



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

**Wednesday, February 28, 2024**

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 1-844-621-3956 (Access Code: 2633 685 5101).

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

**Board Members Absent:**

**Staff Present:** Michelle Smith, Division of Planning & Regulatory Services (DPRS)  
Victor Panak, Division of Planning & Regulatory Services (DPRS)  
Olivia Holden, Division of Planning & Regulatory Services (DPRS)  
Sean Quinlivan, Department of Public Works & Parks (DPW&P)

**Call to Order**

Board Chair Albert LaValley called the meeting to order at 5:35 pm.

Mr. LaValley read requests for continuances, postponements, and withdrawals into the record.

**Item 1: 24 Simone Street (aka 70-72, 74-76 Valmor Street & 21-23, 25-27 Maranda Street) (PB-2023-096) –  
Definitive Site Plan**

Request to Postpone the Public Hearing to Mach 20, 2024  
Extend the Constructive Grant Deadline to April 11, 2024

**Item 2: Brookline Street Subdivision aka 175 & 177-192 Brookline Street (PB-2023-097) – Definitive  
Subdivision Amendment Plan – Extension of Time**

Request to Postpone the Public Hearing to Mach 20, 2024  
Extend the Constructive Grant Deadline to April 11, 2024

**Item 3: 0 Myrick Avenue (PB-2024-004) – Definitive Site Plan & 81-G Street Opening Plan**

Request to Postpone the Public Hearing to Mach 20, 2024  
Extend the Constructive Grant Deadline to April 11, 2024

**Item 8: Powers Court ±260 feet South (ST-2023-011) – Discontinue and Remove a Private Way from the Official Map**

Request to Postpone the Public Hearing to Mach 20, 2024

Extend the Constructive Grant Deadline to April 11, 2024

**Item 10A: 57 Mount Avenue (AN-2023-056) – Approval Not Required Plan**

Request to Postpone the Public Hearing to Mach 20, 2024

Extend the Constructive Grant Deadline to April 11, 2024

**On a motion by Mr. Moynihan seconded by Mr. McCormack, the Board voted 5-0 to grant the postponements.**

**New Business:**

**4. 139 & 153 Green Street (PB-2024-008)**

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

Mark Borenstein, attorney on behalf of the applicant, Boston Capital Development LLC, stated this project received preliminary approval last year for a mixed-use development with commercial space, residential units, and a parking garage off Madison Street. He explained the applicant is seeking a two-year extension of time for the preliminary approval to allow time to make revisions prior to submitting definitive plans.

Mr. Panak of DPRS stated this extension is for a 395,000SF building and the applicant will need to file for definitive site plan approval prior to seeking building permits. He added that staff recommends only a one-year extension be granted which should be sufficient time to prepare definitive plans.

*No public comment.*

**Board Discussion:**

Mr. Moynihan stated this is an important site for the city to have developed and would like to understand what would happen if the request for an extension was denied; Mr. Borenstein stated they would have to reapply for preliminary approval.

Mr. Moynihan asked why they are seeking two years opposed to one year; Mr. Borenstein stated Boston Capital is looking to get shovels in the ground as soon as possible but they feel two years would surely allow time for definitive plan submission.

Mr. Moynihan asked if there is potential for major changes to the plans in front of the board tonight; Mr. Borenstein stated the project will be substantially similar to what is proposed now but there may be some tweaks.

Mr. McCormack stated he agrees with Mr. Moynihan comments and would like to see this project moving ASAP but is happy to support the extension.

Mr. Angus stated he is okay with extending this for two years.

Mr. LaValley asked what building code the applicant will need to comply with; Ms. Smith stated they will need to follow stretch code requirements.

Mr. LaValley stated the applicant will avoid compliance with IZ requirements by granting the EOT. He continued, stating he understands that is the reason behind the extension for the preliminary approval and for that is inclined to grant one year only.

**On a motion by Mr. Moynihan, seconded by Mr. McCormack; the Board voted 5-0 to grant the one-year extension of time.**

List of Exhibits:

Exhibit A: Definitive Site Plan Application; filed 01/25/2024; prepared by Mark A. Borenstein

Exhibit B: Site Plans; dated 12/28/2022; prepared by Bohler Engineering

Exhibit C: Architectural Renderings & Elevations; dated 12/16/2022; prepared by The Architectural Team Inc.

Exhibit D: Stormwater Narrative; dated 12/28/2022; prepared by Bohler Engineering

Exhibit E: Traffic & Parking Memorandum; dated 12/23/2022; prepared by The Engineering Corp.

**5. 51 Harding Street (PB-2024-009)**

a. Public Hearing – Special Permit

Mark Borenstein, attorney on behalf of the applicant, Williston Development LLC, showed a video presentation. Through the video presentation, Mr. Borenstein stated the project is seeking Special Permit approval to allow for the conversion of an existing building for mixed-use with a residential component in the CCOD. He continued, stating there is a historic warehouse building existing on the site today and the proposal includes retail space on the ground floor and a residential unit on both the second and third floors with a roof deck amenity space. Mr. Borenstein stated that they also propose an exterior addition for installation of an elevator that will provide access to the residential units only, a covered bike rack, 3 off-street parking spaces, landscaped areas, and that the project will also be seeking relief for frontage and parking through the ZBA.

Mr. Borenstein added the applicant would like to request to keep the proposed tandem space to allow for a total of 4 off-street parking spaces despite staff's recommendation to eliminate the space due to safety concerns of backing out onto the street and the applicant is willing to post signage to encourage vehicles to turn within the lot opposed to backing onto the street. He continued, stating if they are able to keep the spot, they will not modify the curb cut but will plant an additional tree, just not in the location requested by staff. Mr. Borenstein concluded by stating the walkway proposed is not accessible and would require a switchback to make it accessible, but access is still provided through the existing sidewalk.

Mr. Panak of DPRS described what is currently on the site today and the what the applicant is looking to do. Mr. Panak explained that the use is not allowed by right in the CCOD but would be allowed by special permit to convert and existing building for mixed-use with a residential component. He relayed that staff's primary concerns exist around the proposed tandem space, specifically about safety and backing out onto the street, which is prohibited per the ordinance and suggested the applicant eliminate the space and seek relief through the ZBA, reduce the curb cut to 20' to reduce impervious coverage, and plant an additional shade tree. He continued, stating pedestrian accessibility is also a concern and requested they adjust the internal walkway to allow for accessibility for handicap persons. Mr. Panak concluded, stating the applicant must also provide evidence that rights of all others to Milk Street have been extinguished.

Mr. Quinlivan of DPW stated the plan should be brought to a larger scale for ease of legibility.

*No public comment.*

Board Discussion:

Mr. McCormack stated this is a good reuse for the building and site but agrees with staff comments around the tandem space and is inclined to keep the condition in as recommended. Mr. McCormack asked if the applicant would still need relief from the ZBA if the spot were left in; Mr. Borenstein confirmed they would because they also need relief for frontage.

Mr. Angus stated this is a great project.

Mr. King echoed the concerns around the tandem space but feels it's a great project.

Mr. LaValley asked if any of the spaces are proposed for the retail use; Mr. Borenstein stated yes but the intent is that two spaces are intended for residents and the remainder are for retail.

Mr. Borenstein stated they have provided a turning analysis demonstrating the spot can be used without backing out onto the street.

Mr. Moynihan stated he likes the project but is inclined to eliminate the space.

Mr. LaValley echoed Mr. Moynihan's comments, especially if it will allow one additional shade tree and it's across the street from a parking garage.

Mr. Borenstein stated he would like the board to revisit the comment on providing an accessible walkway; Ms. Smith explained the rationale behind the recommendation.

**On a motion by Mr. Moynihan, seconded by Mr. McCormack; the Board voted 5-0 to close the public hearing**

**On a motion by Mr. Moynihan, seconded by Mr. McCormack; the Board voted 5-0 to approve the special permit with DPRS, DPW, and DTM recommended conditions of approval with a modification to condition 1h and 1e.**

**List of Exhibits:**

- Exhibit A: Special Permit Application; filed 01/25/2024; prepared by Bowditch & Dewey, LLP
- Exhibit B: Civil Site Plans; dated 01/24/2024; prepared by Graves Engineering, Inc.
- Exhibit C: Elevations & Floorplans; dated 01/24/2024; prepared by Stephen Fleshman Architect, LLC
- Exhibit D: Turn Radius Analysis; received 2/20/2024; prepared by Graves Engineering, Inc.

**6. 561 Plantation Street (PB-2024-010)**

- a. Public Meeting – Definitive Site Plan

Mark Borenstein, attorney on behalf of the applicant, 247 West Central St Inc., displayed a video presentation. Through the video presentation, Mr. Borenstein stated the parcel is currently a wooded lot with an existing asphalt driveway. He described the zoning district and surrounding properties and explained that the property is subject to an existing Conservation Restriction (CR) held by the Greater Worcester Land Trust (GWLT) but the proposed development will stay outside of the GWLT CR. Mr. Borenstein continued, stating the proposal includes construction of a 10,000 SF TLE Child Care Center with a permeable playground area and a 5,000 SF office building with no specific tenant in mind, on a shared lot. He described the parking, adding that the driveway improvements will provide access as right turn in/right turn out only and covered bicycle parking is proposed outside of the childcare facility. Mr. Borenstein described the stormwater infiltration proposed and

concluded by stating the proposed uses are allowed by right and will comply with dimensional requirements and the project is in front of the board due to slope trigger and will also file Notice of Intent with the Conservation Commission.

Ms. Smith stated the applicant is before the board for site plan approval and the property has a portion of Coal Mine Brook running through it which is home to a cold-water fishery. Ms. Smith described the comments provided by staff regarding circulation, landscaping and discussed the changes the applicant requested. She asked the applicant to discuss potential for pedestrian connection from the site to Plantation Street, how they will enforce the right in/right out vehicular access, and the one-way circulation for northern portion of site. Ms. Smith continued, stating the Worcester Fire Department has conditioned for a single fire access lane but it must be wider than the two that are currently proposed and discussed suggested revisions to staff's recommended conditions of approval.

Mr. Quinlivan of DPW read the DPW recommended conditions of approval into the record.

*No public comment.*

Board Discussion:

Mr. LaValley stated screening for Coal Mine Brook should be considered at the entry/exit for site and that one-way circulation at the interior and pedestrian circulation should also be considered by the Board.

Mr. Moynihan stated the right turn only is going to be difficult to enforce and it poses a safety issue with folks coming off the highway and suggested a splitter would make it virtually impossible for a left turn to be made and should be done to avoid potential safety issues. He added, the brook and the fish should also be considered but his primary concerns are around the exit from the site; Mr. Borenstein stated the applicant is amenable to installing a splitter.

Mr. LaValley stated he would prefer to continue the item and see the revised plans before approving this item.

Mr. King asked if there will be an internal crosswalk for connections on site; Mr. Borenstein stated there will be a drop off area per staff recommendations and the drop offs will be staggered so there won't be long queues of cars lined up.

Mr. McCormack stated he agrees with staff comments and would be open to continuing but would also be comfortable moving forward if the applicant is amenable to the conditions of approval; Mr. Borenstein stated they will be actively working with DTM and MassDOT to modify the curb cut.

Mr. LaValley stated he agrees with staff's recommendation for one-way circulation on site; Mr. Borenstein stated the proposed circulation is safe and has been reviewed by their traffic engineer.

Mr. LaValley stated the site is vehicle dependent today in a car-centric area of the city but supports installation of a sidewalk along the frontage for folks looking to access the site by other means; Mr. Borenstein stated the site has quite a bit of frontage and a sidewalk would be astronomical in cost, therefore the applicant is amenable to extending interior walkways but does not agree to installing them at front of the site.

Richard Glasberg, participating remotely, stated there are already sidewalks on the other side of the street and people that would walk through that area are already used to not having sidewalks in that area.

Ms. Smith read DTM's conditions of approval into the record.

Mr. LaValley asked about increasing the number of trees along buffer zone; Mr. Borenstein stated the applicant is amenable to adding trees along the eliminated fire access lane but ultimately, this property will be ANR'd and the resource areas will be protected; Mr. LaValley stated he appreciates the context but would like to see trees planted every 15' with proposed species specified.

Mr. Borenstein stated they are open to modifying plans to reflect the Board's concerns but would like to close the hearing this evening opposed to continuing.

Ms. Smith stated DTM is requiring the split entry in addition to signage and explained how this will discourage vehicles from turning left out of the site.

Mr. McCormack stated he needs to head to another meeting and exited the meeting at approximately 7:00pm.

Mr. LaValley stated he would like to see something with a curb incorporated into the splitter; Ms. Smith suggested they could install a temporary mounted curb or a landscape buffer but the design team should comment; Mr. Borenstein suggested the team could incorporate flexible bollards.

Mr. Moynihan echoed the concerns of the chair and wants to be sure language is incorporated correctly into the conditions to ensure they've done everything they can to assure the site layout is safe especially with the nature of use involved.

Nicole Langley of High Point Engineering explained the reasoning behind the flexible bollards; Ms. Smith stated they could modify condition 1gg to add language to specify flexible bollards could be used.

Mr. Moynihan stated this use is needed in the city and would like to see it go forward this evening.

Mr. King and Mr. Angus each stated they are comfortable moving forward with the plan approval this evening.

**On a motion by Mr. Moynihan, seconded by Mr. King; the Board voted 4-0 to approve the definitive site plan with DPRS, DPW, and DTM recommended conditions of approval with modifications to conditions 1b, 1m, 1q, 1r, 1gg, adding condition 1qq, and eliminating 1i.**

**List of Exhibits:**

- Exhibit A: Definitive Site Plan Application; filed 2/6/2024; prepared by Mark Borenstein
- Exhibit B: Definitive Site Plan; dated 2/21/2024; prepared by Highpoint Engineering, Inc.
- Exhibit C: Architectural Plans; dated 2/21/2024; prepared Jarmel Kizel Architects and Engineers Inc.
- Exhibit D: Traffic & Parking Impact Report; dated 2/21/2024; prepared by Stonefield
- Exhibit E: Stormwater Report; dated 2/16/2024; prepared by Highpoint Engineering, Inc.

**7. 631 Franklin Street (PB-2024-012)**

- a. Public Meeting – Definitive Site Plan

**11. Subdivisions *Item taken out of order***

- i. 128 Alvarado Surety Surety Modification – Request for A Restrictive Covenant
- ii. Amended Subdivision Plan Endorsement

Todd Brodeur, attorney on behalf of the applicant, 631 Franklin Street LLC, stated the project is before the board to revive a previous approval to demolish the existing building and construct a 26-unit residential building with associated parking. He explained that this project was previously approved by the Board and the ZBA but their

site plan approval lapsed and was not possible to be administratively extended. Mr. Brodeur stated they accept staff conditions of approval.

Mr. LaValley stated he understands this Board is the only authority that can extend site plan approvals and there was a miscommunication about whether or not the approval could be extended administratively which caused the approval to expire and he understands the applicant is seeking a fee reduction waiver due to the miscommunication.

Ms. Holden of DPRS recapped the history of the project's lapsed approval, described one newly recommended staff condition that was included due to stretch code requirements the project will have to meet, and discussed the fee reduction requested by the applicant.

Mr. Quinlivan of DPW read the DPW conditions of approval into the record and noted few new conditions were added that had not been incorporated previously.

*No public comment.*

Board Discussion:

Mr. Moynihan stated he supports the approval and is okay with reducing the fee to \$330.00.

Mr. Brodeur stated he is also here for item #11 if the Board wants to take the item out of order for discussion or if they want to make a motion.

Ms. Smith stated the applicant is requesting to set the surety for their amended subdivision approval as a form of restrictive covenant regarding item #11.

**On a motion by Mr. Moynihan, seconded by Mr. King; the Board voted 4-0 to approve the definitive site plan with DPRS, DPW, and DTM recommended conditions of approval and waiver for fee modification.**

**On a motion by Mr. Moynihan, seconded by Mr. King; the Board voted 4-0 to approve surety modification request for restrictive covenant.**

**List of Exhibits:**

- Exhibit A: Definitive Site Plan Application; filed February 1, 2024; prepared by Todd E. Brodeur, Esq.
- Exhibit B: Definitive Site Plan; dated March 22, 2022; Revised October 29, 2023; prepared by A.S. Engineering.
- Exhibit C: Architectural Drawings, dated August 1, 2022; prepared by Dixon Salo Architects, Inc.
- Exhibit D: Stormwater Management Report; dated April 11, 2022; prepared by ASA Engineering.
- Exhibit E: Request for Fee Waiver; dated February 7, 2024; prepared by Todd E. Brodeur Esq.

**9. Passway One (ST-2024-001)**

- a. Public Hearing – Convert to Public

Ms. Smith stated DPWP recommended a priory 4 designation for conversion to public.

Mr. Quinlivan stated the costs are high due to it being a heavily wooded street and would require extensive engineering to bring it to city standards.

*No public comment.*

Board Discussion:

Mr. Angus asked if the property owners abutting the street were notified of it becoming a public street and be made aware that they would need to bear the costs for that; Ms. Smith explained the street petition process and how abutter notification for this process works.

**On a motion by Mr. Moynihan, seconded by Mr. Angus; the Board voted 4-0 to recommend in favor of the private street conversion.**

**List of Exhibits:**

Exhibit A: Petition to City Council; Referred to the Planning Board on February 6, 2024; filed by Mayor Joseph M. Petty on behalf of Susan Perkins.

Exhibit B: DPW Memorandum; dated February 8, 2024; prepared by DPW&P Engineering.

Other Business

**10. Approval Not Required (ANR) Plans**

- a. AN-2023-056 – 57 Mount Avenue (Public)
- b. AN-2024-008 – 115 Northeast Cutoff (Public)
- c. AN-2024-009 – 0 Meola Avenue (Public)
- d. AN-2024-010 – 1429 & 1439 Main Street (Public)
- e. AN-2024-011 – 2 Navasota Avenue (Public)

Ms. Smith of DPRS described the ANRs before the Board.

**On a motion Mr. Moynihan, seconded by Mr. Angus, the Board voted 4-0 to endorse the ANR for item 10 c, d, & e.**

**11. Subdivisions**

- a. 128 Alvarado Avenue – Definitive Subdivision Plan (PB-2022-029)
  - i. Surety Modification – Request for A Restrictive Covenant
  - ii. Amended Subdivision Plan Endorsement

Item 11 was taken out of order.

**12. Board Policy and Procedures**

- a. 2025 Meeting & Filing Deadlines

Ms. Smith asked the board to review and approve the 2025 meeting and filing deadline schedule so staff can reserve meeting rooms.

**On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approved 2025 meeting dates and filing deadlines.**

**13. Communications**

- a. City of Worcester “State of our Streets” Forum – Vision Zero Safety Action Plan

Ms. Smith described the event taking place and its purpose to reduce and prevent fatalities in vehicle and pedestrian crashes aka traffic violence.

**10. Approval of Minutes - 7/26/2023; 11/1/2023; 11/22/2023; 1/24/2024; 1/31/2024; 2/7/2024**

No discussion.

**Adjournment**

**On a motion by Mr. Moynihan, seconded by Mr. Angus, the Board voted unanimously to adjourn at 7:35pm.**