

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

April 14, 2021

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting was conducted through remote participation. The meeting was livestreamed from the City of Worcester website and via the local cable access channel and is available for streaming online. Public participation was facilitated through a call-in number, 415-655-0001 (Access Code: 1601714991), which was publicized on the posted meeting agenda and during the video broadcast.

Planning Board Members Participating: Albert LaValley, Chair
Paul DePalo, Vice-Chair
Eleanor Gilmore, Clerk
Edward Moynihan

Planning Board Members Not Participating: Toni Molinari

Staff present: Stephen Rolle, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Marisa Lau, Division of Planning & Regulatory Services
Stephen Cary, Division of Planning & Regulatory Services
Jody Kennedy Valade, Inspectional Services Division
Jennifer Beaton, Law Department

Call to Order – Mr. LaValley called the meeting to order at 5:33pm.

Requests for Continuances, Extensions, Postponements, and Withdrawals

Postponements

- 1) **47R Fourth Street (PB-2020-072)**
Request to Postpone the Public Hearing & Meeting to June 16, 2021
Extend the Constructive Grant Deadline to July 8, 2021
- 2) **1103 Millbury Street (PB-2020-076)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021
- 4) **Attleboro Street (PB-2021-012)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021
- 5) **41 Fremont Street and 32 Delaware Street (PB-2021-013)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021

- 6) **5, 7, & 9 Richards Street (PB-2021-014)**
Request to Postpone the Public Hearing & Meeting to June 16, 2021
Extend the Constructive Grant Deadline to July 8, 2021
- 7) **573 Grafton Street (PB-2021-020)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021
- 8) **60 Wall Street and Montreal Street (from Wall Street to Oakham Street) (PB-2021-021)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021
- 15c) **15-17 Nathaniel Court (AN-2021-023)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021
- 15d) **45-47 Wilbur Street (AN-2021-024)**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021

Withdrawals

- 15a) **40 Sherbrook Ave (AN-2021-019)**
Request Leave to Withdraw without Prejudice

On a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 4-0 to approve the requests for postponements and withdrawals for the above named applications.

New Business

3. **249, 261 & 265 Lake Avenue (PB-2021-008)**
a. Public Meeting – Definitive Site Plan Amendment

Ms. Smith gave an overview of the project, a single-family structure; noting that it is in a sensitive area with regards to erosion, being next to Lake Quinisigamond. She stated that staff would like the applicant to answer question regarding the height of proposed retaining wall. Ms. Smith gave an overview of erosion control barriers including a 1.5-ft berm at the limit of work in the rear yard, and stormwater recharge infrastructure proposed.

Attorney Jim Vevone on behalf of the applicant reiterated what the applicant is seeking from the Planning Board and that they are also coming before the Conservation Commission.

Mr. Zrein noted that they have tried to minimize erosion and described how excavation will occur. He also described the retaining wall proposed and stormwater recharge infrastructure.

There were no staff comments or public comments.

Board Discussion

Mr. Moynihan had no comment.

Mr. DePalo had no comment.

Ms. Gilmore asked applicant to confirm the waivers that will be requested; Mr. Zrein said that the relevant information was submitted, but Ms. Smith stated that staff is okay with it being left off plan and waivers being granted.

Mr. LaValley asked staff to confirm that disturbing greater than 15% grades on the property was the review trigger; Ms. Smith confirmed.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to approve the Definitive Site Plan subject to staff-recommended conditions of approval and to grant waivers.

9. 37 Blackstone River Road (PB-2021-022)

a. Public Meeting – Definitive Site Plan

Ms. Smith gave an overview of the project, a proposed 3-story building with a total of 20 units; the proposal involves relocating an existing curb cut to the center of the site; parking requirements were one parking space per unit, and the applicant is providing conduit for EV-charging stations; there are bike storage and storage lockers proposed; staff had asked the applicant to incorporate more windows on the front elevation to be more visually appealing.

Attorney Todd Brodeur on behalf of the applicant gave an overview of the development company. He stated that the applicant will be going before Conservation Commission as well. He confirmed that the apartments will be market-rate; described on-site amenities and how parking will be managed with parking stickers.

Mr. Lyford stated that DPW would like a stormwater checklist, and for the applicant to work with DPW to relocate the existing crosswalk at the proposed curb cut. There were no other staff comments.

Public Comment

Beth Proko, Worcester resident and owner of 35 Blackstone River Road, stated that she is glad of the investment in this property. She asked the applicant to clarify parking management regarding high demand for on-street parking. She also stated that she wants to make sure proposed landscaping elements will not overwhelm and block signage from her adjacent business.

Fernando Dalfior reiterated commitment of developer to meet with neighbors.

Mr. Brodeur stated that the proposed location of trees can be relocated.

Mr. Dalfior expressed that a rendering can be produced showing new locations.

Ms. Smith stated that the Ordinance does require front-yard landscaping in the Commercial Corridor Overlay District but does not have specifics in that regard.

Board Discussion

Mr. DePalo had no comment.

Ms. Gilmore stated that she is glad to see this proposal has some neighborhood support. She would be fine keeping just one of the trees and having it located to accommodate sight lines. She asked the architect to comment on whether windows can be added to the ground floor.

Eric Zachrison stated that windows can be added to the Blackstone River Road side of the building to create a more vibrant pedestrian experience.

Mr. Moynihan reiterated that he too is concerned about sight lines. He stated that he is glad to see EV charging and asked the developer about the unit size; the developer confirmed they are one-two-and-three bedroom units. He also stated that he is not happy with the architectural design, as he has seen it in many places and finds it boring.

Mr. LaValley stated that he is pleased with how much attention has been paid to the landscaping and that this Board likes to see street trees. He agreed that the street façade should be activated with more windows.

Mr. Brodeur agreed that they do not want to impact neighbors with trees.

Ms. Smith stated that staff would like to see the number of trees conditioned, and suggested a condition of approval that removes one tree for the sake of sight lines.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to approve the site plan, subject to staff-recommended conditions of approval, adding a condition to remove one tree on the northwest side of the property, and incorporating DPW comments.

10. 26 Apthorp Street & part of 7 Darrow Street (PB-2021-024)

a. Public Meeting – Definitive Site Plan

Ms. Lau gave an overview of the project, which proposed two two-family detached dwellings on two lots, each with a 20-foot curb cut. Staff comments had asked if paving could be reduced, and focused on appropriate landscaping for the property as it is located in the Water Resource Protection Overlay district. Staff recommended that the applicant increase the number of proposed trees to offset removal of existing trees, and use of a coniferous species to help provide shade year-round within the 100' wetlands buffer.

Chris Anderson, Hannigan Engineering, on behalf of the applicant gave additional details; stated that they are amenable to staff-recommended conditions of approval, that proposed trees can be coniferous, and that they are also amendable to DPW comments.

Mr. Lyford of DPW&P stated that each duplex will need to have a separate sewer and water connection. There were no other staff comments.

Public Comment

Tim Kennedy of Apthorp Street stated his concern that the road is highly trafficked and there is a dangerous sharp curve; he would prefer that a driveway were moved to Darrow Street; he also stated that he would like a sidewalk installed going towards West Boylston Street.

Mr. Lyford gave an outline of the process to get a sidewalk installed.

Mr. Anderson explained why it would not be viable to have the driveway on Darrow Street.

Ton Fang, owner of 7 Darrow Street, Lot#5 on the plans, commented that the proposal removes his existing driveway and suggested an alternative.

Board Discussion

Ms. Gilmore asked the applicant to comment on issues in the staff memo regarding impervious surface.

Mr. Anderson explained the reasons for the proposed location of the driveway. He discussed possible low-impact-development designs. He described where additional plantings could go but that the grades would make it difficult.

Ms. Gilmore reiterated that the Board is always in favor of more trees and would like to see tree-wells. She asked applicant to confirm waivers being requested (Mr. Anderson confirmed).

Mr. Moynihan asked the applicant whether cars would be pulling out onto Apthorp. Mr. Anderson stated that it would be difficult for larger vehicles to turn around and they would be backing out onto Apthorp. Mr. Moynihan encouraged applicant to mitigate water runoff from the proposed development and also stated that it is beyond the Board's purview to set traffic policy.

Mr. DePalo had no comment.

Mr. LaValley asked the applicant to clarify why the driveway for the corner lot cannot be moved to Darrow Street; Mr. Anderson explained that grades were the issue.

Ms. Gilmore asked whether the applicant is amenable to providing additional trees on the site; Mr. Anderson suggested an additional two trees per lot and Ms. Gilmore concurred.

Mr. Fang reiterated his concern that his driveway from 7 Darrow Street would be removed.

Mr. Rolle recommended a continuance to allow staff to investigate the matter.

Alex Smith, the applicant, gave a history of how the lot was divided.

Mr. Rolle stated he would still feel more comfortable with a continuance.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to continue the meeting to the May 5th, 2021 Planning Board meeting.

11. 616 & 630 Plantation Street (PB-2021-027)

a. Public Meeting – Parking Plan

b. Public Hearing – Amendment to Special Permit for Water Resource Protection Overlay District

Ms. Smith gave an overview of the project, which is within the Water Resources Protection Overlay District and is situated north of Coal Mine Brook; the applicant received additional funding for the project and reconfigured the layout from what was approved; Ms. Smith described the notable changes from what was approved to what is being proposed, which includes changing access points to the site and adding a bioretention feature (rain garden) while improving pedestrian connectivity on the site and with the surrounding area. She stated that overall the proposal reduces impervious surface from the previously approved plan, and noted that adjustments to the final percentages should be reflected in the revise plans.

Peter Proulx, Worcester Housing Authority, explained where additional funding came from and what that has allowed Housing Authority to do (relocate proposed warehouse, eliminate some parking, etc.); he stated that the redesign will help avoid cut-through traffic from the I-290 exit ramp onto Lake Ave.

There were no staff comments or public comments.

Board Discussion

Mr. Moynihan asked the applicant about change in fleet vehicles being parked on site; the applicant clarified that these vehicles would be parked in the proposed gated area. He also asked whether emergency spill kit would be on site; Ms. Smith stated that this would be conditioned, and noted that EV charging stations were proposed as well.

Mr. DePalo reiterated Mr. Moynihan's comments.

Ms. Gilmore stated that she is pleased with updates to the plan; she had voted no on the special permit when it was approved but plans to vote in favor this time. She asked applicant to confirm waivers being requested; Peter Glick confirmed.

Mr. LaValley stated that this is clearly an improvement.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to close the hearing.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to approve the Amendment to Special Permit and approve the Parking Plan, subject to staff recommended conditions of approval, and to grant waivers as described in staff memo.

12. 99 Salisbury Street (PB-2021-028)

a. Public Meeting – Definitive Site Plan

Ms. Lau described the project, the demolition of an existing fraternity house and the construction of another fraternity house, and explained that it was before the Board because it abuts a historic district and because it is a lodging house. She pointed out that the new building is similar in façade and massing to existing; described landscaping proposed and that staff has asked for additional screening of transformer. Staff recommended that if the large maple tree is removed during construction, then two small trees shall be planted as replacements.

Carl Hultgren on behalf of the applicant described the history of the building. He stated that the new building will be of same footprint but will be code-compliant. He also stated that the tree on-site will be taken down.

Mr. Lyford (DPW) asked that applicant work with Water Department to make sure water connection meet all applicable standards. There were no other staff comments or public comments.

Board Discussion

Mr. DePalo had no comment.

Ms. Gilmore had no comment.

Mr. Moynihan asked whether the rendering reflected what building will actually look like; Bill Masiello stated that it would and described the building materials and facades. Mr. Moynihan asked for clarification that Fire has signed off; Ms. Smith stated that they have.

Mr. LaValley stated that he is in support.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to approve the Definitive Site Plan, subject to staff recommended conditions of approval and DPW comments.

13. 142 (aka 148) Southbridge Street (PB-2021-029)

a. Public Hearing – Amendment to Special Permit to allow an Adult Use Marijuana Establishment-Storefront Retailer use

Ms. Smith gave an overview of the proposed amendment, which is to reflect an asset purchase from Nature's Remedy of Massachusetts, Inc. to Life Essence, Inc.

Attorney Joshua Lee Smith, on behalf of the applicant, gave a history of the project approval, and described the neighborhood and abutting businesses on Southbridge Street. He emphasized that nothing about the permitting and proposed layout is changing except for the permit-holder. He stated that the store is about to open.

Tara J. Hopper, Trulieve Counsel, gave an overview of Trulieve as a company and their social equity initiatives.

Mr. Smith described the host-community agreement and that the City Manager and Cannabis Review Committee are onboard with the amendment.

There were no staff comments or public comments.

Board Discussion

There were no comments by the Board members.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to close the hearing.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to approve the Amendment to Special Permit and accept the findings of fact.

14. 663 Burncoat Street (PB-2021-031)

a. Public Meeting – Definitive Site Plan

Ms. Lau gave an overview of the proposal, a site plan for a single-family home in the RL-7 zone and in the Water Resource Protection Overlay District. The applicant will file a Notice-of-Intent with the Conservation Commission. She went over the proposed green stormwater infrastructure, namely a series of rain-gardens to recharge roof runoff. She noted that site work will need to be done in collaboration with DPW for any work in the right-of-way. Lastly, she stated that applicant is maintaining vegetation where possible on the wooded parcel, and proposing additional plantings for screenings in addition to the rain gardens.

Wesley Flis, site engineer, stated that the property overlooks the abutting golf course and that rain gardens will allow for infiltration on-site. He was willing to answer any questions from the Board.

There were no staff comments or public comments.

Board Discussion

Mr. Moynihan asked about dissipation of runoff into Burncoat Street; applicant stated that they are not anticipating any additional runoff.

Mr. DePalo had no comment.

Ms. Gilmore asked whether the applicant would be requesting waivers; Mr. Flis stated that they can label soil types; Mr. LaValley stated the Board is okay with granting waivers and had no other comment.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 4-0 to approve the Definitive Site Plan, subject to staff recommended conditions of approval, and to grant waivers.

Other Business

15. Approval Not Required (ANR) Plan(s)

b. 6 Perrot Street

On a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 4-0 to endorse the ANR.

16. Communication(s)

There was no discussion.

17. Discussion of Board Policies and Procedures

There was no discussion.

18. Approval of Minutes -3/24/2021

On a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 4-0 to approve the minutes.

Adjournment

On a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted to adjourn at 7:58pm.