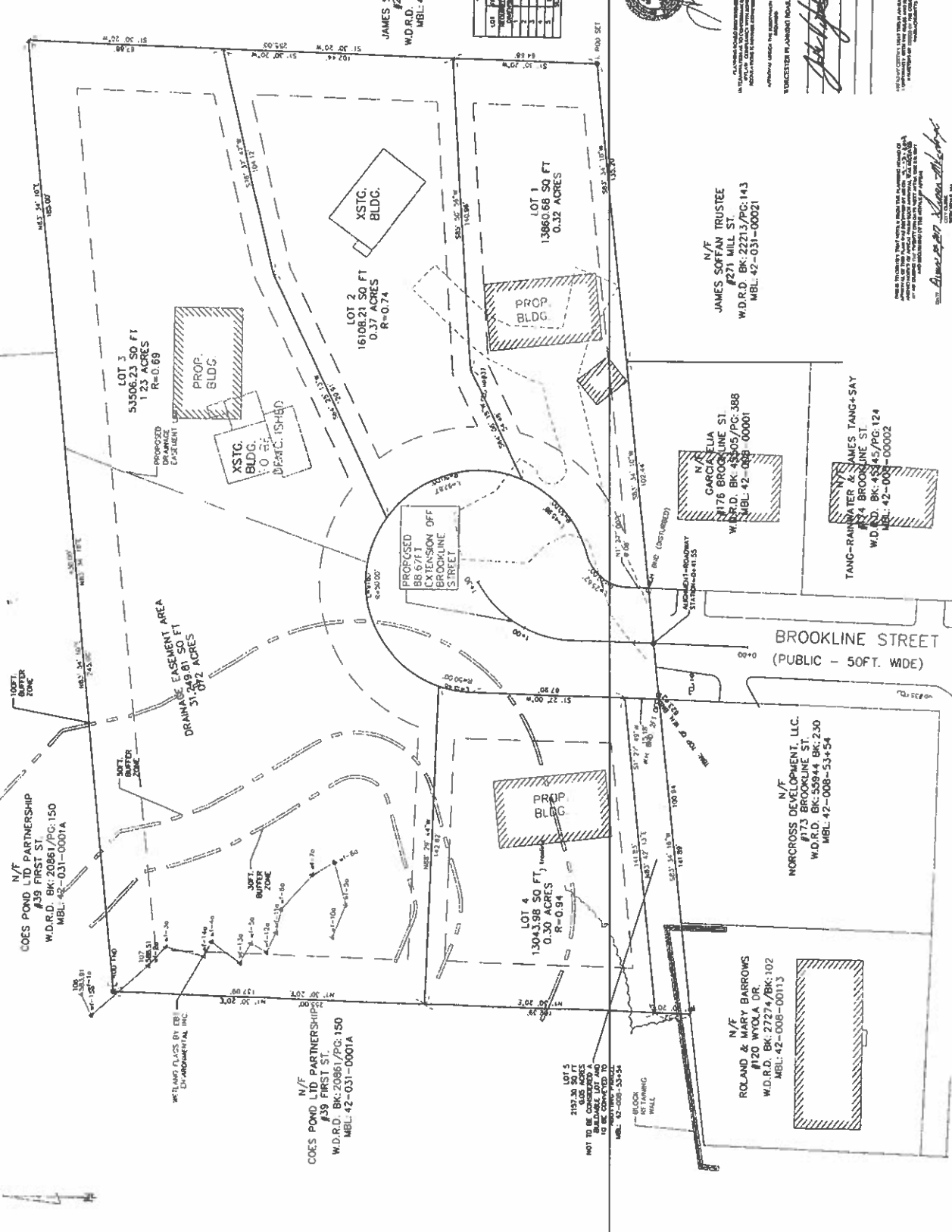
DEFINITIVE SUBDIVISION PLAN
 IN
 WORCESTER, MA
 COMPILED BY
 HUNTER DEVELOPMENT LLC

RESERVED FOR RECORD OF
 DEEDS USE ONLY

LEGEND

- 1.6 A. 30 FT. SIDE SETBACK
- 1.7 A. 30 FT. FRONT SETBACK
- 1.8 A. 30 FT. REAR SETBACK
- 1.9 A. 30 FT. CORNER SETBACK
- 2.0 A. 30 FT. FRONT & REAR SETBACK
- 2.1 A. 30 FT. FRONT & SIDE SETBACK
- 2.2 A. 30 FT. FRONT & REAR & SIDE SETBACK
- 2.3 A. 30 FT. FRONT & REAR & CORNER SETBACK
- 2.4 A. 30 FT. FRONT & REAR & CORNER & SIDE SETBACK
- 2.5 A. 30 FT. FRONT & REAR & CORNER & SIDE & FRONT CORNER SETBACK
- 2.6 A. 30 FT. FRONT & REAR & CORNER & SIDE & FRONT CORNER & REAR CORNER SETBACK
- 2.7 A. 30 FT. FRONT & REAR & CORNER & SIDE & FRONT CORNER & REAR CORNER & SIDE CORNER SETBACK
- 2.8 A. 30 FT. FRONT & REAR & CORNER & SIDE & FRONT CORNER & REAR CORNER & SIDE CORNER & FRONT CORNER SETBACK
- 2.9 A. 30 FT. FRONT & REAR & CORNER & SIDE & FRONT CORNER & REAR CORNER & SIDE CORNER & FRONT CORNER & REAR CORNER SETBACK
- 3.0 A. 30 FT. FRONT & REAR & CORNER & SIDE & FRONT CORNER & REAR CORNER & SIDE CORNER & FRONT CORNER & REAR CORNER & SIDE CORNER SETBACK

**PROPOSED
 LOTTING PLAN**
 C-1.1



N/F
 JAMES SOFFAN TRUSTEE
 W.D.R.D. BK 22213/PG 143
 MBL: 42-031-00021

TABULAR ZONING SUMMARY

LOT	PROPOSED	AREA	MAX SET	FRONT	REAR
1	PROP. BLDG.	1,386.68 SQ FT	30 FT.	30 FT.	30 FT.
2	XSTG. BLDG.	1,810.21 SQ FT	30 FT.	30 FT.	30 FT.
3	PROP. BLDG.	535.06 SQ FT	30 FT.	30 FT.	30 FT.
4	PROP. BLDG.	1,304.98 SQ FT	30 FT.	30 FT.	30 FT.
5	EXIST. BLDG.	219.30 SQ FT	30 FT.	30 FT.	30 FT.
TOTAL		5,356.23 SQ FT			



N/F
 JAMES SOFFAN TRUSTEE
 #271 MILL ST.
 W.D.R.D. BK: 22213/PG: 143
 MBL: 42-031-00021

N/F
 GARGIEUELA
 #176 BROOKLINE ST.
 W.D.R.D. BK: 43305/PG: 388
 MBL: 42-008-00001

TANG-RAINWATER & JAMES TANG & SAY
 #74 BROOKLINE ST.
 W.D.R.D. BK: 43345/PG: 124
 MBL: 42-008-00002

N/F
 NORCROSS DEVELOPMENT, LLC.
 #173 BROOKLINE ST.
 W.D.R.D. BK: 55944 BK: 230
 MBL: 42-008-53454

N/F
 ROLAND & MARY BARROWS
 #120 WYOLA DR.
 W.D.R.D. BK: 27274/BK: 102
 MBL: 42-008-00113

ROBERT B. O'NEIL, JR.
 #1 DEWITT LANE
 WORCESTER, MA
 TEL: 754-1111 (1/11/11)

[Signature]
 DATE: 3/11/17

PROJECT NOS.
 C-1.1



The City of
WORCESTER

Planning Board

December 6, 2022

Albert LaValley, Chair
Edward Moynihan, Vice Chair
Adrian Angus
Conor McCormack
Brandon King

Mr. Nikolin Vangjeli, City Clerk
455 Main Street, Room 207
Worcester, Massachusetts 01608

RE: **BROOKLINE STREET EXTENSION SUBDIVISION
DEFINITIVE SUBDIVISION APPROVAL AMENDMENT - EXTENSION OF TIME
PB-2022-067**

Dear Mr. Vangjeli:

On November 30, 2022, the Planning Board voted 5-0 to **approve** an Extension of Time for the Brookline Street Extension Definitive Subdivision Approval. The Planning Board unanimously voted to establish a new **automatic approval expiration date of October 31, 2023**, and establish a **new work completion date of September 30, 2023**. This Extension of Time shall incorporate all conditions of approval issued by the Worcester Planning Board on August 29, 2018, with the following additional conditions:

1. Prior to petitioning the City Council for street acceptance the applicant must provide DPRS with a certification stamped by the design engineer that the stormwater system was constructed in accordance with the approved plans and is operating as documented in the stormwater calculations. If the stormwater system is not functioning as designed, alterations may be required to ensure compliance with the DEP Stormwater Management Regulations.
2. As-built plans must be submitted along with, or prior to, the petition for street acceptance. A complete set of as-builts with associated grading must be provided. The as-built plan must clearly note any deviations from the approved definitive subdivision plans. This submission must also include the road acceptance layout (decree plan) to be recorded at the Worcester County Registry of Deeds.
3. The Planning Board will not consider recommending acceptance of the roadway until a Certificate of Compliance is received from the Worcester Conservation Commission.
4. The applicant is responsible for maintaining the stormwater system until the roadway is accepted by City Council.
5. The final release of any surety shall not be granted by the Planning Board until the applicant has submitted a petition to make the street public.
6. Prior to and during all construction activities, appropriate soil erosion and sedimentation control measures including hay bales and silt fences, shall be installed and maintained subject to the oversight and direction of the Commissioner of Inspectional Services.
7. All work shall conform to the City of Worcester's Subdivision Rules and Regulations, Zoning Ordinance, Planning Board decision and conditions of approval, and to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division,

Office of the City of Worcester Planning Board c/o Planning & Regulatory Services Division
City Hall, 455 Main Street, Room 404 (4th floor), Worcester, MA 01608

P | (508) 799-1400 x31440 F | (508) 799-1406 E | planning@worcesterma.gov W | www.worcesterma.gov/planning-regulatory

Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.

8. Subject to the Zoning Enforcement Officer's determination that the parcels comply with all the relevant provisions of the Zoning Ordinance.
9. This conditional subdivision approval shall expire on October 31, 2023 if all required improvements (i.e., construction of the way(s) and installation of municipal services) have not been completed.

Waivers Granted

The applicant has requested to maintain their previously granted waivers of the subdivision regulations which are noted below:

1. Subdivision Regulations – Section X.F.1. Providing a 5-foot sidewalk along the entire length of the proposed roadway.
2. Subdivision Regulations – Section VI.G.4. Location and names of adjacent subdivisions and names of owners of adjacent lots or tracts, as disclosed by the most recent records of the Board of Assessors.
3. Subdivision Regulations – Section VI.G. 12. Location of large trees (12-inch caliper) on the plan.
4. Subdivision Regulations – Section IX.C.9. Providing underground utilities

The Applicant must guarantee the construction of ways, the installation of municipal services and the successful performance of all other conditions to the approval of the subdivision in the manner provided in the Subdivision Regulations, Section VII, as authorized by MGL Chapter 41, Section 81U.

The names typed below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9. Duly authorized by Ch. 110G and recorded at Worcester Registry of Deeds in Book 62537, Page 328.

A majority of the City of Worcester Planning Board,

DocuSigned by:
Albert LaValley
ALBERT LAVALLEY

DATE 12/12/2022

DocuSigned by:
Conor McCormack
CONOR MCCORMACK

DATE 12/12/2022

EDWARD MOYNIHAN

DATE _____

DocuSigned by:
Adrian Angus
ADRIAN ANGUS

DATE 12/12/2022

DocuSigned by:
Brandon King
BRANDON KING

DATE 12/13/2022

CC: Norcross Development, LLC
Donald O'Neil, Esq.
Law Department
DPW&P