



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

**Monday, November 15, 2021**

Worcester City Hall – Esther Howland 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).

**Commissioners Present:** Albert LaValley, Chair  
Edward Moynihan, Vice Chair  
Conor McCormack  
Kevin Aguirre, Clerk – *Participated remotely*

**Commissioners Absent:** None

**Staff Present:** Marisa Lau, Division of Planning & Regulatory Services (DPRS)  
Steve Rolle, Division of Planning & Regulatory Services (DPRS)  
Nick Lyford, Department of Public Works – *Participated remotely*  
Alexandra Kalkounis, Law  
Jody Kennedy Valade, Inspectional Services

**Call to Order**

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

**Requests for Continuances, Extensions, Postponements, and Withdrawals**

**2) 47R Fourth Street**

Item 6 was taken out of order.

*Request to Postpone the Public Hearing & Meeting to December 1, 2021*

No Comments.

**3) 1103 Millbury Street**

*Request to Postpone the Public Meeting to December 22, 2021*

No Comments.

**4) The former Kendig Street ROW**

*Request Leave to Withdraw without Prejudice*

No Comments.

**5) 4&14 Velanders Street & the Velanders Street ROW**

*Request to Postpone the Public Meeting to December 22, 2021*

No Comments.

**9) 700 Plantation Street**

*Request to Postpone the Public Hearing to December 1, 2021*

No Comments.

On a motion made Mr. Moynihan; seconded by Mr. McCormack; the Board voted 3-0 (Aguirre absent) to grant the postponements and withdrawal.

**New Business**

**1) Item 1: Arboretum Village Phase IV**

Mr. Rolle clarified for the Board that staff recommended Items 1c and 1d (request for surety modifications and Bittersweet Boulevard street petition) be postponed to a later meeting, but the subdivision amendment and site plan applications should proceed. Attorney Jennifer Kurzon presented in-person on behalf of the applicants, Bob Gallo and Steve Gallo, who participated remotely and were available for questions along with other project team members. Ms. Kurzon described the amendment application to retroactively extend the subdivision plan approval for five years and the circumstances around the lapse of the plan approval.

Mr. Rolle provided additional background on the multi-phase project, which had been active for many years. The subdivision was partially built and occupied. He explained that the permit extension act had automatically extended the expiration date several times for this phase, Phase IV. Board approval would automatically re-establish the subdivision plan and specifically re-authorize the construction on Snowberry Circle and Indigo Circle, which has already begun. Staff recommended as a condition of approval that construction of the area on the plan to the south of Snowberry and Indigo Circles be subject to a subsequent site plan approval in the future, in part because additional changes to the connection between Bittersweet Boulevard and Sarah Drive were needed. Mr. Rolle went over other recommended conditions of approval related to the phased nature of the project and construction work. Ms. Kurzon stated her client was amenable to the conditions for the amendment to the subdivision plan.

There were no comments from City staff and no public comments.

**Board Discussion**

Chair LaValley asked if staff recommended the Board vote on the amendment separately; Mr. Rolle stated that was correct.

On a motion by Mr. Moynihan; seconded by Mr. McCormack, the Board voted 3-0 (Aguirre absent) to close the public hearing.

On a motion by Mr. Moynihan; seconded by Mr. McCormack, the Board voted 3-0 (Aguirre absent) to approve the Amendment to the Definitive Subdivision Plan, subject to staff-recommended conditions of approval and grant waivers.

Next, Attorney Kurzon discussed the site plan application, Item 1b. She stated the staff memo had been received earlier that day with recommended conditions of approval for the site plan and also comments requesting additional work. The project team had questions on the memo and did not feel they had sufficient time to address the staff comments.

Bob Gallo, developer, described the length of time the reapproval process had taken. He stated the staff comments for the site plan were redundant and based on misconceptions about the project. In his opinion the memo was asking for the site plan to be redone. He then commented on the project surety. The bank documents were submitted for the amount requested by DPW&P and he believed all engineering documents including the decree plan had been submitted; if not, he stated he would submit that and did not want to postpone the site plan application.

Mr. Rolle stated the plan review was recently completed and led to the late issue of staff comments on this multi-phase project despite staff's best efforts; he concurred the project team had not had much time for a thorough review of the memo. However, in his opinion, not much additional work was needed to address most of these comments, nor were there many unresolved plan details. He noted that DPW&P had confirmed engineered plans would be required for proposed walls due to steep slopes on the site.

Chair LaValley stated the applicant could discuss specific staff comments in the memo with the Board, but if the Board voted on the application at this time it would be on the conditions of approval recommended in the memo. He suggested the applicant consider his options; namely, to review, respond to and discuss the conditions with staff instead. Attorney Kurzon concurred that the site plan should be held until the next board meeting on 12/1 to allow for further discussion regarding outstanding items and possibly revised conditions in order to address those items.

Steve Gallo, developer, stated based on his preliminary review of staff comments that further discussion on recommended conditions was warranted and he preferred the site plan application to be held in order to maintain the project team's flexibility to address the outstanding items identified by staff.

Ms. Kurzon asked City staff to clarify what was requested regarding the decree plan. The as-built plan was submitted to DPW&P and had been accepted to her understanding. Mr. Lyford, DPW, stated that was accurate. The mylar decree plan has not been provided; once that was received, the street petition could go forward.

On a motion by Mr. Moynihan; seconded by Mr. McCormack, the Board voted 3-0 (Aguirre absent) to postpone the Definitive Site Plan application, Surety Modifications request, and Petition to Convert section of Bittersweet Boulevard to a Public Street to the December 1, 2021 meeting.

Ms. Kurzon asked for clarification on a staff comment about open spaces that did not appear to have a related condition in the memo. Mr. Rolle summarized that two lots were identified on the original plan

as potential open space to be acquired by the City in the future. Since the City no longer intends to acquire the lots, the lots could be released for development. He stated a condition to this effect had been left off as an oversight, and asked City staff on what recourse was available. Ms. Kalkounis, Law Department, stated that plan revision should be addressed separately at the next meeting. Mr. Rolle asked the applicant's representative to contact his office to discuss the revision.

**6) 26, 33 & 39 Hermon Street & 9 Harris Court**

Board Member Aguirre joined the meeting and participated remotely for the remainder of the meeting.

Attorney Donald O'Neil presented in-person on behalf of the applicant, Hermon Street Development. He stated the applicant had purchased and rezoned these properties by adding the Adaptive Reuse Overlay District (AROD). The former manufacturing business located in the buildings had moved, and the applicant has proposed to redevelop the buildings into 57 residential units. Mr. O'Neil described two existing, off-site parking lots available for the proposed residential use located nearby, and the applicant's efforts to work with DPRS to bring the parking lots closer to compliance for aisle width and other dimensional requirements, as well as by providing significant new landscaping. He stated 66 parking spaces would be provided including a small lot behind the buildings with 6 EV charging stations proposed. He described the building layout following renovations, and noted main access will be to/from a front courtyard with new landscaping. Expanding the EV infrastructure to the off-site lots had been considered but was not considered feasible at this time. He also noted there would be ample interior storage for bicycles but no outdoor bike parking proposed due to site constraints. The final design of the parking lots had fewer spaces than had been initially proposed, in order to provide more landscaping and green space. Mr. O'Neil described the applicant's experience in Worcester and elsewhere with projects comprised of one-bedroom rental units, and confirmed the project team felt the amount of parking proposed was appropriate based on demand at similar buildings owned by the applicant.

Mr. O'Neil stated the engineer and the applicant, Anthony Rossi, were available to answer questions. He also clarified that the retaining wall located in the lot across from the building was to remain; the staff memo erroneously stated it was to be removed. In response to a question in the staff memo, he added that the required amount of ADA parking will be provided; he stated 2 ADA parking were sufficient for the 3 accessible units proposed. Mr. Rossi described the proposed roof deck as additional open space that will be available to residents. Mr. O'Neil noted the deck was a recent addition in response to a staff request to examine the possibility.

Mr. Rolle stated the reuse of the historic building was welcome. He noted staff had worked with the applicant to introduce permeable landscaped areas in this neighborhood where green space was lacking, and the project had sacrificed parking to do so. The landscaping will also help demarcate the parking area from the public ROW and manage stormwater. He provided an overview of the special permits in the AROD. The special permits requested would allow for a residential multifamily use that is not permitted by the underlying zoning district and for more flexibility in terms of number of parking spaces and parking dimensional requirements. He added staff supported the parking lot layout as proposed, as it would improve on the existing parking facilities, provide for safe access and circulation, and provide future opportunities for the applicant to add a commercial retail component to the site. Lastly, he reviewed the recommended conditions of approval and stated the applicant should request the waivers identified in the staff memo; Mr. O'Neil confirmed the request.

### **Staff Comments**

Mr. Lyford, DPW&P, stated the proposed handicap ramp was subject to Council approval; a reciprocal ramp should be reflected on the other sidewalk which may require an adjustment to the crosswalk location. In response to a question from Chair LaValley, Mr. Lyford confirmed that a separate approval process for handicap ramps would be required through DPW&P. However, Mr. Rolle noted that condition #1(h) in the staff memo had been written in such a way so that the applicant would not need to amend the site plan for any adjustments in the final location of the crosswalk/ramps determined by Council. There were no additional staff comments.

There were no public comments.

### **Board Discussion**

Board Member McCormack stated his appreciation for the renovation and reuse of the building. He asked if market rate housing was proposed. Mr. Rossi confirmed the building would be market rate.

Board Member Moynihan asked for clarification on the retaining wall in the larger off-site parking lot. Mr. O'Neil and Mr. Rossi confirmed the wall needed to remain. A stucco veneer and proposed landscaping will help improve the wall appearance. In response to Mr. Moynihan's next question, Mr. Rossi stated the wall had been there for decades and he would check to make sure it was structurally sound and address any problems that arose. Mr. Moynihan thanked the applicant for providing six EV charging spaces. Mr. Rolle added that condition #1(k) should be struck as it was included in error.

Board Member Aguirre had no comments.

Board Chair LaValley asked if the applicant could share information about what the rent will be. Mr. Rossi noted the units would be different sizes and described similar projects where rents ranged from \$1200-1600. He also described how the neighborhood differed from other areas of the city in which he had developed residential buildings, and how this had factored into the proposed amenities for tenants (i.e. a theater, storage areas, roof deck, and possibly future commercial/retail within the building). Mr. LaValley then asked about the ADA space requirement; Mr. Rolle stated DPRS would double check the requirement was met for the number of proposed accessible units, as would Inspectional Services when a permit application was submitted. Mr. LaValley and Mr. Rossi discussed possible other locations for additional ADA spaces if needed. Lastly, Mr. LaValley reiterated his support for adaptive reuse of underutilized buildings, and noted the green/outdoor space and tenant amenities were a strong add for the project.

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 Special Permits to (1) allow a residential multifamily use in the AROD; and (2) modify the number of parking/loading spaces and dimensional requirements for parking; and accept the findings of fact.

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 as revised by striking condition #1(k), and grant waivers.

**7) Natural History Drive Right of Way**

Carl Hultgren, engineer, presented remotely on behalf of the applicant. He provided an overview of the project to reconstruct the stairs and retaining wall on the property, and expand the existing driveway partially located in the private right of way. He stated the applicant had recently received approvals from the Zoning Board of Appeals for the project.

Mr. Rolle further described the project and the right of way. Natural History Drive is a narrow unpaved private street; the project applied for Chapter 12 Section 12 approval in order to essentially improve driveway access. He summarized abutter concerns from the ZBA meeting and related conditions of approval for the relief granted by the ZBA. Based on additional public comments sent to the Planning Board, staff has recommended a condition for the construction schedule and information to be shared with DPRS office, which can be circulated to neighbors who are interested.

There were no additional staff comments.

There were no public comments.

**Board Discussion**

Board Member Moynihan asked if the applicant was in attendance; Mr. Hultgren replied he was not. Mr. Moynihan asked for more details on the construction and traffic control. Mr. Hultgren replied that the contractor would determine the construction schedule including the total length of the project. Mr. Rolle stated the way was too lightly traveled to require an off-duty officer to be present for construction.

Further discussion between Mr. Hultgren and City staff resulted in the preferred solution to be for DPRS to obtain the construction schedule. Abutters should contact the office for a copy, and the applicant should post a sign with the schedule at the end of his driveway as well as try to notify neighbors of the schedule himself. Ms. Valade confirmed a building permit would not be required for the proposed work.

Board Members McCormack and Aguirre agreed with the suggestions made and had no other comments.

Board Chair LaValley summarized the suggestions and encouraged the applicant to be a good neighbor. The ideas discussed at the meeting should be passed on to the applicant by Mr. Hultgren.

On a motion by Mr. Moynihan; seconded by Mr. McCormack, the Board voted 4-0 to approve the Chapter 12 Section 12 Private Street Improvements, subject to staff-recommended conditions of approval and grant waivers.

**8) 11 (Lot A & Lot B) Sever Street**

Chair LaValley recused himself. Vice Chair Moynihan acted as chair for this item. Ms. Lau stated that Mr. Moynihan had filed a disclosure form for this item, which had been approved by the appointing authority enabling him to participate on the matter.

Mr. Rolle introduced the application. The definitive site plan for this large-scale project was approaching its expiration date. As project financing was still being assembled, the applicant requested an extension for the site plan to November 19, 2023. He confirmed no changes were proposed to the plan.

Attorney Joshua Lee Smith presented remotely on behalf of the applicant. He stated the applicant had applied to DHCD for affordable housing tax credits and did not receive the financing in the first round of applications, which was common. The application is expected to be successful in the next round, which will allow financing to be firmed up and construction to commence within the next two years or by the requested expiration date. He also noted the Zoning Board had already approved a request to extend the variance granted for the projects, as had a request to extend special permit approval by Inspectional Services.

There were no additional staff comments.

There were no public comments.

### **Board Discussion**

There were no comments by Board Members.

On a motion by Mr. McCormack; seconded by Mr. Aguirre, the Board voted 3-0 (LaValley recused) to approve the Definitive Site Plan-Extension of Time, subject to staff-recommended conditions of approval and grant waivers.

### **10) 129 & 133 Granite Street**

Attorney Katherine Garrahan presented remotely on behalf of the applicant and introduced other project team members who were also participating remotely. She asked if the ANR plan would be heard at the same time; Chair LaValley stated it would be heard directly after these applications as the next item of business. Ms. Garrahan gave a project overview and summarized the project applications that had been previously approved by the Planning Board. She described site work to date. Demolition was completed, and grading work and construction of the stormwater system and driveway network had begun. She provided an update on design construction process; building construction was expected to begin in spring 2022. The amended site plan included minor changes (i.e. utilities, grading, landscaping, dumpster location, building facades) related to the request to amend the MTOB on a Lot approval also before the board, by combining the existing lots with proposed buildings. David LaPointe, engineer, further discussed these changes and particularly grading, drainage, and utilities for the site. He stated proposed slopes were slightly less steep (3:1) and the building footprints had slightly increased as a result of the proposed changes. Ms. Garrahan stated the team was amenable to the staff recommended conditions of approval, except for condition #3 in the staff memo which was no longer applicable. She requested the condition, regarding relocation of a bus stop, be removed since WRTA had eliminated the bus stop in this location following service changes. Mr. Rolle stated staff agreed to strike the condition.

### **Staff Comments**

Mr. Lyford, DPW&P, requested an 8" pipe be used for the private sewer main; Ms. Garrahan stated the engineer had confirmed that pipe size would be used. There were no additional staff comments.

There were no public comments.

## **Board Discussion**

Board Member Moynihan asked if a change to the number of parking spaces had been proposed. Mr. Rolle confirmed there were no changes; 96 parking spaces and 4 accessible parking spaces would be provided. Mr. Moynihan and Mr. LaPointe discussed EV parking demand; the latter stated underground infrastructure would be installed on the site in a way that could accommodate future EV charging stations with relative ease. Mr. Moynihan encouraged the project team to continue to look into available subsidies to install EV charging stations and consider that the costs to install charging stations would likely rise in the future.

Board Members Aguirre and McCormack had no comments.

Board Chair LaValley echoed Mr. Moynihan's comments on EV charging for this project.

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 Amendment to Definitive Plan—More Than One Building of a Lot and Amendment to Definitive Site Plan, subject to staff-recommended conditions of approval as revised by striking condition #3 and to grant waivers A-E.

## **Other Business**

### **11) Approval Not Required (ANRs)**

- a. 44 & 46 Fourth Street
- b. 69 & 73 South Flagg Street
- c. 441 Grove Street
- d. 2 Aurora Street
- e. 133 Granite Street
- f. 85 Lamartine Street
- g. 231 Lake Avenue
- h. 13 Blithewood Avenue & Blithewood Terrace
- i. Green Island Boulevard
- j. 10 Clarence Street

Ms. Lau reviewed the ANR plans and noted a fee waiver was requested for Item #11(f) as the parcels were City-owned. She also stated the plan for 231 Lake Avenue included in the presentation was not correct; a previous ANR plan recently approved by the Board for the same property was shown by mistake. However, the correct ANR plan had been circulated to Board Members prior to the meeting. Mr. Rolle confirmed the Board could vote to endorse the ANR plan for 231 Lake Avenue despite the error in the slideshow.

Chair LaValley indicated he would allow public comment on the ANR plans. Yamile Colon, 17 Blithewood Avenue, described her and her condo associations' concerns about the ANR plan for the abutting parcel. After moving in recently, she had learned that the owner of 13 Blithewood Avenue intended to divide the lot and build a house for use as an Airbnb behind her condo. She expressed concerns about the impact of such a project to the value and her enjoyment of her property. She also felt the new vacant lot



created by the ANR plan was too small for a house to be built on it. She asked the Planning Board to impose conditions on the project to maintain privacy, such as by requiring installation of a visual buffer or that vegetation on site be maintained.

Mr. LaValley noted the Planning Board did not have the ability to impose conditions related to plan endorsement for ANRs, but advised her to stay aware of future abutter notifications for this project should additional approvals be required.

On a motion by Mr. Moynihan; seconded by Mr. McCormack, the Board voted 4-0 to endorse the ANR plans and grant a fee waiver for Item #11(f).

**12) Street Petition – Kenyon Avenue (ST-2021-006)**

Ms. Lau reviewed the petition to convert Kenyon Avenue to a public street, south of Acton Street, which received a priority #1 recommendation from the DPW&P.

There were no public comments.

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to favorably recommend conversion of Kenyon Avenue to Public with a priority 1 level recommendation, as recommended by DPW&P.

**13) Communications**

a. Notice of community outreach meeting regarding a proposed Adult Use Marijuana Product Manufacturer at 234 Southwest Cutoff; from High Thirst, received November 1, 2021.

b. Letter regarding ANR Plans; from Westmost Hills Improvement Association; received October 27, 2021.

Ms. Lau reviewed communications received for the meeting. The first was regarding a community outreach meeting that took place on November 17th for a proposed AUM Product Manufacturer. The second was a request from the Westmont Hills Improvement Association to be notified of any proposed division of the lots that would require the association's approval; the senders did not include their addresses. Mr. Rolle and Chair LaValley noted that the owners of properties within the abutter notification locus area (300 feet) would be notified of any subdivision plan applications; however, no notifications would be mailed for ANR plans.

**14) Discussion of Board Policies and Procedures**

There were no comments or discussions

**15) Approval of Minutes – 10/20/2021**

On a motion by Mr. Moynihan, seconded by Mr. McCormack, the Board voted 4-0 to approve the minutes as drafted.

**Adjournment**

On a motion by Mr. McCormack, seconded by Mr. Aguirre, the Board voted 4-0 to adjourn at approximately 7:35 p.m.