



The City of
WORCESTER

Planning Board

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

Wednesday, July 26, 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: Albert LaValley, Chair
Edward Moynihan, Vice Chair
Conor McCormack
Brandon King (*Participated Remotely*)

Board Members Absent: Adrian Angus

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)
David Carl, DPW&P
Sean Quinlivan, DPW&P (*Participated Remotely*)
Alexandra Kalkounis, Law Department

Call to Order

Board Chair Albert LaValley called the meeting to order at 5:30 pm.

Postponements

Item 1: 128 Alvarado Avenue (PB-2022-029) – Definitive Site Plan & Amendment to Definitive Subdivision Plan
Request to Postpone the Public Meeting & Hearing to August 9, 2023
Extend the Constructive Grant Deadline to August 31, 2023

Item 2: 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 & Hearing to August 9, 2023
Extend the Constructive Grant Deadline to August 31, 2023

Item 3: 1511 Main Street (PB-2023-033) – Amendment to Definitive Site Plan & Amendment to Special Permits
Request to Postpone the Public Meeting & Hearing to August 30, 2023
Extend the Constructive Grant Deadline to September 21, 2023

Item 4: 790 Salisbury Street (PB-2023-04) – Preliminary Site Plan, Special Permit – Cluster, Definitive Frontage Subdivision
Request to Postpone the Public Meeting & Hearing to August 9, 2023

Extend the Constructive Grant Deadline to August 31, 2023

Item 5: 224 Shrewsbury Street (PB-2023-046) – Definitive Site Plan

Request to Postpone the Public Meeting & Hearing to August 9, 2023

Extend the Constructive Grant Deadline to August 31, 2023

Item 6: 30 Pullman Street (PB-2023-051) – Special Permit Extension of Time

Request to Postpone the Public Meeting & Hearing to August 9, 2023

Extend the Constructive Grant Deadline to August 31, 2023

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to grant the postponements.

New Business

13. 546 Cambridge Street (ZA-2023-004)

a. Public Meeting – Zoning Map Amendment

Angel Santos, Petitioner, stated he would like to change the zoning from RG-5 to MG-2 as he would like to have an automotive business on the property. Mr. Santos stated he understood he can build a house but would like additional uses. He stated he had been trying to find a garage to rent and can't find anything and stated his intention to build a garage so he can rent it out to businesses. He stated his property currently has the zoning line down the middle for commercial use and wished to extend through his property.

Stephen Cary provided staff comment from the Planning Division, he noted that the RG-5 use was zoned around 1985 and prior to 1985 the property was zoned for manufacturing. He stated this boundary has been adjusted before, but not since 1987. He described that no residential uses would be allowed if it were zoned MG-2, and there is a note in the zoning ordinance about nuisances that arise when there is a manufacturing zone abutting a residential zone as this would be if approved but Inspectional Services would be responsible to enforce should anything come up. Mr. Cary stated this parcel may have had a residential structure up until about 1970 and was demolished and has remained a paved lot since then. He noted there was an auto body shop until the mid-2000s, and a special permit was issued for the property to operate an ice wholesaler but has remained vacant since 2014.

Public Comment

Giofalose Azumah stated he has lived in the city since 1988 and owns the property at 553 Cambridge Street and asked how this change would affect him.

Mr. Santos responded that this change would not impact Mr. Azumah in any way.

Board Discussion

Mr. McCormack noted that he sees no major concerns and felt this will put the property into active use.

Mr. LaValley noted that he is familiar with the area and there is industrial use immediately adjacent to this. He stated he felt putting this property back into productive use is a positive thing for the Board to support.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to close the public hearing.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to favorably recommend to City Council the change to the zoning map.

14. 440-474 Grove Street (ZA-2023-005)

a. Public Hearing – Zoning Map Amendment

Stephen Madaus of Myrick O’Connell introduced himself to the Board on behalf of CP1 West Boylston Street LLC, the owner of the property at 440 Grove, and Brittan Square Realty LLC, owners of property at 454 and 474 Grove Street for a zoning map amendment. Mr. Madaus stated 440 and 454 Grove Street are already zoned BG-3.0 it is split zoned and the rear of the properties are in RL-7. He stated the purpose of the petition is to have the entire property rezoned to be BG-3.0 and extend over all property owned by the petitioner. He stated the property at 474 Grove Street is currently zoned RL-7 and is in common ownership with 454 Grove Street (Brittan Square Realty) and the owner would like all property in common zoning district. He stated the property at 454 Grove Street has been used for over 50 years for commercial purposes, it has not been used for residential purposes.

Ms. Harding provided staff comments, she described the zoning of the area as RL-7 which has remained unchanged since the 1973 zoning map. She stated the zoning conflicts with the uses which historically have been commercial. She described that the BG-3 zone allows much higher residential density than the RL-7, and this change would allow more business uses allowed by right.

Public Comment

Tim Scannell, 8 Indian Lake Parkway, stated he does not want to see this happen. He described this area as a little oasis in Worcester with a lake and deer in the woods next door. He described bobcats and a lot of other wildlife in the area and stated he would hate to see high rises come in and ruin it. He stated he felt there are enough businesses in the area and expressed concerns about the lake, an increase in property taxes and the value of his house going down. He stated sometimes Elderly complexes don’t stay Elderly complexes and transition to other uses.

Chair LaValley pointed out that there is another zoning map change that may be more closely related to Mr. Scannell’s comments, but they are also appreciated here as well.

Polihronis Vasiliadis, an Indian Lake Parkway resident stated he has been a resident of Worcester his entire life and lived on Indian Lake for almost 10 years. He stated he knows there is another item on the agenda regarding this project but wanted to echo what’s been said about Indian Lake. He described the increase in traffic and increase in businesses which has changed the feel of Indian Lake. He described concern about the long-term impact to the community.

Kathleen Freeman, Judson Road, Grove Street area has been built up rather rapidly with a ton of commercial businesses. She stated when a new company came in and built offices, a lot of restrictions were in place which is why the neighbors were amenable to the previous development. She expressed a concern for this project to

lead into even more development in the area and the impact to the neighborhood and, stated she is not in favor.

Board Discussion

Mr. Moynihan asked the applicant to clarify the commercial activity that is occurring on the property now even though it is zoned RL-7; Mr. Madaus confirmed. Mr. Moynihan questioned why the one change is necessary if commercial activities are already occurring in the residential zoning district.

Mr. Madaus stated that there currently is no plan for redevelopment, but if they were looking for a new tenant, it may require a special permit relative to use and would give the owner better flexibility for future uses.

Mr. McCormack stated that he had the similar questions and reservations as Mr. Moynihan. He stated he has no issue with the other 2 parcels (440 and 454 Grove Street). Mr. McCormack asked the applicant to confirm there is no plan for future development. Mr. Madaus confirmed and stated the current building is under lease and there is no redevelopment plan. He described the purpose of the rezoning petition is to clean up the split zoning.

Mr. McCormack stated he has reservations about 474 Grove Street.

Mr. King agreed with Mr. McCormack and asked if there a chance to subdivide the lot and provide a buffer. Mr. Madaus responded that the board can make a recommendation and would defer to the law department.

Chair LaValley stated he agrees that the split zoned lots make sense to rezone. He stated there is already commercial use in an RL-7 which can continue to operate without the rezoning. He stated he feels a commercial use is consistent with the existing use of the parcel and the immediate commercial area along Grove Street.

Mr. McCormack agreed and stated the fact that this parcel is on a major arterial, commercial uses are typical, and stated he thinks the petition is reasonable.

Mr. Moynihan stated he is not opposed to solving the split zones but does have reservations about extending it to 474 Grove Street. He stated he is in favor of making a recommendation to the council to to fix the split zoned parcels and leave 474 Grove Street zoned RL-7.

Mr. LaValley clarified the Board member's perspectives.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to close the public hearing.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 3-1 (McCormack opposed) to recommend the zone change to city council.

15. 485 Grove Street & Chadwick Street (ZA-2023-006)

a. Public Hearing – Zoning Map Amendment

Mark Borenstein, Bowditch & Dewey on behalf of the petitioner, Colony Retirement Homes Inc, introduced himself to the Board along with Maryanne Delory, executive director of Colony, and Craig Nicholson of Affirmative Investments.

Ms. Delory gave an overview of Colony Retirement Homes, stated that the current buildings are at the end of their functional life having been built in the 1960's and that all units except two are not accessible. She stated since this is elderly housing for folks over the age of 60, it is no longer supporting the needs of the residents. She stated the lot is split zoned RS-10 and RL-7 and current use is prohibited. Mr. Borenstein stated that the petitioner is looking to rezone to BG-3.0 for use to be permitted by right and to redevelop the property with additional density allowed by the rezoning. Mr. Borenstein presented a concept photo of redevelopment, described the proposed additional 100 units, fully accessible with additional amenities. He described the anticipated phased development and campus vision.

Mr. Borenstein described meetings with the neighborhood to explain the project and stated after the project is completed, it must remain affordable elderly housing for 35 – 50 years. He stated the project will require definitive site plan approval through the Planning Board but wanted to show concept for ideas.

Chair LaValley stated that the intention of tonight is to hear the petition on changing the zoning, not on whether or not people like the concept plan.

Ms. Harding provided staff comment, noting property is 9.35 acres and is split zoned RS-10 and RL-7. She described the of restrictions for RS-10 and RL-7 vs BG-3.0 zoning districts.

Public Comment

Tim Scannell, 8 Indian Lake Parkway, stated he grew up in the neighborhood and don't see why there needs to be any change. He reiterated his concerned about the heard of deer and animals that live behind the complex. Mr. Scannell questioned why they need to encroach on the lake.

Rachael Katz stated she is concerned about the effect on the lake, the neighborhood and children at the schools. She asked what would happen after the 35 years and whether another if a business wants to come in if the zoning is changed. She spoke of her concern for the construction project and run off into the lake, removing buffers from the lake and the neighborhood and the change in Worcester.

Peter White, 5 Rosemont Road, state this area is his backyard and he is not upset by the proposal but described the positive relationship with the petitioner. He stated with all the construction around Worcester not being affordable, this project has the potential for people on fixed incomes to live in a nice brand-new, safe, ADA compliant residential neighborhood. He said he agreed with everyone's concerns for the animals, but stated he believed there are EPA regulations that will control what will transpire.

Board Discussion

Mr. McCormack asked staff if the applicant be able to redevelop the property as described in the current zoning. Ms. Smith stated that if they were to move forward as presented, they would require a series of special permits

with the Zoning Board of Appeals and the nuances of each proposal could warrant additional zoning relief as well.

Mr. McCormack asked if there is a less intensive zoning district than BG-3 that could accomplish the same goals. Ms. Smith responded that RG-5 does allow multi-family high rises by right and deferred to the applicant and project team as there may be elements that may not fall within the allowable RG-5 uses.

Mr. McCormack then posed the question to the applicant if they have considered if RG-5 would satisfy their needs. Mr. Borenstein stated that they have evaluated the RG-5 and it is more generally accepted that an extension of a zoning district that already exists in the area. He stated the BG-3 zone is better than creating a whole new zone in RG-5 and could be subject to challenges.

Chair LaValley asked if a friendly 40B work in this case. Ms. Smith responded that in her tenure, she has not seen one come through, stated we now have inclusionary zoning privileges that have been adopted to provide additional flexibility that could be explored.

Mr. McCormack asked the applicant to comment on the two parcels on Chadwick Street as those weren't really discussed. Mr. Borenstein responded that those parcels are currently not part of the phased project and were included to provide flexibility in the future if at some point those parcels are going to have to be redeveloped.

Mr. McCormack asked for more clarification on Mr. Borenstein's previous comment about the RG-5 zone being considered spot zoning. Mr. Borenstein stated that it is subject to more challenges when you create a new zoning district that currently does not exist. Given that the BG-3 was in the area and through initial discussions with the city, it was decided the BG-3 would be the preferred zoning amendment addition.

Chair LaValley asked if a friendly 40B wouldn't be appropriate due to what is necessary to have the project funded. Mr. Borenstein responded that it hadn't been explored and the petition before the board is what has been vetted to date.

Mr. Moynihan stated that one of the things that bothers him is that the BG-3 is close but not contiguous to the property. He stated if the Board recommend unfavorably, it would make it more difficult for the applicant to achieve the underlying goals in a timely and not economically burdensome, stated his feelings are torn on the petition.

Chair LaValley stated he wanted to make a couple of points to his fellow board members. He stated Worcester is currently in process of creating a long-range plan – Worcester Now|Next, part of which is how they want the city to evolve. He said he is sensitive to comments that Worcester feels different than it used to but change is constant. He stated that evolution of a city over time is something that is managed primarily through the zoning ordinance and urged the Board to think carefully about this. He stated the Board knows Worcester needs more affordable housing, it knows the state level administration very much recognizes that fact and has put resources behind it in both subsidy and tax credits. He stated these are very old housing units, ones he wouldn't put his own mother in. He stated he is in support of the mission of the project and the Board must act with the tools available to get the resources allocated for affordable housing for Worcester and is in support of the zoning change. He added he doesn't think anything will happen where this isn't a retirement home in 50 years.

Mr. McCormack stated he is inclined to agree with the chair.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to close the public hearing.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to favorably recommend the zoning change to the City Council.

16. Mill Street and Coes Pond (ZA-2023-007)

a. Public Hearing – Zoning Map Amendment

Michelle Smith, Division of Planning & Regulatory Services, stated she will be presenting on behalf of the city and summarizing changes on behalf of the Planning Division. She stated there are a lot of changes included in this zoning amendment, the purpose of which is to rezone the Worcester Housing Authority properties. She described the existing split zoning and stated this change will allow the uses on site to be permissible in the zoning district. She stated the change will also remove a relic manufacturing district at the former Coes Knife building which has been replaced with a municipal park and parking lots and pull in the BG-2 zone from the Park Ave corridor.

Ms. Smith continued, described the BG-2 zone would now extend through the park and to the Mill Street area, encompassing the former Big D grocery store that has been vacant for a long time. She described the different uses that would require special permits under the current BL-1.0 zone but would be allowed by right in the BG-2 zone. Ms. Smith stated these changes would allow for a denser development along this corridor and reutilization of the Big D site, which there has been interest in, but the uses are limited with the current zoning of BL-1.0 zone. Ms. Smith clarified the rezoning does not include the proposed work to Mill Street that is being done by the Office of Transportation and Mobility.

Public Comment

Mark Borenstein representing Tremont Development partners LLC and E3 Development LLC and Worcester Housing Authority, expressed his support for the petition. He stated they are currently working on the redevelopment of the Lakeside Apartment complex and this rezoning will very much help in that process.

Paul Lambert, 10 First Street, stated he has lived in the area since 1999, directly across from the properties to be rezoned. He thanked Ms. Smith for clearly describing a complicated proposal. He stated when he first heard about this proposal, he found little information about it. He stated this makes sense to him and he is in support but did express concerns about the increase in height that would now be permitted. He stated there has been a lot of discussion about redevelopment in this area, but this sounds like a worthy proposal.

Ken Johnson, First Street resident of over 50 years, asked if the rezoning will affect a bus turnaround, stated that since the parking lot has been closed, the WRTA has been using First Street as a turn around. He stated the buses should be turning around by Coes Pond like they are supposed to.

Ms. Smith responded that she could try to answer but is probably a better question for the Transportation and Mobility upcoming meeting. She did note that the city is doing some work to resurface the existing street to

ensure the buses can conveniently go along this route in the long term. She stated all this zoning change will do is provide flexibility for what future development of the Big D site can look like.

Ms. Smith stated that any City action related to the right of way would be separate from that and noted the WRTA operates as an independent entity.

Mr. LaValley asked Mr. MacEwan to confirm that walls would be less than 6'; Mr. MacEwan confirmed that if they could not, they would file with the ZBA.

Board Discussion

Mr. Moynihan stated this seems like a comprehensive reset and makes sense, especially for Lakeside Ave and Worcester Housing Authority to help streamline the redevelopment process. He stated, in the long run, he thinks this will be advantageous to Mill Street and expressed his support.

Mr. McCormack agreed with Mr. Moynihan that this is a reasonable request. He expressed his happiness that the City is taking a look at some of the existing zoning and cleaning it up and it will be beneficial for this neighborhood.

Mr. King stated his agreement with the fellow board members.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to close the public hearing.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to favorably recommend the zoning map amendment to the City Council.

7. 16 (Lot 1B) & 52 (Lot 1F) Great Brook Valley Avenue (PB-2023-052)

a. Public Meeting – Definitive Site Plan – Extension of Time

Joshua Lee Smith, Bowditch & Dewey representing Trinity Curtis Phase One Limited Partnership introduced himself to the Board. Mr. Smith stated he was before the Planning and Zoning Board in October 2022 with respect to redevelopment of the Curtis Apartments site, an apartment complex that is currently owned and operated by the Worcester Housing Authority. He stated Trinity and WHA had entered into a joint development agreement to redevelop the entire site which currently has 372 public housing units and in a phased approach over 4 phases, resulting in approximately 527 mixed income units. He stated the prior petition they sought permits for the first phase, including redevelopment from 90 units to 129 units and the reshaping, creation and discontinuances or certain streets and ways. Mr. Smith stated the process they have gone through with City Council process to approve the street changes, obtained financing for Phase 1 and are looking to hopefully break ground by the end of this calendar year/beginning of next calendar year. He stated the original approval is set to expire October 12, 2023, requested a 2-year extension to October 12, 2025.

Chair LaValley asked what they have expect to have done by the extension date, if they expect to have finished construction or to have only pulled a building permit.

Mr. Smith stated his understanding is that they will have needed to commenced work by the extension date and demolition of the structures would constitute commencement of the work.

No Public Comment

No Board Discussion

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the Extension of Time with DPRS recommendations.

- 8. 781 & 783 Grove Street (PB-2023-053)**
 - a. Public Meeting – Definitive Site Plan – Extension of Time
 - b. Public Hearing – Special Permit – Extension of Time

Mark Borenstein, Bowditch & Dewey, representing Goddard introduced himself to the Board. He described the prior approvals in 2021 and amended approvals in 2022. He stated they are continuing to seek financing to facilitate the execution of this project. They are looking for extensions to the dates provided in the staff memorandum – one year.

Public Comment

Dave Allain stated he had sent a letter into the board and a letter to owners. He stated is has been an abutter to this property for the last 30 years and expressed his concerns on behalf of himself and neighbors. He stated he attended the first Planning Board meeting when the applicant promised proper maintenance of the property. He stated the fields/grass have not been cut in over two years and can see coyotes/bobcats/deer/other wild animals on a regular basis on the property from his home and stated this is not good neighborly behavior. He asked the applicant for the grass be cut at a minimum twice per month moving forward. He stated there was previously barriers to the entrance but now they have been removed and he sees dozens of people and vehicles on the property. He asked for reassurance that the property is maintained properly and vehicle access to the property is discontinued.

Chair LaValley responded with clarification related to the Planning Boards authority. He stated concerns about lawn mowing should be addressed by contacting the City Quality of Life task force and asked the applicant to consider adding bollards to prevent unpermitted access.

Mr. Borenstein responded that the applicant has reviewed comments and are looking at ways they are maintaining the property. He stated they are willing to evaluate doing more regular maintenance. He stated he understands access to the site needs to be maintained for Worcester police and fire who do drills in the building along with staff who visit the site daily but agreed to evaluate restricting access.

No Board Comments

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to close the public hearing.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the extension of time for definitive site plan and special permit as outlined by staff.

9. 807-815 Main Street & 3 Benefit Street (PB-2023-054)

a. Public Meeting – Amendment to Definitive Site Plan

Todd Rodman, Cedar & Chandler, on behalf of Main South Community Development Corporation introduced himself and Ron Mendez from Graves Engineering and Steve Teasdale, executive director of Main South as petitioners for an amendment to definitive site plan. Mr. Rodman stated the original proposal included 7 commercial bays in a single building intended for small business owners to own and provide stability to the neighborhood. He stated construction estimates have come in almost twice what the original budget was and requested to amend the project from 7 bays to 6, with no other changes to the site. Mr. Rodman described an additional 1,800 SF of landscaping on Benefit Street, larger windows along Benefit Street, and a pedestrian walkway that was eliminated in the amended plans.

Steve Cary described the changes to the pedestrian walkway and asked the applicant to comment on how they plan to manage access around the gate. He stated staff is concerned about that corner on Benefit Street because they are proposing mulch, but stated the applicant seemed amenable to providing some plantings there to better stabilize that slope.

Mr. Rodman responded in terms of the slope, they are happy to explore other ground cover or something to stabilize it. He described the gate as a means of boundary, preventing anyone using the property as a cut through and he believes it will remain locked.

Public Comment

Ted Costas asked if any tests have been performed on the soil for toxicity. There is also a slab that is going to be placed over a currently existing building foundation, is that safe? Is there adequate parking as that area of main street is quite busy with traffic and retail?

Chair LaValley stated that he hadn't heard about a slab being placed over an existing foundation and the building department and engineers would not allow unsafe construction. As far as parking, the city has an ordinance that stipulates parking based on usage/square footage/occupancy what the count needs to be and this project doesn't have a variance, so the parking is what is stipulated or greater and we believe there is adequate parking. The only thing that is different from the approval a year ago is what they have outlined here tonight.

Attorney Rodman responded they have kept the same level of parking and are reducing the tenant count. He stated it met the parking requirement previously, and will continue to exceed the required amount. He stated construction methods will meet all requirements and isn't aware of issues with the soil, he added that as part of financing, there is typically an environmental review required by lenders.

Chair LaValley added that soil is typically a part of that process and there are a lot of eyes on a project like this, especially one receiving public funding.

Board Comments

Mr. Moynihan asked about the DPW memo that has 3 items that need to be addressed and wanted to confirm Mr. Cary is satisfied with the applicant's answers. Mr. Cary confirmed the answers were adequate.

Mr. Moynihan stated thinks this a great project for the area and is looking forward to the land being productive, and stated his support.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the amendment to the site plan subject to staff-recommendations and incorporate letter from DPW dated July 19, 2023.

10. 15 Maywood Street (PB-2023-055)

a. Public Meeting – Definitive Site Plan

Joshua Lee Smith, Bowditch & Dewey representing Trustees of Clark University introduced himself and the petition for Definitive site Plan Approval. Mr. Smith stated this parcel of land is owned and occupied by Clark, and contains the Lasry Center for Bioscience, student housing and other administrative buildings with surface parking lots and walkways around the buildings. He described the proposed addition, an approximately 1,200 square feet grow lab to be utilized by Clark for research purposes. He described the other site improvements proposed and described the zoning non-conformities proposed to be covered under the Dover Amendment. He stated they are seeking an official determination from the Building Commissioner.

Ms. Harding provided staff comment, noted Mr. Smith reviewed staff comments. She stated this is a relatively minor project and staff appreciates the additional landscaping that will be installed between the existing generator and Beaver Street as a buffer. She requested that the applicant provide proof that the project is exempt from the 50ft buffer in the INS zone.

No public comment.

Board Discussion

Mr. Moynihan asked the applicant to confirm they request the waivers; Mr. Smith confirmed.

Mr. Moynihan asked for confirmation on the DPW memo; Ms. Smith confirmed the memo had been updated and DPW had agreed to remove item #1 and Clark has agreed to comply with item #2. Mr. Quinlivan stated he contacted the engineer and they have addressed both outstanding comments. He asked that given the project is a growing facility, the requested that they incorporate some rain barrels to collect roof runoff to utilize that water for the growing facility.

Greg Smalley from DRA Architects, addressed the question of using rainwater, stated is not possible with the system for the program which requires a purifying of the water through reverse osmosis.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the Definitive Site Plan subject to staff-recommended conditions of approval.

11. 24 & 36 Jackson Street (PB-2023-056)

a. Public Meeting – Definitive Site Plan

Mark Borenstein, Bowditch & Dewey introduced himself and Steven Rothschild, owner from T.G. 24 Jackson LLC. He described the existing parcel and stated they are proposing a 9 unit (8 affordable, 6 units fully accessible) and 4 parking spaces project. He stated the lot had been rezoned and ordained by City Council in May.

Brian Geaudreau, Hancock Associates, stated they will expand the existing curb cut to allow for a 16-foot driveway, with the building proposed to be accessible by a ramp in the rear. He stated there will be a retaining wall to combat the 15' elevation change across the site, as well as on site dumpster/recycling, bike racks, and sitting area. He stated they are proposing to set the building into the hill to allow driveway access and parking at a reasonable slope with the 3 ground floor units having front doors on Jackson Street. Mr. Geaudreau stated the upper floors will be accessed from the rear of the building with a series of ramps and described the proposed stormwater and utility connections.

Mr. Borenstein continued to go over floor plans and discussed staff comments. He stated that Staff had asked to keep trees that will not be possible to keep given the construction of a retaining wall. The stated the applicant owns the parking lot next door and was looking to use exterior lighting to illuminate some of the parking lot as well.

Mr. Cary provided described the plan and provided staff comments. He stated the assumption that folks living there would not be car owners and discussed adding a striped walking path down the driveway to facilitate pedestrian access. He asked the applicant to discuss bicycle parking and where it is proposed, noted the applicant did address stormwater concerns and asked for the detention basin detail to be clearly shown. Mr. Cary asked if alternative locations be explored for the infiltration unit to be placed further from the building and asked about permanent stabilization.

Mr. Cary asked the applicant to comment on putting windows on the side of the building, stated staff is agreeable to striking the tree condition but would prefer to see 3000 kelvin lighting remain for the yellow light as opposed to 4000 kelvin which is more blue

Mark Rothschild stated he owns and operates lighting companies and writes for darksky.org and recommended that the city create a lighting ordinance. He stated the neighborhood is currently 4000 or 5000 Kelvin and feels 3000K will make the building sort of makes it stick out and would prefer to match the lighting in the neighborhood.

Michelle Smith responded that ultimately it's the board's discretion.

Chair LaValley stated that if the surrounding area is 4000 and this stays 4000 provided there is no additional public comment on that.

Mark Bornstein said he would like to respond to Mr. Cary. He stated bike storage will be on the 2nd floor because the ground/1st floor are accessible units so it makes sense to put the bikes on the 2nd floor in a common area but can explore relocating it, in addition to an outdoor bike rack for visitors. He stated the applicant and the

architect have sought to maximize usable area on the interior of the building along the walls and there are quite a few closets which has limited the availability of windows on the sides of the building.

Sean Quinlivan provided DPW comments.

Mr. Borenstein responded that the engineer reviewed DPW comments, however, I heard Mr. Quinlivan say 10 Ft for infiltration system which conflicts with DPRS comments and asked for clarity.

Mr. Quinlivan stated he is amenable to deferring to DPRS comments.

No public comment.

Board Discussion

Mr. Moynihan said he understood the lack of windows but would like to see more natural light. He asked the applicant to address concerns about accessible units in terms of slope and height and talk about where the accessible entrances are.

Mr. Borenstein showed on floor plans where ground floor has accessible walkway in the front of the building and the 1st floor has an accessible ramp in the rear of the building. He stated there is a van space and an accessible parking space in the rear of the building and the applicant has worked with the MA Rehab Commission and their recommendation was that there would be limited vehicle ownership and have worked to line up optical tenants. He stated the applicant is hopeful to be able to replicate this throughout the city.

Mr. Moynihan asked for plans for snow removal. Mr. Borenstein responded that they do not show a snow storage area so the snow will have to be trucked offsite. Mr. Geaudreau added that there is a potential to store the snow on the hill but if there is too much snow, it would have to be trucked offsite.

Mr. Moynihan asked where the dumpster would be located. Mr. Borenstein pointed out a screened rolled garbage area and noted for the board that this project has received funding from the Affordable Housing Trust Fund.

Mr. McCormack said the layout seems funky, but he understands given the accessibility and supports it.

Mr. King asked for clarification that there is only 1 egress per apartment? Chair LaValley answered yes that they have the requisite travel distances. He stated he doesn't love the floor plans and added his sister is a wheelchair user who lives in a handicapped accessible unit, and question the usability of the design. He asked if the applicant or architect investigated universal design requirements. He stated it may have a higher standard but is more user focused and agreed with feedback to build more units as there is very little accessible housing in Worcester. He also expressed concerns related to the rear of the building slope as a challenge for someone in a wheelchair. He stated ultimately very little of that falls under the purview of the Planning Board and he will be happy to support the project.

Ms. Smith stated one additional comment received a letter from a member of the public and reiterated the discussion about windows. She asked if the applicant could look at the design and move the TV to an internal wall to get an additional window in the end units and suggested adding a condition to that effect.

Mr. Moynihan stated that he believed his comments reflected that the more windows the better for natural light and benefits the tenants.

Mr. Borenstein stated that the applicant has concerns in terms of installing TVs and the layout. He stated they are willing to evaluate but would request flexibility related to feasibility.

Mr. Rothschild responded that the walls were set for the TVs was unsure of the interior layout if windows were added there. He stated they are looking to avoid transom windows and the other challenge is these are studio apartments, so every apartment has as much glass as possible while keeping an area for TVs. He stated they will go back and review it to see if there are any other options.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the Definitive Site Plan, subject to the amended staff-recommended conditions of approval and DTM comments.

12. 29 Tennyson Street (PB-2023-057)

a. Public Meeting – Definitive Frontage Subdivision

The applicant (didn't introduce themselves) described their petition to divide the lot to construct a new single house on the new lot. The applicant stated they are agreeable to all staff recommendations.

Ms. Harding provided staff comment; noted the applicant was granted a variance from the Zoning Board of Appeals for frontage requirements. She stated two lots were being created, with lot 1 having an existing single-family home. She recommended the Board incorporate conditions that were included in the variance from the Zoning Board which include a common curb cut for the driveway to access lot 2. She stated that an additional condition has been included to request an additional tree to be placed along the frontage of the new lot.

Public Comment

Lorraine Kelly, 27 Tennyson, stated she has lived at her address for 27 years and she is concerned is that nothing alters the property boundaries of her lot.

Chair LaValley responded that there are specific elements of the ordinance that specify how far back from your property line anything can be built. He stated the applicant can't do anything on her property without her permission.

Ms. Kelly says that she has spoken to a real estate attorney and believes she may have a case for adverse possession since her fence is on their land and has been since I bought the property.

Chair LaValley stated that is not an issue that this board can address. He stated he his, albeit limited understanding of adverse possession is that if you've been using someone else's land for a set amount of time, you can take them to court to take possession of that land but is not a matter this board gets involved in.

Board Discussion

Mr. Moynihan noted this was pretty straight forward and asked the applicant to confirm they are requesting the waivers; the applicant confirmed.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to close the public hearing.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve Definitive Frontage Subdivision, subject to staff-recommended conditions.

Other Business

17. Street Petitions

- a. Evelyn Street & Narragansett Avenue - Conversion to Public (ST-2023-006)
- b. Lebanon Street – Conversion to Public (ST-2023-007)

Mr. Quinlivan spoke on the petitions and stated DPW&P would like to assign a priority level of 3 and assign a priority level of 1 for Petition B.

Mr. LaValley asked for clarity on the motion; Mr. Cary described the potential motion.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to refer Street Petitions to City Council to approve the conversions to public street with DPW's recommendation.

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

- a. 727 Salisbury Street (Public) (AN-2023-038)
- b. 16 & 52 Great Brook Valley Avenue (Public) (AN-2023-039)
- c. 46 Carter Road (Public) (AN-2023-040)
- d. 24 Jackson Street (Public) (AN-2023-041)
- e. 45 Brattle Street & Florida Ave (AN-2023-042)

Mr. Cary and Ms. Harding described the ANRs to be endorsed and explained that 18A is not properly before the Board.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to endorse items 18B, 18C, 18D, and 18E.

19. Board Policy and Procedures

a. Inclusionary Zoning Special Permit Application

Ms. Harding stated that there is a draft of the Inclusionary Zoning Ordinance application. She stated the new ordinance has a provision that if you don't have sufficient parking and you have 5% of your housing units designated to 60% of the AMI, you can apply to the Planning Board for a Special Permit for up to 50% of relief from parking requirements. She stated there was a draft application in your Dropbox for the Board's review to authorize the application for pilot use.

No Board Discussion

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 authorize use of the draft Inclusionary Zoning application for pilot use.

20. Communications

a. Mobility Action Plan Survey

Ms. Harding said they put this on the agenda to bring it to the Board's attention. She asked residents to fill out a survey as an extension of long-range planning efforts.

21. Approval of Minutes

No discussion.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to adjourn at 8:31pm.