

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

May 5, 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
Toni Molinari

Planning Board Members Not Participating:

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

Call to Order – Mr. LaValley called the meeting to order at 5:36

Requests for Continuances, Extensions, Postponements, and Withdrawals

Continuances

- 1) 26 Apthorp Street & part of 7 Darrow Street (PB-2021-024)**
Request to Continue the Public Meeting to May 26, 2021
Extend the Constructive Grant Deadline to June 17, 2021

Postponements

- 2) 1103 Millbury Street (PB-2020-076) – Definitive Site Plan**
Request to Postpone the Public Hearing & Meeting to May 5, 2021
Extend the Constructive Grant Deadline to May 27, 2021
- 3) 7 Svea Street & portion of 195 Vernon Street (PB-2021-007) – Definitive Site Plan**
Request to Postpone the Public Meeting to May 26, 2021
Extend the Constructive Grant Deadline to June 17, 2021

- 4) **Attleboro Street (PB-2021-012) – 81-G Street Opening & GRO Ch. 12 Sec. 12**
Request to Postpone the Public Meeting to May 26, 2021
Extend the Constructive Grant Deadline to June 17, 2021
- 7) **60 Wall Street & Montreal Street (from Wall Street to Oakham Street) (PB-2021-021) – Definitive Site Plan & GRO Ch. 12 Sec 12.**
Request to Postpone the Public Meeting to May 26, 2021
Extend the Constructive Grant Deadline to June 17, 2021
- 15a) **15-17 Nathaniel Court (Private) (AN-2021-023)**
Request to Postpone the Public Meeting to May 26, 2021
Extend the Constructive Grant Deadline to June 17, 2021

Mr. LaValley read the continuances and postponements into the record.

On a motion by Ms. Gilmore, seconded by Mr. Moynihan, the Board voted 3-0 to approve the requested continuances and postponements.

New Business

- 9) **4 Stebbins Street (PB-2021-032)**
a. Public Hearing – Definitive (Frontage) Subdivision Plan
(This item went first.)

Ms. Lau gave an overview of the application; noted that it is currently privileged non-conforming and split-zoned; applicant is proposing to keep existing three-family on Lot 1 and construct a new three-family on Lot 2; noted that applicant has received relief from ZBA; noted that Fire has commented that new building will require sprinkler system installed.

David Sadowski, representing applicant, noted that special permit and relief for frontage has been granted by ZBA and recorded at Registry; noted that they are in agreement with comment from Fire.

Law had no representative at the meeting.

Zoning had no comment.

DPW had no representative at the meeting; Ms. Smith noted that Mr. Lyford of DPW had reviewed plans and had no comment.

No public comment.

Board Discussion

Mr. Moynihan had no comment.

Ms. Gilmore had no comment.

Mr. LaValley noted that applicant has requested waiver.

On a motion by Ms. Gilmore, seconded by Mr. Moynihan, the Board voted 3-0 (DePalo and Molinari absent) to close the public hearing.

On a motion by Ms. Gilmore, seconded by Mr. Moynihan, the Board voted 3-0 to approve the Definitive "Frontage" Subdivision Plan, subject to staff-recommended conditions of approval, and to grant waivers.

Other Business

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

- a. ~~15-17 Nathaniel Court (Private) (AN-2021-023)~~
- b. 45-47 Wilbur Street (Public) (AN-2021-024)
- c. 0 Milton Street (Private) (AN-2021-025)
- d. 480 & 480B Sunderland Road (Public) & Westdale Street (Private) (AN-2021-026)
- e. 115-149 Madison Street, Green Island Boulevard Lamartine Street, & Washington Street (Public) (AN-2021-027)

On a motion by Ms. Gilmore, seconded by Mr. Moynihan, the Board voted 3-0 (DePalo and Molinari absent) to approve the ANRs 11b.-11e.

The Board took at five minute recess at this time.

New Business

10) 16 Yukon Avenue (PB-2021-033)

- a. Public Meeting – Definitive Site Plan

Ms. Lau gave an overview of the application; noted that garage is compliant with regards to height and has received a special permit for its location in the front yard – location due to steep slopes on the property; noted that there was a condition in the ZBA approval to show connection from front door to driveway.

Patrick Healy on behalf of applicant stated that he finds staff recommended conditions of approval to be acceptable.

Zoning had no comment.

Ms. Smith noted that DPW had no comment.

No public comment.

Board Discussion

Ms. Gilmore asked applicant to confirm the waivers being requested; Mr. Healy confirmed.

Mr. Moynihan asked applicant to clarify in response to Fire comments; Mr. Healy explained difference in grade between roadway and foundation.

Ms. Molinari had no comment.

Mr. LaValley asked applicant to explain how stairs will accommodate existing elm tree; Mr. Healy stated that it can be accommodated; Mr. Rolle stated that there is not a need for an additional condition of approval.

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

6) 573 Grafton Street (PB-2021-020)

On a motion by Ms. Gilmore, seconded by Mr. Moynihan, the Board voted 4-0 (DePalo absent) to postpone the public meeting to May 26, 2021 and extend the constructive grant deadline to June 17, 2021

Other Business

14. Approval of Minutes - 04/14/2021

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

12. Communication(s)

- a. Request for public comments on the draft Priority Habitat Map (Natural Heritage Atlas, 15th Edition) by July 3rd; from MA Division of Fisheries & Wildlife; received April 29, 2021.

Ms. Smith provided an overview. There was no discussion.

13. Discussion of Board Policies and Procedures

There was no business or discussion.

New Business

5) 41 Fremont Street and 32 Delaware Street (PB-2021-013)

- a. Public Meeting – Parking Plan (32 Delaware Street)

b. Public Hearing – Special Permit to allow an Adult Use Marijuana Establishment – Independent Testing Laboratory (41 Fremont Street)

Ms. Smith gave an overview of the application; applicant is proposing to use portion of existing building at 41 Fremont Street for an independent marijuana testing laboratory; applicant is proposing to make improvements to an existing lot at 32 Delaware, including eliminating a curb cut and providing landscaping in compliance with zoning ordinance; there is an additional improvements being made to existing parking at 41 Fremont Street; laboratory is proposed for second floor, and Ms. Smith noted that samples being brought to lab will be small in size; applicant anticipates no more than 10 employees in the building at once, and Ms. Smith noted that proposed parking is adequate; Ms. Smith noted that existing street lighting will remain and no additional lighting is being proposed; applicant is proposing to

restore fence and keep fencing at 6 feet, but staff would like to see 4-foot fencing to create a more pedestrian-friendly environment while maintaining lot security.

Tye Thaden of Legacy Foundation Group, applicant, explained purpose of the marijuana testing lab, that they do not cultivate or sell marijuana; gave an overview of how marijuana passes through facility and is determined to be safe for use; described disposal of marijuana; described delivery process and that they would use third-party transport services; described security measures taken; described odor control and that minimal sample sizes would prevent odor nuisance.

Zoning had no comment.

Ms. Smith noted that Mr. Lyford of DPW commented that proposed handicap ramp does require additional approval from Parking and Traffic Committee; noted that Water had comment as well; but neither needs to be conditioned.

No public comment.

Board Discussion

Mr. DePalo had no comment.

Ms. Molinari had no comment.

Ms. Gilmore noted her appreciation of the presentation; noted that she would defer to staff relative to placement of the fencing; asked applicant to confirm waivers that would be requested relative to special permit (Mr. Thaden formally requested); Mr. Thaden noted that they are requesting all staff-recommended waivers; Ms. Gilmore noted her appreciation that landscaping of the parking lot in an improvement.

Mr. Thaden explained that reason for 6-foot height of proposed fence is for security purposes.

Mr. Moynihan asked for clarification on leasing arrangement with parking; Mr. Thaden clarified; Mr. Moynihan noted that he would like to see EV charging spaces infrastructure installed.

Mr. LaValley noted his preference for a 4-foot fence; noted that he too would like to see EV charging space infrastructure but appreciates challenges; asked Ms. Smith to clarify about condition of approval relative to the fencing; Ms. Smith clarified.

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

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 5-0 to approve the Parking Plan for 32 Delaware Street, subject to staff-recommended conditions and granting waivers, incorporating DPW comments dated 04/07/21; and to approve Special Permit for an Adult Use Marijuana Establishment – Independent Testing Laboratory for 41 Fremont Street, subject to staff-recommended conditions and granting waivers and accepting petitioners' findings of fact as modified by staff.

8) 85, 89, 99, & 103 Green Street, 2 (aka 12) Plymouth Street, 5 & 7 Gold Street, and a portion of 62 Washington Street (PB-2021-030)

a. Public Meeting – Definitive Site Plan

Thomas Keane, Gold Block LLC, applicant, gave a brief overview on the proposed development and introduced team.

Mr. Rolle gave an overview of the proposed development; 319 residential units, 152 parking spaces, and commercial spaces; noted that applicant has done a good job activating the street front; gave an overview of ground floor plans-- noted that EV ready spaces can be added to parking garage, noted that there is bicycle storage proposed; gave overview of floors and proposed amenity spaces; noted applicant is proposing series of green roofs to attenuate storm water runoff; noted that vehicular access is off of side street and does not disrupt Green Street; gave overview of streetscape amenities and architectural facades.

Mr. Rolle noted that it does meet dimensional requirements and summarized conditions of approval; noted that staff recommends a condition that sidewalk detail be updated to have sidewalk continue at-grade through garage entry; noted that staff recommends condition regarding tree well grates subject to DPW input; asked condition regarding Dark-Sky compliance be struck.

Joe Stromer, project architect, stated that project seeks to meet City housing needs; stated that aim is to provide live-work opportunity; stated that aim is to hide parking from view to maintain pedestrian environment; stated that architectural style is to capture historic character.

Zoning had no comment.

Ms. Smith noted that Mr. Lyford of DPW had a comment that staff recommends is incorporated.

Public Comment

Nathan Sabo, Worcester resident at 48 Water Street, stated that he is generally in favor but has a number of concerns; stated that there has not been public outreach and that there is neighborhood meeting on May 26th; concerned that building walls off stadium from the Canal District; concerned about impact of construction.

Jennifer Kaiser of 48 Water Street, Worcester, stated that she seconds Nathan's concerns; stated that they were not consulted prior to this meeting; concerned about walling off park and blocking view of park for Canal Lofts; stated that there is no precedent for 13-story apartment building in the neighborhood; stated that there is already an excess of rental units in the area.

Ms. Lau summarized comments from Julie Downen of the Worcester Heritage Society, expressing her concern about the historical value of 89 Green Street.

Mr. LaValley read comments from Allen Fletcher of Worcester, MA stating that he is in support of mixed uses but that it is too large.

Mr. Sabo stated that as an abutter he never received an abutter's notice and wish there had been more opportunity for public comment.

Board Discussion

Ms. Gilmore stated that she is pleased to see bicycle spaces and green roof elements; stated that she is concerned about scale of the building, and that Board should consider what they wish the Canal District neighborhood to be--noted that there is nothing comparable to building nearby; she would be glad to see more residents in the Canal District but still has reservations about scale relative to neighborhood character; stated that she would like to see less vehicle parking in order to better create a dense walkable neighborhood, and would like to see more incentivizing of residing without cars; noted that she shares public commenters' disappointment with lack of notification, and would like applicant to explain how they will engage with public.

Mr. Keane noted that applicant team did attend Canal District Alliance meeting in January and heard support for building size and density, and that they would be amenable to attending neighborhood meeting on May 26th.

Ms. Gilmore asked if there were still 16 accessible units and asked for a description of accessible units; Mr. Stromer confirmed and gave a description.

Ms. Gilmore asked applicant to consider existing commercial tenants and to make efforts to ensure that they are not displaced.

Mr. Moynihan noted that it is Jane in the Woo Week and discussed how Jane Jacobs would interpret this building; noted that this is an evolving neighborhood; noted his appreciation for the green roofs; asked applicant whether architectural rendering will reflect final product.

Mr. Keane stated that a lot of thought was given by the applicant team to the façade and that they expect it will remain as is.

Mr. DePalo stated his appreciation for the thought put into the façade and materials and efforts at sustainability; asked applicant to confirm that they were amenable to street tree grates; also noted that he wishes to see more consideration of families in developing projects like this one.

Mr. Keane confirmed that tree grates will be incorporated and shown on next set of plans.

Mr. LaValley noted that there has been other large buildings that have gone through development process in the surrounding area.

Ms. Molinari had no comment and was glad to see more housing.

On a motion by Ms. Gilmore, seconded by Mr. DePalo, the Board voted 5-0 to approve the Definitive Site Plan subject to staff-recommended conditions of approval, adding conditions:

That street tree wells along Green Street be outfitted with grates of a specification satisfactory to DPW

That a sidewalk detail be updated to carry the sidewalk at grade to comply with city standards and striking condition, granting waivers, and incorporating DPW comments dated 4/28/21.

Adjournment

Mr. DePalo noted his appreciation for the Board and for staff during his tenure on the Board.

On a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted to adjourn at 7:45pm.