

RECEIVED

By Mattie VandenBoom at 3:39 pm, Mar 05, 2024



826 Southbridge Street, Suite 120 - Auburn, MA 508.721.1900

March 5, 2024

City of Worcester
Office of Planning and Regulatory Services
City Hall Room 404
455 Main Street
Worcester, MA 01608

RE: NOI – 79 Pullman Street

Dear Members of the Board,

MidPoint Engineering + Construction, LLC (MidPoint), on behalf of its Client, Lacy Topaz, LLC, is pleased to submit this NOI Application associated with redevelopment of 79 Pullman Street in Worcester, Massachusetts. The Applicant, Lacy Topaz, LLC, is the current owner of the property and plans to redevelop the site by removing improvements on the site and constructing a new Fast Casual style restaurant with pick-up window service. Prior use of the property was office/school in a 2,500 square foot building. The parking area for the prior use had capacity for approximately 26 vehicles.

The proposed restaurant will be 2,328 square feet and will have an outdoor seating area of approximately 360 square feet. In addition to the restaurant building, a new parking area with capacity of 29 vehicles is proposed as is landscaping, new utility services and parking area lighting. A pick-up window will allow customers who pre order their meals to conveniently collect their order without needing to park their vehicle and enter the building.

This Site is located partially in the ML-0.5 zoning district and partially with the MG-0.5 zoning district. Both of these districts allow "Food Service (drive-thru)" as a special permit use. An application is pending before the Zoning Board of Appeals related to this special permit.

The site is within 100 feet of and contains stormwater inlets that discharge to the City drainage system that ultimately discharges to a Wetland Resource Area. Thus the project site contains areas regulated by the City's Wetland Protection Ordinance. The site has been designed to minimize potential impacts by incorporating an erosion and sediment control plan during construction. Long term potential impacts have been mitigated by installation of a modern stormwater management system designed in accordance with City regulations and the Massachusetts Stormwater Manual.

We respectfully request to be placed on the next available agenda of the Planning Board to review this application. Should you have any questions or require any additional information please contact me at (508) 721-1900 or via email at pdoherty@midpointengineering.com.

Sincerely,

Midpoint Engineering + Consulting, LLC

A handwritten signature in blue ink, appearing to read "Patrick P. Doherty", is written over the printed name.

Patrick P. Doherty, PE, LEED AP
Principal

cc Michael O'Brien, Lacy Topaz, LLC

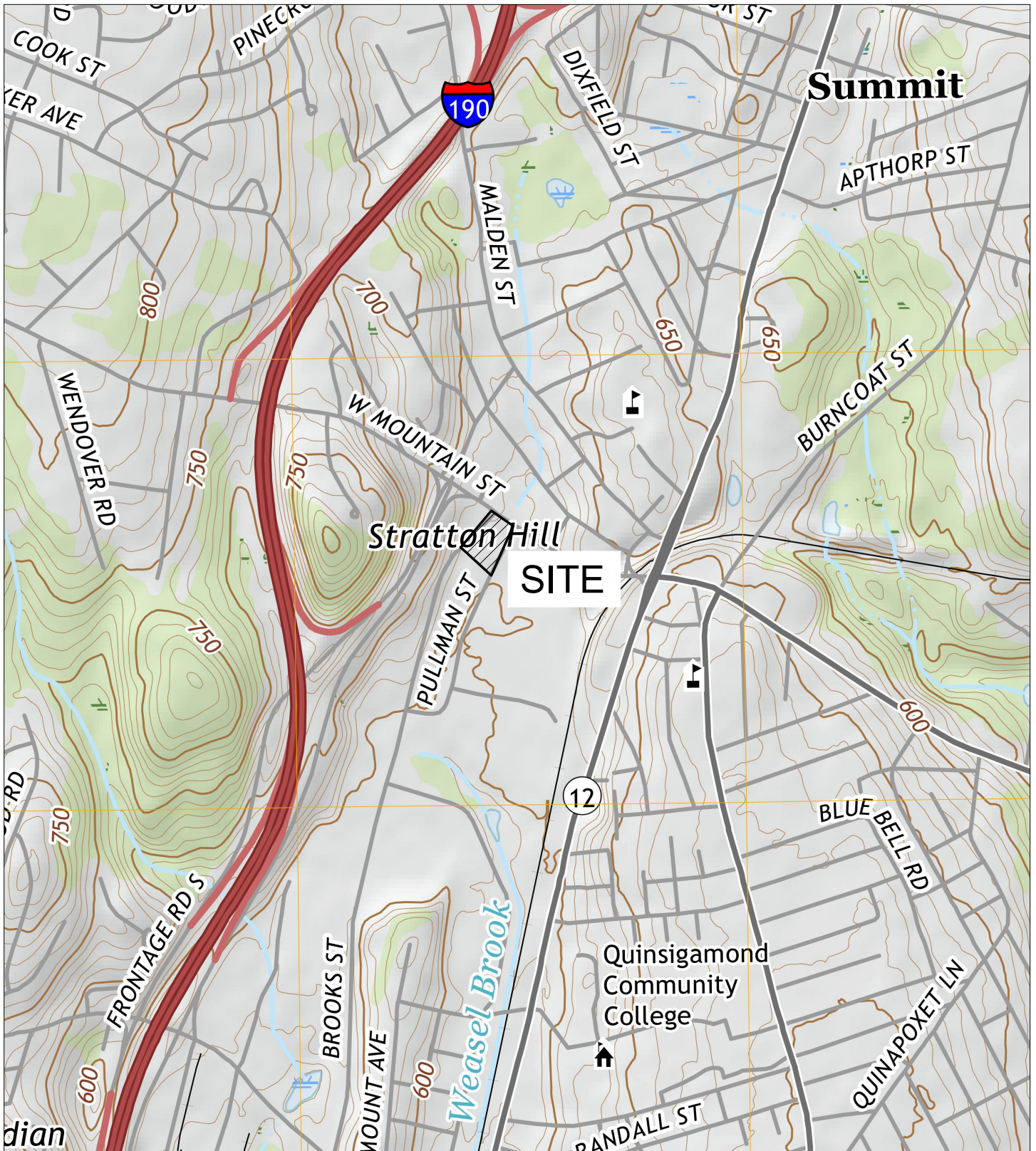
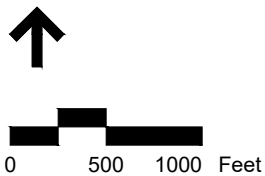


Figure 1



Site Location Map
 79 Pullman Street
 Worcester, MA

MIDPOINT
 ENGINEERING + CONSULTING

37 SUTTON ROAD
 WEBSTER, MA 01570
 508 721-1900
 pdoherly@midpointengineering.com

Notice of Intent Application Form

City of Worcester Wetlands Protection Ordinance

To be filled out if the only trigger for review is 1) proximity (100-ft or less) to any existing or proposed inlet to any storm drain, catch basin, or other storm drain system component discharging to any lake, pond, river, stream, or wetland (see City of Worcester Wetlands Protection Ordinance) &/or 2) Isolated Land Subject to Flooding trigger (when stricter than the Wetlands Protection Act trigger). If other triggers are applicable – please fill out WPA NOI Form instead and indicate that it is filed both under the Wetlands Protection Act and the Ordinance.

A. General Information

1. Project Location:

79 Pullman Street	Worcester	01606
a. Street Address	b. City/Town	c. Zip Code
23	01A-0006A	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Is any portion of the proposed project jurisdictional under the Massachusetts Wetland Protection Act M.G.L. c. 131, §40?

Yes No

If yes, please file the Wetlands Protection Act Form 3 - Notice of Intent instead of this form

3. Applicant:

Michael	O'Brien	Lacy Topaz, LLC
a. First Name	b. Last Name	c. Company
37 Sutton Rd		
d. Mailing Address		
Webster	MA	01570
e. City/Town	f. State	g. Zip Code
508 721-0005	mike@galaxydevelopment.net	
h. Phone Number	i. Fax Number	j. Email address

Check if more than one owner

4. Property owner (if different from applicant):

If there is more than one property owner, please attach a list of these property owners not listed on this form.

a. First Name	b. Last Name	c. Company
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email address

5. Representative (if any):

MidPoint Engineering

a. Firm	Patrick	Doherty
b. Contact Person First Name		c. Contact Person Last Name
37 Sutton Rd		
d. Mailing Address		
Webster	MA	01570
e. City/Town	f. State	g. Zip Code
508 721-1900	pdoherthy@midpointengineering.com	
h. Phone Number	i. Fax Number	j. Email address

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6. Is any portion of the proposed project jurisdictional under the Massachusetts Wetland Protection Act M.G.L. c. 131, §40?

Yes No

If yes, please file the Wetlands Protection Act Form 3 - Notice of Intent instead of this form

7. Which provision of the City of Worcester Wetland Protection Ordinance is this project being filed under?

The proposed project is located within 100 feet of any existing or proposed storm drain, catch basin or storm drain component.

The proposed project includes impacts to Isolated Lands Subject to Flooding (an isolated depression or closed basin without an inlet or an outlet which at least once a year confines standing water to a volume of at least 1/8 acre-foot)

8. Describe current site conditions:

The site is currently vacant. Previous user of the site was Sylvan Learning Center. The site had a 2,400 sf building and parking area with capacity of 26 +/- vehicles

9. General Project Description:

The Applicant proposed to remove all existing improvements on the site and construct a new building and parking area. The building will be 2,328 sf and will have a Food Service with drive-thru use. The parking area will have capacity for 29 vehicles.

10. List distance/s to, number and type of storm drain system components within 100-ft of the project:

There is an onsite catch basin connected to the City drainage system in Pullman St
There are catch basins on Brooks St and Pullman St approximately 50 feet away

11. Does this application meet the requirements of the Massachusetts Stormwater Policy?

Yes (If yes, please attach a Stormwater Management Form) No

Not Applicable. Explain why: _____

12. Property recorded at the Registry of Deeds for:

<u>Worcester</u>	<u>141</u>
a. County	c. Page Number
<u>66783</u>	
b. Book	d. Certificate # (if registered land)


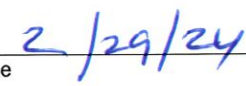
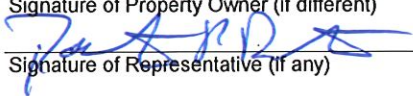
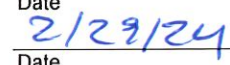
13. Total Fee Paid (from the City of Worcester Statement of Fee Calculation Form to be completed and included with this application)

\$500

a. Total Fee Paid

B. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the Wetlands Protection Ordinance.

 _____ Signature of Applicant	 _____ Date
_____ Signature of Property Owner (if different)	_____ Date
 _____ Signature of Representative (if any)	 _____ Date

Statement of Fee Calculation
 City of Worcester Wetlands Protection Ordinance & Regulations

Project:

Date:

7.2.3 Fees

Step 1/Type of Activity	Step 2/Number Of Activities	Step 3/Individual Fee	Step 4/Subtotal Activity Fee
3	1	\$500.00	\$500.00

Step5/Total Project Fee: \$500.00

Payments:

Make Checks Payable to the City of Worcester.



NOTIFICATION TO ABUTTERS
Under the City of Worcester Wetlands Protection Ordinance

Applicant: Lacy Topaz, LLC

Project Address: 79 Pullman Street, Worcester, MA

Application Type: Notice of Intent (NOI)

Description:

The Applicant, Lacy Topaz, LLC, has filed a Notice of Intent (NOI) with the City of Worcester Conservation Commission, under the City of Worcester Wetlands Protection Ordinance.

The site is 79 Pullman Street. The Applicant seeks to redevelop the site by removing all site improvements and constructing a new 2,328 sf food service use building with associated parking facility, utilities, stormwater management and landscaping.

A public hearing on this application will be held on **Monday April 8, 2024 at 5:30 P.M.**

This application may be viewed 8:30am-2:00pm at the Division of Planning & Regulatory Services, City Hall, 455 Main Street, Room 404, Worcester, MA. Contact phone number - 508-799-1400 x31440.

Notice of the public hearing, including its date, time and place, will be published at least 7 calendar days prior to the hearing in the Worcester Telegram & Gazette.

Agenda for the public hearing, including its date, time, and place, will be posted on the City website (<http://www.worcesterma.gov/city-clerk/agendas-minutes/boards-commissions>) not less than 48 hours prior to the hearing.



REQUEST FOR MAPS AND/OR ABUTTERS' LISTS:

Please be advised that requested lists will typically be completed within ten (10) business days. Lists will be provided for a fee of \$20.00 per list, paid at the time of request. Please state the reason for the abutters' list and indicate if the subject parcel has shared ownership with an adjoining parcel, this will ensure the provided list meets the appropriate regulations. Two sets of mailing labels will be included when required.

Our email address is: Assessing@worcesterma.gov and our fax number is (508) 799-1021.

Please contact our office with any questions.

ABUTTER'S LIST LABELS Yes No 1 SET 2 SETS

_____ MAP(S)

PROPERTY ADDRESS 79 Pullman Street

MBL No. 23-01A-0006A

REASON: PLANNING
 ZONING
 ____ LICENSE COMMISSION
 CONSERVATION COMMISSION
 ____ HISTORICAL COMMISSION
 ____ OTHER-_____

Footage for radius _____

CONTACT: NAME: Patrick Doherty
 ADDRESS: 37 Sutton Rd Webster MA
 TELEPHONE: 774 287-7937





Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count: 8

Parcel Address: 79 PULLMAN ST

Assessor's Map-Block-Lot(s): 23-01A-0006A

Owner: LACY TOPAZ LLC

Owner Mailing: 79 PULLMAN ST
WORCESTER, MA 01570

Petitioner (if other than owner): PATRICK DOHERTY

Petitioner Mailing Address: 37 SUTTON RD
WEBSTER, MA

Petitioner Phone: 774 287 7937

Planning: _____ Zoning: _____ License Commission: _____ Conservation Commission: X

Historical: _____ Cannabis: _____ Other: _____

32-002-01+10	FEALY PARIS JASON	0084 WEST MOUNTAIN ST	WORCESTER MA 01606
32-002-12+13	NOZZOLILLO JONATHAN J +	076A MOUNTAIN ST WEST	WORCESTER MA 01606
23-01A-5A+06	85 GREEN STREET LLC	0013 WINTER ST	WORCESTER MA 01613
32-002-00011	NOZZOLILLO JONATHAN J +	0076 W MOUNTAIN ST	WORCESTER MA 01606

23-01A-0006A	LACY TOPAZ LLC	0037 SUTTON RD	WESBETR MA 01570
23-01A-00009	HARRISON GREGORY TRUSTEE	1055 E COLORADO BLVD SUITE 310	PASADENA CA 91106
23-01A-00005	PULLMAN STREET LLC	684 PIERCE ST	LEOMINSTER MA 01453
32-002-00014	60 WEST MOUNTAIN STREET LLC	0060 MOUNTAIN ST WEST	WORCESTER MA 01605

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot`s 23-01A-0006A as cited above.

Certified by:

Samuel E. Koiner

Signature

01/04/2024

Date



Abutters Map

