



The City of Worcester

Executive Office of Economic Development

Planning & Regulatory Services

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

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

Wednesday, September 4, 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
Conor McCormack
Brandon King (*Participated Remotely*)
Adrian Angus (*Participated Remotely*)

Board Members Absent:

Staff Present: Michelle Smith, Division of Planning & Regulatory Services (DPRS)
Olivia Holden, Division of Planning & Regulatory Services (DPRS)
Matt Rabasco, Department of Public Works & Parks (DPW&P)

Call to Order

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

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

Item 1: 487 Park Avenue (PB-2023-077) – Definitive Site Plan and Special Permit

Request to Postpone the Public Hearing to September 25, 2024
Extend the Constructive Grant Deadline to October 17, 2024

Item 2: 5 Gates Road (PB-2024-006) - Definitive Site Plan

Request to Leave to Withdraw without Prejudice

Item 3: 112 & 116 Rodney Street (PB-2024-047) - Definitive Site Plan Amendment

Request to Postpone the Public Hearing to September 25, 2024
Extend the Constructive Grant Deadline to October 17, 2024

Item 4: 173 Lincoln Street (PB-2024-003) - Definitive Site Plan

Request to Postpone the Public Hearing to September 25, 2024
Extend the Constructive Grant Deadline to October 17, 2024

Item 5: 30-50 Lagrange Street & 47 Oread Street (PB-2024-017) - Definitive Site Plan Amendment

Request to Postpone the Public Hearing to October 16, 2024

Extend the Constructive Grant Deadline to November 7, 2024

Item 6: 8 Nebraska Street & 14 Putnam Lane (PB-2024-048) – Definitive Site Plan and Special Permit Amendment

Request to Continue the Public Hearing to September 25, 2024

Extent the Constructive Grant Deadline to October 17, 2024

Item 8: 39 Lamartine Street (PB-2024-053) – Special Permit (IZ) & Definitive Site Plan

Request to Postpone the Public Hearing to September 25, 2024

Extend the Constructive Grant Deadline to October 17, 2024

Item 11: Lewis Street (PB-2024-059) – MGL 81-G and/or GRO Ch. 12, Sec. 12, Private Street Improvements

Request to Continue the Public Hearing to September 25, 2024

Extent the Constructive Grant Deadline to October 17, 2024

On a motion by Mr. Moynihan seconded by Mr. McCormack, the Board voted 5-0 to grant the postponement and LTW requests.

New Business:

7. 225 Shrewsbury Street (PB-2024-052)

a. Public Hearing – Special Permit (CCOD)

b. Public Meeting – Definitive Site Plan

Item number 7 was taken out of order at the request of the applicant.

Joshua Lee Smith, attorney on behalf of the applicant, Lundgren Equity Partners LLC, introduced members of the project team, described the proposal before the Board, the existing site conditions, and other buildings within the neighborhood. Mr. Lee Smith described the existing drive-through operations of the DCU retail branch that currently operates on site. He stated the proposal intends to relocate the existing DCU branch and its two-lane drive-through facilities to the other end of the site, in addition to constructing two additional retail spaces. He continued, stating the redevelopment of the site also includes redesigning the existing parking layout and that they are seeking a parking reduction due to the various uses and their different hours of operation. He discussed the proposed façade improvements to activate the site and the proposed landscaping improvements throughout the site.

Michelle Smith of DPRS described the proposal before the Board and the relief the applicant is seeking. Ms. Smith described the parking requirement and the location of the project in relation to the Now | Next Master Plan. She read the recommend conditions of approval and stated condition #2 under the Special Permit should be revised to strike first sentence and change second sentence to “any change in uses shall require prior staff approval and may require modification of the Special Permit”. Ms. Smith asked the applicant to discuss proposed lighting elements on Casco Street.

Mr. LaValley asked for clarification on the special permit in regards to allowing the relocation of the drive-through on site since it already exists today; Ms. Smith stated yes, they need to obtain a special permit because although it’s privileged non -conforming but since they’re proposing to move it, they need to obtain a SP to allow the use.

No public comment.

Board Discussion:

Mr. LaValley stated if this site were vacant, the proposed drive-through use would not be allowed, but since it's pre-existing, they need to decide if the proposed changes are appropriate.

Mr. Angus stated although this is not in line with the walkable intent of the CCOD, the proposal improves the site regarding the relocation of the existing drive-through to a safer area on site and by adding new retail uses to an otherwise vacant area of the site.

Mr. McCormack stated he agrees with Mr. Angus's comments in terms of providing an improved layout for the drive-through that will reduce queueing in the parking lot and create additional opportunities for retail spaces so he is inclined to support the redevelopment.

Mr. King echoed the comments of Mr. Angus and Mr. McCormack.

Mr. Moynihan stated he understands the comments of the other Board members but part of him wants to support the CCOD so he wants to understand why the bank can't operate without the drive-through. He added that overall, the relocation of the drive-through is preferable to the existing layout so he will ultimately support it.

Mr. LaValley stated the proposed is a marginal improvement to what exists today but whatever is approved today will be in existence for the future generations and it goes against the intent of the CCOD and the Now | Next Plan so by approving this, they would be doing an injustice the long-range plan. He added that as a pedestrian and resident to this neighborhood, he is familiar with the area and it's a dangerous pedestrian zones, particularly coming off Casco Street. He stated he will not be voting in favor of this item.

Mr. Angus stated the comments of the Chair are powerful and since Mr. LaValley is most intimately familiar with the area, he would agree with the Chair in not voting in favor.

Mr. Lee Smith stated the site has been through a number of different redevelopment iterations and the market has forced the developer to change the route of the original proposals due to financial infeasibility. He stated that the project in front of the Board now is almost guaranteed to break ground and be completed. He said he understands the position of the Board on supporting the intent of the CCOD and Now | Next Plan, but the redevelopment is an overall site improvement and if they don't approve this project, it will continue to exist in the condition it does today.

Mr. Moynihan stated it's not without reservation that he will support the proposal as it will improve the flow within this area in the end but he is cognizant of the pedestrian issues within this area and throughout the city and feels pushing the drive-through to the back of the property is an overall improvement from the current conditions that exist right now.

Mr. McCormack agrees with the Chair in that this is not the best use for this property but echoed the sentiments of Mr. Moynihan and does not want to hold out on redevelopment of the property now in hopes of a better proposal in the future, perpetuating the current condition.

Mr. King stated that he does understand the concerns but overall feels the design is an improvement to what exists today and is also inclined to approve the request.

Mr. LaValley stated DCU was denied a Special Permit for drive-through further up Shrewsbury Street in the past; Mr. Lee Smith stated his understanding is that was for a brand new drive-through, not to replace an existing one.

Mr. LaValley stated he is not convinced because this will exist for years to come and it is not in line with the CCOD or long-range plan.

Mr. Lee Smith stated this project will not exacerbate the existing traffic issues on Shrewsbury Street.

Mr. Angus stated he has carefully considered all comments and, in the end, whether or not the proposal marginally improves the site, it is not in line with the CCOD and therefore will not be voting in favor of the item.

Mr. Lee Smith stated the project team would like to seek a continuance to the 9/25/24 meeting.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to continue the public hearing to the 9/25/24 meeting.

List of Exhibits:

- Exhibit A:** Definitive Site Plan Application; submitted 6/21/2024; prepared by Bowditch & Dewey, LLP
- Exhibit B:** CCOD Special Permit Application; submitted 6/21/2024; prepared by Bowditch & Dewey, LLP
- Exhibit C:** Site Plan; dated 6/6/2024, revised 7/22/2024; prepared by Highpoint Engineering Inc.
- Exhibit D:** Architectural Renderings & Elevations; dated 7/29/2024; prepared by NESGroup Architects
- Exhibit E:** Traffic Impact Study; dated 5/31/2024; [r]eared by Chappell Engineering Associates, LLC
- Exhibit F:** Stormwater Report; dated 6/6/2024; prepared by Highpoint Engineering Inc.

9. 538 Lake Avenue (PB-2024-057)

a. Public Meeting – Definitive Site Plan

Peter Lavoie, engineer on behalf of the applicant, Leonardo & Jose Deoliveira, described the proposal before the Board which is to construct a single-family dwelling on a vacant lot that slopes from the back to the front. Mr. Lavoie described various site improvements proposed with the construction of the dwelling. Mr. Lavoie stated staff comments have been incorporated into the plans.

Ms. Holden of DPRS described the project before the Board and the recommended conditions of approval. She noted that staff has not had chance to review the revised plans as they were submitted the same day of the meeting but assuming they simply meet the conditions of approval, there will be nothing further to add.

Matt Rabasco of DPW stated he has not had a chance to review the revised plans either, but it sounds like staff comments have been addressed.

No public comment.

Board Discussion:

Mr. Moynihan asked if the applicant intends to seek the recommended waiver; Mr. Lavoie stated there are not any trees on site to locate.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to approve the Definitive Site Plan with staff recommended conditions of approval, striking the recommended waiver.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; submitted 8/21/2024; prepared by D&L Design Group

Exhibit B: Site Plan; dated 7/2/2024; prepared by D&L Design Group

Exhibit C: Architectural Renderings & Elevations; dated 5/21/2024; prepared by J.R. Associates

10. 393-397 Shrewsbury Street (PB-2024-058)

- a. Public Hearing – Special Permit (CCOD) – Extension of Time
- b. Public Meeting – Definitive Site Plan

Patrick Healy, engineer on behalf of the applicant, 318 Park LLC, stated that they are seeking an Extension of Time for the previously granted Special Permit and new site plan approval because the previous approval had expired prior to seeking an extension. Mr. Healy described the site improvements and how they complement goals of the CCOD, including pedestrian amenities.

Olivia Holden of DPRS stated the applicant is seeking a 1-year extension for the CCOD special permit to allow the construction of a mixed-use development with a residential component and to reduce parking and dimensional requirements. She stated they are seeking new site plan approval since the previous approval lapsed but the plans submitted don't have any changes other than changes that were made to meet the previously issued conditions of approval. She stated staff added one new condition to correctly label the entrance on Shrewsbury Street to reflect a commercial entrance.

Matt Rabasco of DPW stated no further comments.

No public comment.

Board Discussion:

Mr. LaValley asked if this project is exempt from IZ requirements; Ms. Smith stated this project was permitted prior to IZ regulations going into effect.

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 Extension of Time with staff recommended conditions of approval.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to approve the Definitive Site Plan with staff recommended conditions of approval.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; filed 08/15/2024; prepared by Thompson & Liston Associates, Inc

- Exhibit B:** Special Permit Extension of Time Application; filed 07/16/2024; prepared by Thompson & Liston Associates, Inc
- Exhibit C:** Site Plans; dated 04/06/2023; revised 07/31/2023; prepared by Thompson-Liston Associates, Inc.
- Exhibit D:** Elevations & Floorplans; dated 07/12/2022; revised 07/11/2023; prepared by AA Design Services, LLC
- Exhibit E:** Stormwater Report; dated 04/11/2023; prepared by Thompson-Liston Associates, Inc.

12. 30 Farmington Road (PB-2024-060)

- a. Public Meeting – Definitive Site Plan

Chris Anderson, engineer on behalf of the applicant, Armando Hamzollari, described the proposal before the Board which is to construct a two-family detached dwelling triggered by slope. He described the various site improvements and how the house will work with the grades on site. He concluded, stating they are amenable to the conditions of approval outlined in the staff memo.

Olivia Holden of DPRS described the proposal before the board, the infeasibility of on-site infiltration, and described recommend conditions of approval.

Public Comment:

Barry Dyson, abutting property owner, stated there is only about 20 yards between the site and his property and described his concerns with stormwater runoff affecting his property as well as noise level increases that could potentially come from the high number of occupants living in the proposed two-family dwelling. He asked if the site has enough square footage to allow what they are proposing.

Mr. LaValley stated the proposal does have appropriate SF and is the use is allowed by right. He echoed the comments of staff which included that the applicant will be using rain barrels to infiltrate runoff coming from the site. Mr. LaValley also stated that the number of occupants is not within the Board’s purview, but there will likely will only be two families living there.

Mr. Dyson brought up concerns with the building’s height; Mr. LaValley stated the city does have limits on building height and what they’re proposing is in line within the zoning bylaw.

Carl Johnson, abutter to proposed site, stated he is concerned with how the two-family structure will effect his garden and bee keeping practice as it will eliminate daylight hours; Mr. LaValley stated the building is within the thresholds set in the zoning ordinance.

Shirley Hubbington, abutter to the property, stated the neighborhood is very quiet with singe-family residences. She added that the neighborhood has no sidewalks and there are handicapped people that live here and they are concerned with noise levels and the increase in traffic that will result with the proposed use.

Board Discussion:

Mr. Moynihan stated this is a straightforward project as far as the Board’s purview and that the proposed is allowed by right and is only in front of the Board due to the slopes on site so he will be in support of the proposal.

Mr. McCormack stated he agrees with Mr. Moynihan and the board's purview is pretty narrow in terms of slopes on site. He added that the proposed is adding a very modest additional density to a primarily single-family neighborhood.

Mr. Angus and Mr. King echoed the comments of the other Board members.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to approve the Definitive Site Plan with staff recommended conditions of approval.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; filed 08/15/2024; prepared by Hannigan Engineering, Inc

Exhibit B: Site Plans; dated 07/19/2024, revised 08/14/2024; prepared by Hannigan Engineering, Inc

Exhibit C: Architectural Drawings; dated 05/09/2024; prepared by J.R. Associates

13. 52 & 54 Circuit Avenue South – Lakeside Apartments Phase 2 (PB-2024-061)

- a. Public Hearing – More Than One Building on a Lot Plan
- b. Public Meeting – Definitive Site Plan

Mark Borenstein, attorney on behalf of the applicant, E3 Development, LLC, introduced members of the project team and stated he has a short video to show the Board. Mr. Borenstein reminded the Board that they had previously approved another iteration for phase 2 of the redevelopment, but it was determined not financially feasible. Through the video, Mr. Borenstein stated two outdated building will be demolished and two new residential building containing 10 homeownership units will be constructed. He described the property location, the style of structures to be constructed, and other amenities proposed.

Michelle Smith of DPRS stated the applicant is in front of the Board seeking Definitive Site Plan approval and More Than One Building on a Lot approval. She described the proposal before the Board and the relief being sought. She stated the applicant is also pending some zoning relief at the next ZBA meeting and recommend adding a note to condition 1 to reflect that revisions shall reflect any modifications as required by the ZBA and revise condition 1n to reflect that 20% EV spaces be wired with one dual head level 2 charger online prior to occupancy and strike the remainder of the condition requiring conduit for future wiring. She described the other staff recommend conditions of approval as outlined in the staff memo.

Matt Rabasco of DPW stated the label size and type of proposed utilities should be confirmed with DPW prior to permitting and described the other DPW recommended conditions of approval.

No public comment.

Mr. Borenstein stated they'd like to revise 1n because the project budget is very tight so installing more than what is required by code is not financially feasible.

Ms. Smith stated building code requires 20% be wired and the applicant is already providing more than that but DTM is asking them to go one step further by providing empty tubing so future set up is easier when the demand calls for it, but they are ultimately meeting what is required by code.

Board Discussion:

Mr. LaValley stated he understands providing affordable housing is difficult as it is and is willing to provide the relief they are requesting from condition 1n.

Mr. Moynihan stated the affordable housing is needed and these units need to be updated so he is happy to support the request and the approval of the project.

Mr. McCormack, Mr. Angus, and Mr. King stated they are happy to support.

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 MTOB Plan with staff recommended conditions of approval.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to approve the Definitive Site Plan with staff recommended conditions of approval, modifying condition 1 to reflect any modifications required by the Zoning Board of Appeals and condition 1n to reflect Level 2 EV chargers for two spaces and empty conduit for 1 additional space.

List of Exhibits:

- Exhibit A:** Definitive Site Plan & More than One Building on a Lot Application; filed August 20, 2024; prepared by Mark Borenstein
- Exhibit B:** Definitive Site Plan; dated 08/1/2024; prepared by Bohler
- Exhibit C:** Architectural Plans; dated 07/19/2024; prepared by Davis Square Architects
- Exhibit D:** Drainage Report; dated 8/1/2024; prepared by Bohler
- Exhibit E:** Traffic Impact & Access Study; dated 9/28/2023; prepared by MDM Transportation Consultants, Inc

- 14. 34-46 Lakeside Avenue (aka 19 Garland Street) – Lakeside Apartments Phase 1 (PB-2024-062)**
 - a. Public Meeting – Definitive Site Plan – Extension of Time

Mark Borenstein, attorney on behalf of the applicant, E3 Development, LLC, stated the applicant seeks a 2-year extension for the project through 8/30/26.

Olivia Holden of DPRS stated the applicant is going to the ZBA to seek an amendment for phase 1 since the zone changed here and they received relief that is no longer required.

No public comment.

Board Discussion:

None.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to approve the Definitive Site Plan Extension of Time through June 28, 2026 with staff recommended conditions of approval.

List of Exhibits:

- Exhibit A:** Definitive Site Plan EOT Application; filed August 20, 2024; prepared by Mark Borenstein
- Exhibit B:** Definitive Site Plan; dated 07/26/2023; prepared by Bohler
- Exhibit C:** Architectural Plans; dated 07/24/2023; prepared by Davis Square Architects

15. 0 Grafton Street (ZA-2024-005)

- a. Public Hearing – Zoning Map Amendment

David Sadowski on behalf of the owner/petitioner stated the owner purchased this property about two years ago and feels that with the shortage of housing, a residential use would be the most appropriate use of this land so he would like to rezone the property to BL-1.0 to allow a residential use.

Michelle Smith of DPRS stated the request is to rezone the property from MG-0.5 to BL-1.0. This property was rezoned to MG only a few years ago and the new owner is now seeking to change it back to BL-1.0. She described the zoning history of the property. Ms. Smith also described the differences in the two districts and their allowed uses and dimensional requirements.

No public comment.

Board Discussion:

Mr. McCormack stated if this was a sufficient use before he does not see any issue with supporting to change it back and stated the town of Millbury also recently rezoned this bordering area to be business zoned.

Mr. Angus stated he is happy to support and hear it's not currently intended to be another car wash.

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 recommend in favor of the proposed Zoning Map Amendment.

List of Exhibits:

Exhibit A: Re-zoning Petition; received 7/22/2024; prepared by David Sadowski

Other Business

16. Approval Not Required (ANR) Plans

- a. AN-2024-043 – 3 Military Road (Public)
- b. AN-2024-045 – 30 Valmor Street (Public)
- c. AN-2024-046 – 4 Fairbanks Street (Public)
- d. AN-2024-047 – 64 Moreland Street (Public)
- e. AN-2024-049 – 20 Reactory Drive (aka 305 Belmont Street) (Public)
- f. AN-2024-050 – 22 Elm Street (Public)

Olivia Holden of DPRS described the ANRs before the Board.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to endorse the ANRs for items 16 b, c, e, & f.

17. Subdivisions

- a. Malden Woods Subdivision – Danielle Way – Request for Bond Reduction
- b. Malden Woods Subdivision – Castine Street – Request for Bond Reduction

Ms. Smith of DPRS stated the applicant has requested to postpone this item to the next meeting as they do not agree with the new bond amount set by DPW.

On a motion by Mr. Moynihan seconded by Mr. McCormack; the Board voted 5-0 to postpone to the 9/25 meeting.

18. Communications

- a. Community Preservation Committee – Representative Appointment

No discussion.

19. Board Policy and Procedures

- a. Alternate Planning Board Member

Ms. Smith stated City Council voted to allow an alternate Planning Board member and it will be ordained soon. The additional seat will allow flexibility for quorum issues when it comes to special permits and hopefully the new seat will also allow the CPC vacancy to be filled.

20. Approval of Minutes – 8/7/2024; 8/14/2024

On a motion Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the minutes from the 8/7/2024 & 8/14/2024 meetings. Mr. LaValley abstained from the vote due to absence.

Adjournment

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted unanimously to adjourn at 7:50pm.