



The City of
WORCESTER

Planning Board

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

Wednesday, July 20, 2022

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 415-655-0001 (Access Code: 1601714991).

Board Members Present: Edward Moynihan, Vice Chair
Conor McCormack
Brandon King (*Participated Remotely*)

Board Members Absent: Albert LaValley, Chair

Staff Present: Steve Rolle, Division of Planning & Regulatory Services (DPRS)
Rose Russell, Division of Planning & Regulatory Services (DPRS)
Jodie Kennedy Valade, Inspectional Services (*Participated Remotely*)
Sean Quinlivan, DPW

Call to Order

Board Vice Chair Mr. Moynihan called the meeting to order at 5:35 pm.

Request for Continuances, Extensions, Postponements, and Withdrawals

1. 1103 Millbury Street (PB-2020-076)

a. Public Meeting –Amendment to Definitive Site Plan

Request to postpone the public meeting to September 21, 2022 and extend the constructive grant deadline to October 13, 2022

2. 0 Meadow Lane/Pleasant Street (fka part of 14 Meadow Lane) (PB-2022-010)

a. Public Meeting – Definitive Site Plan

Request to postpone the public meeting to August 31, 2022 and extend the constructive grant deadline to September 22, 2022

4. 0 and part of 360 Salisbury Street (PB-2022-036)

a. Public Meeting – Definitive Site Plan

Request to postpone the public meeting to August 17, 2022 and extend the constructive grant deadline to September 1, 2022

5. 56 Millbrook Street (PB-2022-039)

- a. Public Hearing – Amendment to Special Permit

Request to postpone the public hearing to August 17, 2022 and extend the constructive grant deadline to September 1, 2022

6. 149 Plantation Street & 2 LaPierre Street (PB-2022-040)

- a. Public Hearing – Preliminary Subdivision Plan

Request to postpone the public hearing to August 17, 2022 and extend the constructive grant deadline to September 1, 2022

8. 781 & 783 Grove Street & 94 Parkton Avenue (PB-2022-042)

- a. Public Meeting – Amendment to Definitive Site Plan
b. Public Hearing – Amendment to Special Permit

Request to postpone the public meeting & hearing to August 17, 2022 and extend the constructive grant deadline to September 1, 2022

On a motion made Mr. McCormack, and seconded by Mr. King, the Board voted 3-0 to grant the continuances and postponements.

New Business

3. 43 Carpenter Avenue (PB-2022-035)

- a. Public Meeting – Definitive Site Plan**

Larry Green, on behalf of the application spoke before the Board. He described the proposal and stated he was amenable to all staff conditions of approval.

Mr. Rolle gave brief comments from the Planning department and stated the straightforward nature of the application. He described the only reason the applicant is present is due to slopes greater than 15%.

No public comment.

No comment from DPW, Law or Zoning.

Mr. Moynihan asked if DPW was satisfied with the plan. Mr. Quinlivan confirmed he was.

On a motion by Mr. McCormack, seconded Mr. King, the Board voted 3-0 to approve the Definitive Site Plan.

7. 0, 9, & 19 Hemans Street, 7 Hemans Court, and 40R Milton Street (PB-2022-041)

a. Public Meeting – Amendment Definitive Site Plan

Donald J. O’Neil described the proposal and the reason the application. The application had previously been before the Planning Board, but needed to amend approval due to the changed design. Mr. O’Neil described the only change in the proposal is located in the lower level of the parking garage. He stated due to the topography of the land, the applicant requests to reduce parking by 42 parking spaces. Mr. O’Neil addressed DPW comments, and asked if their conditions could be tied to the issuance of the building permit rather than the site plan approval.

Mr. Rolle described the project briefly. He described the major changes and the conditions of approval from the original approval that have been incorporated in the current site plan. He also noted Item 1A & 1B have both been addressed and may be removed from the conditions of approval. Mr. Rolle asked for verification of number of EV chargers and asked that public sidewalk design could be done in coordination with the City.

Mr. O’Neil stated the number of EV chargers has remained the same as prior approval. He also stated the applicant is amenable to the added sidewalk condition.

Mr. Quinlivan gave DPW comments. He also stated he would be comfortable with DPW comments as conditions of approval for the building permit instead of site plan approval.

No comments from law or zoning.

No public comments.

No Board discussion

On a motion by Mr. McCormack, seconded by Mr. King, the Board voted 3-0; to approve the amendment to the Definitive Site Plan; striking condition 1A and 1B; and addition of condition that states all DPW comments must be addressed prior to issuance of a building permit.

9. Sala Street Right of Way (from Ararat Street South +/- 400 feet) (ST-2022-006)

a. Public Hearing – Private Street Removal

Joseph Boynton on behalf of the applicant spoke before the Planning Board. He described the history of Sala Street, aerial photos from 1950; old city plans; and when it was added to the official city map. He described the existing conditions of Sala Street and the way nature has overtaken it. He described the flowing water and the steep slopes that make it difficult to even begin constructing a road in this area.

Mr. Rolle described the unconstructed private way or “paper road” and the authority the Planning Board has to remove these street from the official city map if no person of interest objects.

The zoning, DPW and the law department had no comments.

Paul Novak spoke before the Board on behalf of the owners Lot 8 Sala Street and strongly objected to the removal of Sala Street. He stated his client only has access through Sala Street and would incur financials damages if the street was to be removed. Mr. Novak also stated the applicant applying for the removal only has

financial interests and they have tried to do the same in the past and cited a superior court decision. Mr. Novak stated he feels a continuation to get law department input is the only proper avenue forward.

Mr. Boynton responded to the comments made by Mr. Novak.

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Mr. Rolle described the different options the Board has. He recommended the Board continue this item to the August 17th Hearing to get further input from the law department.

Mr. King stated since there is opposition, it seems reasonable to object to the removal, but firstly would like to differ to the law department. Mr. McCormack agreed.

Mr. Boynton stated he and Mr. Novak prefer a September continuance date. He also asked how it would be possible to restart the hearing to get a full 5-member Planning Board.

On a motion by Mr. McCormack, seconded Mr. King, the Board voted 3-0 to continue this item to September 21st to get a memo from the law department.

10. Amendment to the Commercial Corridors Overlay District (Article IX, Section 5) (ZA-2022-006)

a. Public Hearing – Zoning Ordinance Amendment

Steven Madaus, from Merrick O'Connell, representing the applicant spoke before the Board. He described the petition to amend a condition in the CCOD. The petition seeks to amend provision 5B to broaden uses allowed by special permit to give developers/property owner more flexibility.

Mr. Rolle described the petition, and the way it controls adaptive reuse of existing buildings. He described the main effect this petition would have it to give more flexibility to recuse of buildings or new construction on property that has underlying zones that may have more restrictions related to things such as manufacturing that is no longer located in urban areas. He also stated his support of the petition.

No public comment

No comment from zoning, DPW or the law department.

Mr. McCormack, Mr. Moynihan and Mr. King both stated they were in favor.

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

On a motion by Mr. Moynihan, seconded Mr. McCormack, the Board voted 3-0 to favorably recommend the petition to City Counsel.

11. 55 & 57 Cedar Street; 25, 27, & 29 Sever Street; 91, 93, 95, & 97 Elm Street; and 101, 103, & 105 Merrick Street (ZA-2022-007)

a. Public Hearing – Zoning Map Amendment

Brian Falk from Mirick O’Connell on behalf of the applicant. He described the zoning map amendment to rezone the listed properties from RL-7 to RG-5. He described a previous rezoning amendment, and stated his client and others would have joined if they had known. Mr. Falk stated the adaptive reuse of rezoning to RG-5 would allow for greater housing density and flexibility for light offices.

Mr. Rolle briefly described the petition, and the additional uses allowed in the RG-5 zoning district.

No comments from zoning, DPW or the law departments.

No public comments.

Mr. King, Mr. Moynihan and Mr. McCormack stated their approval.

Mr. Rolle stated a local historic district may be implanted in this area in the near future and the process is underway currently.

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

On a motion by Mr. Moynihan, seconded Mr. McCormack, the Board voted 3-0 to favorably recommend the zoning map amendment to City Counsel.

Other Business

12. Street Petitions

a. Ernest A. Johnson Tunnel – Vertical Discontinuance & Removal from Official Map (ST-2022-007)

Mr. Rolle described the unique proposal. He stated there is no physical street and it will be removed from the official map but retain layout for subterranean tunnel.

No Comments from the public, law, DPW or zoning.

No Board discussion.

On a motion by Mr. Moynihan, seconded Mr. McCormack, the Board voted 3-0 to favorably recommend the Vertical Discontinuance & Removal from Official Map to City Counsel.

13. Approval Not Required (ANR) Plans(s)

a. 50 Skyline Drive (Officer Manny Familia Way) (Parks Road) (AN-2022-008)

b. 457 Granite Street (Public) (AN-2022-023)

c. 450 Granite Street & 11 Cliff Street (Public) (AN-2022-029)

d. 610 Lincoln Street (Public) (AN-2022-030)

e. 5&7 Attleboro Street (Private) (AN-2022-031)

f. 9 Glade Street & Kendig Street (Public) (AN-2022-032)

Mr. Rolle briefly described the ANR plans 13A, 13D, 13E. ANR plans B and F were not property in front of the Board.

On a motion by Mr. Moynihan, seconded Mr. McCormack, the Board voted 3-0 to endorse ANR plans 13A, 13D, and 13E.

Mr. Rolle described ANR plan 13C to the Board.

On a motion by Mr. Moynihan, seconded Mr. McCormack, the Board voted 3-0 to endorse ANR plans 13C.

14. Communications

a. Uproot LLC – Notice of Community Outreach Meeting – 41 Fremont Street

b. MA Dept of Environmental Protection – Waterways License Application – 215 Lake Avenue

Mr. Moynihan described the communications.

15. Approval of Minutes –6/8/2022; ~~6/9/2022; 6/29/2022~~

On a motion by Mr. Moynihan, seconded Mr. McCormack, the Board voted 3-0 to endorse minutes from the Planning Board hearing on 6/8/2022.

Adjournment

On a motion by Mr. McCormack and seconded by Mr. King, the Board voted 3-0 to adjourn at approximately 7:03 p.m.