

City of Worcester Planning Board



**DEFINITIVE SITE PLAN APPLICATION**

Division of Planning & Regulatory Services

City Hall, 455 Main Street, Room 404, Worcester, MA 01608

Phone: (508) 799-1400 x 31440 – Fax: (508) 799-1406 – E-mail: [planning@worcesterma.gov](mailto:planning@worcesterma.gov) (preferred)

**1. PROPERTY INFORMATION**

- a. 135 Brooks Street  
Address(es) – please list all addresses the subject property is known by
- b. 37-023-00005; Parcel ID: 55835  
Parcel ID or Map-Block-Lot (MBL) Number
- c. Worcester District Registry of Deeds, Book 65536 Page 319  
Current Owner(s) Recorded Deed/Title Reference(s)
- d. Manufacturing, General (MG-0.5)  
Zoning District and all Zoning Overlay Districts (if any)

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**2. APPLICANT INFORMATION**

- a. 135 Brooks Street Industrial LLC  
Name(s)
- b. c/o Criterion Group LLC, 28-18 Steinway Street, Astoria, NY 11103, Attn: Matthew Frank  
Mailing Address(es)
- c. jsmith@bowditch.com; 508.926.3464  
Email and Phone Number(s)
- d. Owner  
Interest in Property (e.g., Lessee, Purchaser, etc.)


**I certify that I am requesting the Worcester Planning Board grant the Definitive Site Plan as described below**

135 Brooks Street Industrial LLC  
By: [Signature]  
(Signature) Matthew Frank, Authorized Signatory

**3. OWNER OF RECORD INFORMATION (IF DIFFERENT FROM APPLICANT)**

- a. Same as Applicant  
Name(s)
- b. \_\_\_\_\_  
Mailing Address(es)
- d. \_\_\_\_\_  
Email and Phone Number

**4. REPRESENTATIVE INFORMATION**

- a. Joshua Lee Smith, Esq.  
Name(s)
- b.   
Signature(s)
- c. 311 Main Street, Worcester, MA 01608  
Mailing Address(es)
- d. jsmith@bowditch.com; 508.926.3464  
Email and Phone Number
- e. Attorney  
Relation to Project (Architect/Attorney/Engineer/Contractor, etc.)

**5. AUTHORIZATION**

Matthew Frank, as Authorized Signatory of  
Authorization I, 135 Brooks Street Industrial LLC, Owner of Record of the property listed with the

Assessing Division of the City of Worcester, Massachusetts as Map 37 Block 23 Lot(s) 00005, do hereby

authorize Joshua Lee Smith to file this application with the Division of Planning & Regulatory

Services of the City of Worcester on this the 11th day of November, 2022.


~~135 Brooks Street Industrial LLC~~

By:   
Matthew Frank, Authorized Signatory

On this 11 day of Nov., 2022, before me personally appeared

Matthew Frank, to me known to be the person described in and who executed the foregoing

instrument and acknowledged that they executed the same as their free act and deed.

  
NOTARY PUBLIC  
My Commission Expires: 2/29/24

**SALIM JUBAIRE**  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01SA6338006  
QUALIFIED IN QUEENS COUNTY  
COMMISSION EXPIRES FEB 29, 2024

*(If there is more than one owner of the land to be considered in this application, a notarized authorization is required for each owner.)*

**6. PROVIDE THE FOLLOWING ITEMS, 1 DIGITAL COPY IN PDF FORMAT VIA EMAIL TO [PLANNING@WORCESTERMA.GOV](mailto:PLANNING@WORCESTERMA.GOV) AND CONFIRM WITH STAFF BEFORE SUBMISSION OF 1 PHYSICAL COPY BY HAND DELIVERY OR MAIL:**

- Zoning Determination Form** obtained from the Inspectional Services Division (email [inspections@worcesterma.gov](mailto:inspections@worcesterma.gov) or call 508 – 799 – 1198 for more information)
- Completed Site Plan Application, signed by all parties involved.
- Completed **Tax Certification** for the  Applicant and  Owner (if different) are attached (page 4)
- If the applicant is NOT the Owner, the **Owner(s) Authorization** for the applicant to apply is attached (page 2)
- A **Certified Abutters List(s)** issued within 3 months of this application's filing date which includes all properties affected and includes any contiguous, commonly owned property(s). This can be obtained from the Assessor's Office and includes all abutters and abutters to abutters within 300' of the edge of the land owner's property.  
*Note: if the property(s) is within 300 ft. of another town an abutters list from that town may be required*
- Project Impact Statement** describing the proposed project and analyzing how the project and site layout were designed with consideration for and to be compatible with the review criteria in the Zoning Ordinance.
- Site Plan** showing the full project scope and all elements listed in Item 11 of this application, stamped and signed by all applicable professionals
- Architectural drawings** showing exterior elevation, height in feet and stories, exterior materials for all structures, and corresponding floor plans stamped and signed by all applicable professionals
- Stormwater Report** demonstrating compliance with Massachusetts Stormwater Standards for the project, as applicable based on project type and scope (*contact staff to confirm*)
- Traffic Study**, if necessary based on expected traffic generation (*contact staff to confirm*)

**7. PROVIDE 1 PHYSICAL COPY OF THE FOLLOWING ITEMS:**

- One stamped (i.e. postage paid) pre-addressed envelope for *each* party on the Abutters List and the applicant (if different from the owner), with the following return address:

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

- Filing Fee** of \$\_\_\_\_\_ is enclosed (*see fee schedule or contact staff to confirm amount*).



**10. PROJECT TYPE AND DESCRIPTION**

**a. Existing Conditions.** Describe the current/existing use of the property

The site consists of approximately 17.25+/- acres of land and was previously occupied by the Worcester Showcase North Cinemas.

The cinema building has since been demolished, and only a pad remains with surface parking for 932+/- vehicles.

**b. Proposed Conditions.** Check the box for all of the categories that describe the proposed project:

Proposed Project Type			
Residential	<input type="checkbox"/>	New Construction	<input checked="" type="checkbox"/>
Industrial/manufacturing	<input type="checkbox"/>	Rehabilitation/Renovation	<input type="checkbox"/>
Business	<input checked="" type="checkbox"/>	Expansion/Addition	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Change of use	<input checked="" type="checkbox"/>
Subdivision	<input type="checkbox"/>	Drive-through	<input type="checkbox"/>
		Gas station	<input type="checkbox"/>
		Lodging House	<input type="checkbox"/>
		Historic Property	<input type="checkbox"/>
		Abuts Historic Property	<input type="checkbox"/>
		Billboard	<input type="checkbox"/>
		Airport Environs Overlay	<input type="checkbox"/>
		≥15% Slope Disturbed	<input type="checkbox"/>

**c.** Describe the proposed use of the property (attach separate narrative if needed)

The proposed use involves the construction and development of an approximately 150,000 square foot warehouse/distribution building with 36 loading docks, on-site parking for 173 passenger vehicles and 146 trailers, landscaping, a screening fence and other related site improvements.

**d.** Fill in all information relevant to the proposed project

All Projects	Existing	Change +/-	Total
Overall lot size in square feet	751,403	No Change	751,403
Number of buildings	0	1	1
Total square footage of building(s)	N/A	150,000	150,000
Number of stories of building(s)	N/A	1	1
Number of parking spaces	932+/-	-759	173
Number of loading spaces	N/A	36	36
Changes to on-street parking	N/A	N/A	N/A
Total vehicle daily trips. <i>Please consult staff for specific thresholds requiring review.</i>			
Square feet of wetlands			
Square feet of surface (open) water			
Square feet of area vegetated/wooded			
Number of trees over 9" in caliper			
Cubic yards of fill material to be imported/ exported			
Square feet of property in floodplain			
Length of roadway (in feet or miles)			
<b>Residential</b>	<b>Existing</b>	<b>Change +/-</b>	<b>Total</b>
Number of units	N/A	N/A	N/A
If multi-family, number of bedrooms per unit			
Number of accessible units			
Number of affordable units			
<b>Business/ Industrial</b>	<b>Existing</b>	<b>Change +/-</b>	<b>Total</b>
Gross square feet of floor area	N/A	150,000	150,000

**11. ZONING**

If this project has already been granted Zoning Relief by the Zoning Board of Appeals, please list the relief below:

Type of Relief	Date Approved
N/A	

**12. PERMITS REQUIRED**

List any **Federal, State, or City of Worcester** agencies from which permits or other actions have been or will be sought. Please continue list on an attached sheet if needed.

Agency Name	Permit Type	Date Filed	File Number
ISD	Building Permit	To be filed	To be issued

**13. PLAN REQUIREMENTS**

The following information is required of all applications submitted for Site Plan Review. If you are not providing one of these, please check "waiver requested" next to the item.

Feature	Waiver Requested	Location in Set (Sheet/ page #)
a. Site Plan at a minimum 1" = 40'-0" scale, legend, & properly oriented north arrow	<input type="checkbox"/>	C-302/C-303
b. Locus plan with zoning information shown	<input type="checkbox"/>	C-301
c. Existing utilities	<input type="checkbox"/>	C-502/C-503
d. Existing and proposed grading using differing linetypes, showing 2' contours	<input type="checkbox"/>	C-402/C-403
e. Soil types identified on the plan (including test-pit/boring locations)	<input type="checkbox"/>	C-402/C-403
f. Location of all trees over 9" caliper inches on existing conditions plan	<input type="checkbox"/>	C-201
g. Architectural elevations or renderings (including exterior materials)	<input type="checkbox"/>	
h. Landscape plan including plantings, and details for all landscape elements	<input type="checkbox"/>	C-702/C-703
i. Shade trees to reduce heat island effect. (1 tree required per dwelling unit and a minimum of 1 tree required for every 10 interior parking spaces, 3.5" caliper size)	<input type="checkbox"/>	C-702/C-703
j. Stormwater mitigation measures for the 2, 10, 25, & 100-year design storm. Provide a stamped Stormwater Checklist & Calculations. <i>All projects shall comply with Massachusetts Stormwater Standards, as applicable to project scale.</i>	<input type="checkbox"/>	C-402/C-403
k. For multi-family residential dwellings in B zones, 10% of site area has been provided for recreation. <i>Note: See Article IV, Section 2, Table 4.2, footnote 3.</i>	<input type="checkbox"/>	

## 14. REVIEW STANDARDS

The following standards shall be used by the Planning Board in reviewing all applications for site plan review. These standards are intended to provide a frame of reference for the applicant in development of applications. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation. Applicants are encouraged to evaluate the extent to which the site plan, its immediate and general locus and the City more generally can tolerate the development being proposed and adjust their proposals accordingly.

Applicants should additionally provide a narrative **"project impact statement"** summarizing how the proposed project has been designed with the following criteria in mind by evaluating their proposal on the basis of the following 16 review standards, as outlined in the Zoning Ordinance per Article V, Section 5, B.

Provide the following information about the proposed project in relation to the review standards. If you are not providing one of these features please check "none" next to the item.

### 1. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

Feature	None	Page/ sheet #
a. Pedestrian pathways internal to the site, with dimensions of path widths	<input type="checkbox"/>	C-302/C-303
b. Pedestrian pathways connecting to sidewalks or nearby amenities	<input type="checkbox"/>	C-302/C-303
c. Doors/egress to all existing and proposed buildings	<input type="checkbox"/>	C-302/C-303
d. Pedestrian paving and surface treatment details	<input type="checkbox"/>	C-901/C-904
e. Safe, ADA accessible pedestrian crossings at driveways and intersections	<input type="checkbox"/>	C-302/C-303

### 2. Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic controls.

Feature	None	Page/ sheet #
a. Driveway layout & materials	<input type="checkbox"/>	C-302/C-303
b. Dimensions of all drives and curb cut widths, minimizing the number and width of curb-cuts (see Note 5 to Table 4.4)	<input type="checkbox"/>	C-302/C-303
c. Access control and directional signage (e.g. gates, pavement markings, etc.)	<input type="checkbox"/>	C-302/C-303
d. Pavement and curb details, including level sidewalks at driveways	<input type="checkbox"/>	C-901/C-904
e. Permeable or porous paving, and/ or cool pavements/ treatments	<input checked="" type="checkbox"/>	

### 3. Location, arrangement, appearance and sufficiency of off-street parking and loading.

Feature	None	Page/ sheet #
a. Number of parking spaces provided (9 x 18)	<input type="checkbox"/>	C-302/C-303
b. Number of compact parking spaces (8 x16)	<input checked="" type="checkbox"/>	
c. ADA parking spaces	<input type="checkbox"/>	C-302/C-303
d. Parking aisle width (24 feet for 90° parking; see policy for angled spaces)	<input type="checkbox"/>	C-302/C-303
e. Parking is outside front & exterior side yard/setback (except residential drives)	<input type="checkbox"/>	C-302/C-303
f. Loading spaces or docks (see Table 4.5 and related notes)	<input type="checkbox"/>	C-302/C-303
g. Screen planting between parking and edge of property or pedestrian paths	<input type="checkbox"/>	C-702/C-703
h. Number of electric vehicle charging stations or "ready" (conduit run) spaces	<input type="checkbox"/>	C-302/C-303
i. Bicycle parking (is it covered, or provided inside the building? Circle: YES NO)	<input type="checkbox"/>	C-302/C-303



4. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

Feature	None	Page/ sheet #
a. Building entrance fronting on the sidewalk	<input type="checkbox"/>	C-302/C-303
b. Front façade with features to add visual interest and activate street (e.g., window placement, variation of materials, reduction in massing, etc.)	<input type="checkbox"/>	C-302/C-303
c. Green roof, blue roof, rooftop solar, or use of high-albedo roof treatments	<input type="checkbox"/>	
d. Light levels appropriate for safety (1 foot candle) where pedestrians and vehicles will meet	<input type="checkbox"/>	C-802/C-803
e. Parking and circulation directional signage	<input type="checkbox"/>	C-302/C-303
f. Signage facing the street	<input type="checkbox"/>	C-302/C-303

5. Adequacy of stormwater and drainage facilities.

Feature	None	Page/ sheet #
a. Flood Zones, wetlands, watercourses, and water quality and wellhead protection areas	<input type="checkbox"/>	C-402/C-403
b. Bioswale or other open stormwater infiltration area planted with native vegetation (rain garden, etc.)	<input checked="" type="checkbox"/>	
c. Infiltration of clean runoff to maintain groundwater supply	<input type="checkbox"/>	C-402/C-403
d. Overflow or other connection to City stormwater infrastructure***	<input type="checkbox"/>	C-402/C-403

\*\*\*Contact DWP&P to determine any applicable sewer connection or use change fees.

6. Adequacy of water supply and sewerage disposal facilities.

Feature	None	Page/ sheet #
a. Connections to or extensions of city sanitary sewer and water utilities. <i>Contact DWP&amp;P to determine any applicable sewer connection or use change fees.</i>	<input type="checkbox"/>	C-502/C-503
b. Connections to or extensions of city storm drainage infrastructure	<input type="checkbox"/>	C-402/C-403
c. Footing or foundation drainage for a proposed structure or wall	<input type="checkbox"/>	C-402/C-403

7. Adequacy, type and arrangement of trees, shrubs and other landscaping elements in accordance with the Landscaping Design Standards set forth in Article V, Section-5(C).

Feature	None	Page/ sheet #
a. Walls, including height (show top & bottom elevations at highest and all intersecting points, minimize height whenever possible), materials, and related drainage.	<input type="checkbox"/>	C-702/C-703
b. Engineered slopes (rip-rap is not recommended)	<input type="checkbox"/>	C-702/C-703
c. Planted buffers between parking facilities and adjacent properties or roads	<input type="checkbox"/>	C-702/C-703
d. Proposed plantings and areas to be seeded (number, species or mix, size)	<input type="checkbox"/>	C-702/C-703
e. Fencing, including information on material, height, and style (including gates)	<input type="checkbox"/>	C-702/C-703
f. Planted buffers along rear and side yard setbacks	<input type="checkbox"/>	C-702/C-703

8. In the case of an apartment complex or other multiple dwelling, the adequacy of useable common property or open space. *Note: for residential uses in Business Districts see Article IV, Section 2, Table 4.2, footnote 3.*

Feature	None	Page/ sheet #
a. Outdoor seating (i.e. benches, seat walls, picnic tables, etc.)	<input type="checkbox"/>	
b. Recreation or play area (Is it designed for children/ families? Circle: YES NO)	<input type="checkbox"/>	
c. Raised beds for a community garden or other urban agriculture provisions	<input type="checkbox"/>	
d. Paved pedestrian plaza area (includes patios) or deck	<input type="checkbox"/>	
e. Interior common space and amenities or balconies	<input type="checkbox"/>	



**9. Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.**

Feature	None/	Page/ sheet #
a. Plan locating all existing (to remain) & proposed light fixtures	<input type="checkbox"/>	C-802/C-803
b. Details of all proposed light fixtures: showing max temperature of 4,000K, dark-sky compliant, and with shielding to prevent light spillover	<input type="checkbox"/>	C-802/C-803
c. Photometric plan for parking lots with ≥12 new spaces	<input type="checkbox"/>	C-802/C-803
d. Opaque fencing or evergreen planting to screen trash or utility areas (including siting and screening of roof-top equipment, as applicable)	<input type="checkbox"/>	C-702/C-703
e. Sound attenuation at loading, utility, and other noise generating areas with particular attention to sensitive neighbors	<input checked="" type="checkbox"/>	
f. Limit of clearing, with mature vegetation protected where possible	<input type="checkbox"/>	C-201

**10. Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.**

Feature	None	Page/ sheet #
a. Diagram of fire truck access path (applicant should coordinate turning radius and access requirements with the Fire Department)	<input type="checkbox"/>	
b. Clearly marked fire or emergency loading areas	<input type="checkbox"/>	C-302/C-303
c. Fire hydrants and/or FDC connections	<input type="checkbox"/>	C-502/C-503

**11. Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.**

Feature	None	Page/ sheet #
a. All buildings and utilities are located at or above the 500-year flood elevation	<input type="checkbox"/>	C-502/C-503
b. Drainage infrastructure is designed to reduce ponding and slow runoff	<input type="checkbox"/>	C-402/C-403

**12. Adequacy of erosion and sedimentation control measures to be utilized during and after construction.**

Feature	None	Page/ sheet #
a. Erosion control plan narrative sequence (including perimeter controls and temporary stormwater management) for construction activities	<input type="checkbox"/>	C-602/C-603
b. Plans for securing of any stockpiles on site during construction	<input type="checkbox"/>	C-602/C-603
c. Temporary and permanent slope stabilization/designs for slopes greater than 3H:1V; (note: loam and seed is not sufficient)	<input type="checkbox"/>	C-602/C-603
d. Slopes ≥2.5H:1V are engineered (note: loam and seed is not sufficient)	<input type="checkbox"/>	C-602/C-603
e. Temporary sediment basins and other means of stormwater velocity attenuation or conveyance proposed during construction	<input type="checkbox"/>	C-602/C-603

**13. Conformance and compatibility of the site plan design with structures listed in the most recent State Register of Historic Places.**

Feature	None	Page/ sheet #
a. Protection of existing historic architectural or site features	<input checked="" type="checkbox"/>	
b. Historically-sensitive façade, window, and roof treatments	<input checked="" type="checkbox"/>	

**14. Adequacy and impact on the regional transportation system.**

Feature	None	Page/ sheet #
a. Bus service within ¼ mile (indicate number of stops and route numbers)	<input type="checkbox"/>	
b. Improvements to neighborhood walk/bike-ability or public transportation	<input type="checkbox"/>	C-302/C-303

**15. Adequacy of plans and protective measures to ensure minimal risk of contamination to surface or ground water.**

Feature	None	Page/ sheet #
a. Snow storage locations (outside of basins and required parking/landscape buffer)	<input type="checkbox"/>	C-302/C-303
b. Water quality structures to remove total suspended solids (TSS) from runoff	<input type="checkbox"/>	C-402/C-403
c. Water quality structures to remove pollutants from runoff (i.e. oil/ water separators, etc.)	<input type="checkbox"/>	C-402/C-403
d. Plan for mitigation of any contaminated soils (include RTN, RAM Plan, AUL)	<input type="checkbox"/>	C-402/C-403
e. Locations of material to cut or filled (including the location of the source material if fill)	<input checked="" type="checkbox"/>	
f. Dewatering plans	<input checked="" type="checkbox"/>	

**16. Conformance of the site design with the purposes and intent of the Worcester Zoning Ordinance.**

Feature	None	Page/ sheet #
a. Minimum yard setbacks (for front, side, and rear)	<input type="checkbox"/>	C-302/C-303
b. Property and right-of-way boundary lines (include the status of ways)	<input type="checkbox"/>	C-302/C-303
c. Easements for any utilities, public access, or adjacent properties	<input type="checkbox"/>	C-302/C-303
d. Regularity factor for all lots	<input type="checkbox"/>	C-302/C-303
e. % paving within the front-yard for residential uses	<input checked="" type="checkbox"/>	
f. Height of all structures in feet and stories	<input type="checkbox"/>	C-301

**Statement in Support and Project Impact Statement of**  
**135 Brooks Street Industrial LLC Application to City of Worcester Planning Board**  
**for Site Plan Review Approval for Warehouse and Distribution Building Project at**  
**135 Brooks Street, Worcester, Massachusetts**

**I. Background and Project Scope.**

The property known and numbered as 135 Brooks Street, Worcester, Massachusetts,<sup>1</sup> contains approximately 751,403 square feet of land located at the former Worcester Showcase North Cinemas site (the “Property”). The site currently contains portions of the foundation of the cinema building that was recently removed, driveways and surface parking for 932+/- vehicles. The Property is located entirely within the Manufacturing, General 0.5 (“MG-0.5”) zoning district and is surrounded by manufacturing, warehouse, self-storage, welding and fabrication properties to the west, north and south and residences to the east across Brooks Street.

135 Brooks Street Industrial LLC (the “Applicant”) is seeking site plan review approval from the City of Worcester Planning Board (the “Board”) as more particularly described herein, in connection with the construction and development of an approximately 150,000 square foot warehouse and distribution building (“New Building”) with 36+/- loading docks, on-site parking for 173 passenger vehicles and 146 trailers, landscaping, opaque fencing and other related site improvements (the “Project”). The proposed redevelopment will be served via a single full access/egress driveway along Brooks Street. To best screen the proposed Project from the adjacent residential neighborhood, the Applicant also proposes the replacement of the two existing Brooks Street cul-de-sacs with a standard roadway and a gate to restrict vehicular traffic north-south on Brooks Street, all to be approved by the City’s Fire Department. The sidewalk will be reconstructed in this area with the remaining previously paved area planted with materials to properly screen the adjacent residences.

**II. Requirement for Approval of Site Plan Review.**

The development of a structure intended for a business use in excess of 10,000 square feet requires site plan review approval by the Board pursuant to Table 5.1 of Article V of the Zoning Ordinance. The New Building will be approximately 150,000 square feet, and, therefore, the Project requires site plan review. The Applicant is also seeking certain waivers as specified herein.

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<sup>1</sup> 135 Brooks Street has a parcel identification of 37-023-00005. The Property is also currently owned by 135 Brooks Street Industrial LLC.

### **III. Reasons for Approval of Definitive Site Plan.**

The Project satisfies the site plan review standards for review and criteria as set forth in Article V, Section 5.B of the Zoning Ordinance for the reasons stated herein:

- 1. Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic controls; Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.**

The proposed parking will provide a safe, adequate and efficient layout and design for vehicular (passenger, trucks and trailers) and pedestrian traffic. The proposed parking and loading areas, drive aisles, curb cut and building entrances will not cause any nuisance or hazard to vehicles or pedestrians within or off the Property or line of sight hazards along adjacent streets. The proposed drive aisles within the parking area will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles, trucks and City emergency vehicles. Emergency vehicles will be able to access the Property from Brooks Street. Safe, convenient and efficient pedestrian access to and from the New Building will be provided via new accessible walkways contained within the site.

Traffic generated and patterns of access and egress will not cause congestion, hazard or a substantial change to the pre-existing industrial neighborhood character, and the Project will not result in a substantial increase in trip generation levels to and from the Property as compared to the previous movie theater use. Projected trip generation for the Property based on ITE trip generation statistics indicates that the proposed use of the Property is estimated to generate approximately 42 vehicle trips during the weekday morning peak hour, 44 vehicle trips during the weekday evening peak hour, and approximately 276 vehicle trips on a daily basis. Projected daily trips for the Project represents a 91% decrease from the 2,966 daily vehicle trips generated by the former movie theater use of the Property; peak-hour trips relative to the prior movie theater use range from only 42 additional trips (32 entering and 10 exiting) during the weekday morning peak hour to 207 fewer trips (111 entering and 96 exiting) during the weekday evening peak hour. Truck generation for the Project are conservatively estimated at 3 to 5 trips during peak hours and 90 trips daily (45 enter/45 exit).

The Applicant's traffic consultant concluded that the incremental traffic associated with the proposed development is not expected to materially impact operating conditions at the study intersections, ample roadway capacity will be available to support the Project and there will be no degradation in the level of service at any of the study intersections due to the Project. The Applicant will also implement a transportation demand management (TDM) program as outlined in the traffic impact assessment that is aimed at establishing a framework for minimizing site

traffic impacts to include sidewalk connections, parking for carpools, EV charging stations and bicycle racks. See the traffic impact assessment prepared by MDM Transportation Consultants, Inc.

**2. Location, arrangement, appearance and sufficiency of off-street parking and loading.**

The proposed parking and loading areas will not cause any nuisance or hazard to vehicles or pedestrians within or off the Property or line of sight hazards along streets. The parking and loading layout and design complies with the site design requirements of the Zoning Ordinance. The loading bays and trucks will be screened by new decorative opaque fencing and a substantial landscape buffer along Brooks Street.

Tables 4.4 and 4.5 of Article IV of the Zoning Ordinance provides minimum parking and loading requirements for properties based on use and/or the gross floor area of the structure. Based on the size of the proposed warehousing/storage building use, the Project requires a minimum of 50 parking spaces and 3 loading spaces.<sup>2</sup> A total of 173 passenger parking spaces, 146 trailer parking spaces and 36 loading spaces will be provided for the Project, which will comply with minimum parking and loading requirements.

The proposed parking will adequately serve the occupants and visitors of the New Building, and will not have a material negative impact on the neighborhood with respect to on or off street parking. The neighborhood is transit-oriented in nature (i.e., multiple WRTA bus stations within a block<sup>3</sup>) and facilities at the Property will accommodate alternate means of transportation (e.g., bicycle racks, carpool, etc.). A total of 6 carpool parking spaces will be provided along the front parking row of the New Building. In addition, two separate bike rack locations will be provided along the front parking field adjacent to the New Building.

**3. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.**

The Project will dramatically improve the aesthetic appeal, design and quality of the Property, which has been vacant and/or highly underutilized for years. The Project is functionally and aesthetically compatible with the surrounding commercial and residential properties in the neighborhood, which include a mix of manufacturing, warehouse, distribution,

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<sup>2</sup> Warehousing/storage use requires a minimum of 1 parking space for every 3,000 square feet of gross floor area. Therefore, the 150,000 square foot New Building will require 50 parking spaces. Table 4.5 requires 3 loading spaces for structures between 100,000-200,000 square feet of gross floor area.

<sup>3</sup> The WRTA provides several fixed route bus services (Routes 14, 30, and 31) and MART provides the Clinton-Worcester bus service within the immediate area with a stop at the adjacent Porter and Chester Institute.

trade school and residential uses. The Property contains underutilized land in an MG-0.5 zoning district, and the proposed New Building and improvements to the site will have no greater impact on, nor adversely affect nor be detrimental to adjoining premises, zones or the neighborhood. The proposed New Building will improve the aesthetic appeal, design quality and economic vitality of the neighborhood. Based on the foregoing, the New Building and improvements to the Property in connection therewith will fit into the present character of the neighborhood, and granting this approval will promote an appropriate use of the site.

The kind, size, height and nature of the New Building and the proposed site improvements for the Property are consistent with other buildings within the City that have been developed for warehouse and distribution uses. The New Building will provide other architecturally appealing building articulation, features and massing, variations in materials, textures, colors and styles and other design elements that create visual interest. The New Building will comply with all dimensional, parking, loading, landscaping and design requirements as set forth in the Zoning Ordinance.

The proposed outdoor lighting will be adequate for safe and secure access to and from the New Building, walkways, sidewalks and the loading areas. The proposed lighting will be arranged and have directional shields so as to minimize light from shining onto abutting properties and streets, and will not have a deleterious effect on neighboring properties. The Applicant's signage will be provided in compliance with the Zoning Ordinance.

**4. Adequacy of stormwater and drainage facilities; adequacy of utilities, water supply and sewerage disposal facilities and other public services.**

The development does not anticipate any adverse effect on drainage patterns. The best management practices for stormwater are incorporated in the design of the Project, and will be adequate to manage stormwater runoff generated by the Project and to satisfy the requirements of the Zoning Ordinance, the Worcester Department of Public Works, and Massachusetts Stormwater standards for Redevelopment Projects. Stormwater runoff collected on-site will be connected to the existing drainage network onsite. This system has two existing discharge points located along the southern and western property boundary. The existing discharge points will be maintained in current locations that release the runoff to a stabilized drainage channel that runs away from the site toward the west. The significant reduction in impervious coverage from the existing to proposed conditions results in a net reduction of flows to the existing discharge locations noted above. There are also two existing underground water quality treatment units that are inline with the stormwater network and provide water quality treatment prior to the discharge points. The Project has included one additional water quality unit to provide additional pretreatment prior to a previously established discharge point along the western property boundary. In addition, deep sump inlets with hoods have also been added to improve

the pretreatment of the water quality system. See stormwater management report prepared by Bohler Engineering for additional information and operations and maintenance requirements.

New water and sewer connections, gas and electric service facilities and infrastructure will need to be provided for the New Building and the Project; provided, however, such utility lines and infrastructure currently exist within Brooks Street and are readily available to be connected to any new utilities that are necessary for the Project. A new 8" fire suppression service line will be provided off of an existing 12" main within Brooks Street in order to reduce costs of construction, and the domestic water service will be provided via a new connection off the same main that will loop the site and connect back within Brooks Street. Sewer will tie into the existing 8" PVC laterals on site that provided connection for the prior movie theater use. The sewer is then conveyed through existing easements to the southeast where it will leave the site as it does today and eventually connect to the municipal system in Ararat Street.

**5. Adequacy, type and arrangement of trees, shrubs and other landscaping elements in accordance with the Landscaping Design Standards set forth in Article V, Section 5(C); adequacy of useable common property or open space.**

The Project proposes to provide an extensive landscape buffer and decorative fencing along Brooks Street, which will contain a wide variety of aesthetically appealing and native plantings not currently provided at the site. The parking areas will comply with landscape design requirements, including number of shade trees and landscape islands.

**6. Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.**

The warehouse and distribution activities at the Property will be confined to the interior portions of the New Building, including loading of goods to and from trucks. The noise sources from the New Building will be limited to minimal outdoor utility equipment located a significant distance from Brooks Street and further mitigated by the new fencing along Brooks Street and the southerly lot line. The Project will neither create a nuisance, hazard, congestion or concerns pertaining to health, safety or general welfare, and there will not be substantial harm to the neighborhood or derogation from the intent of the Zoning Ordinance as a result of the Project.

The proposed lighting will be dark-sky compliant, will not exceed a color temperature of 3,000K, will be appropriately arranged with directional shields so as to minimize light from shining and/or spilling onto abutting properties and streets while maintaining pedestrian and vehicular safety, and will not have a deleterious effect on neighboring properties. Site lighting is designed to meet IESNA (Illuminating Engineering Society of North America) guidelines for security minimums within parking and pedestrian areas.



**7. Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.**

There is no special emergency zone noted on the plans. However, fire trucks and other emergency vehicles will be able to access the New Building from Brooks Street and the driveways in close proximity to the New Building. The New Building will be serviced by existing municipal fire hydrants located within the sidewalks on Brooks Street and additional hydrants that have been spaced around the building perimeter. The new hydrants will be connected to the new main looping the building and following the access road back to Brooks Street. The New Building will utilize a fire suppression system with a direct connection to the water service main within Brooks Street.

**8. Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion; adequacy of erosion and sedimentation control measures to be utilized during and after construction.**

There are minimal natural terrain features at the Property, and the Project will minimize, to the extent practicable, changes to the natural terrain as a result of the Project. The proposed drainage and site design layout of the Project improvements are designed to reduce any susceptibility of ponding, flooding and erosion. The Property is outside of the Floodplain and Water Resources Protection Overlay Districts and ecologically sensitive areas, and there are no wetland resource areas on the Property. It has been verified by a wetland scientist that the closest wetlands are located offsite to the south approximately 200' away from the site's southern property boundary. There will not be any negative impacts on the groundwater. During construction, appropriate measures will be taken for controlling erosion, sedimentation and pollution as set forth in the plans submitted. The premises will remain maintained upon completion of the construction phase.

**9. Conformance of the site design with the purposes and intent of the Worcester Zoning Ordinance.**

The Project complies with the site design requirements of the Zoning Ordinance, including, but not limited to, the landscaping design requirements set forth in Article V, Section 5.C and other applicable provisions of the Zoning Ordinance. The proposed drive aisles throughout the site and within the parking areas will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles and tractor trailers. The proposed parking, loading, walkways and landscaping-related improvements are arranged for safe and convenient access for motorists and pedestrians. Proposed new lighting will be modern in design, and will not have a deleterious effect on or cause a nuisance to neighboring properties

or abutting streets. The Project will improve the aesthetic appeal, design and quality of the Property. The Project will improve the economic vitality of the neighborhood and surrounding areas by increasing the use of an under-utilized property area that was formerly used as a movie theater. The Project will create new construction jobs and post-construction jobs as part of the ongoing warehouse and distribution operations, and will generate substantial tax revenues for the City.

The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will promote the economic vitality of the neighborhood and the City. The Project is a development of a compatible land use that is a redevelopment of a former movie theater property that has been abandoned for years, and offers a design that provides an aesthetically pleasing environment that is accessible, safe, landscaped and screened, where appropriate. Moreover, the Project will encourage an appropriate use of the land in a manner that promotes economic development, job creation and safety. The Project protects natural resources as well as the architectural, scenic and aesthetic qualities of the community and protects against the uses of land which are incompatible with nearby uses, undue intensity of noise and danger and congestion in travel and transportation.

**10. Conformance and compatibility of the site plan design with structures listed in the most recent State Register of Historic Places.**

The Project does not involve the razing of any historic structures, and the Property is not listed on the National Register of Historic Places or the Massachusetts Cultural Resource Information System (MACRIS) database. The Project will continue to enhance the existing aesthetics and character of the neighborhood, and the Property, including the New Building, will be compatible with other historic and non-historic structures in the neighborhood.

**11. Adequacy and impact on the regional transportation system.**

The Project will not materially impact the regional transportation system as most visitors to the site will arrive in vehicles and not burden the public transportation system. However, there are several WRTA bus stops in the area and facilities at the Project will promote the bike and walk-ability of the neighborhood and Brooks Street provides safe and convenient access to and from the Property.

**12. Adequacy of plans and protective measures to ensure minimal risk of contamination to surface or groundwater.**

The Property is outside of the Floodplain and Water Resources Protection Overlay Districts and ecologically sensitive areas, and there are no surface waters or wetland resource

areas on the Property. Additionally, the site is located within the City of Worcester Combined Sewer System Area and the Commercial Area Revitalization District (CARD). Any storage of hazardous materials at the Property will be in compliance with all applicable environmental laws. Based on the foregoing, plans and protective measures under the Project will ensure minimal risk of contamination to surface or groundwater.

**IV. Waivers and Other Zoning Relief.**

The Applicant seeks the following waivers and other zoning relief, to the extent applicable:

1. Any other waivers and zoning relief that may be required.

**City of Worcester  
Department of Inspectional Services  
Zoning Determination Form**

To obtain a building permit, you are required to file the following Board application(s):

**Property Address:**  
135 Brooks Street

**Zoning District:** MG-0.5

**Planning Board** (Indicate all that apply)

**Site Plan** (circle all that apply):

- |                        |                          |
|------------------------|--------------------------|
| Preliminary            | Definitive               |
| 15% Slope              | Lodging                  |
| WRP                    | # of Units               |
| Subdivision            | Flood Plain <sup>1</sup> |
| Special Permit related |                          |

**Parking Plan:**  
# of Spaces \_\_\_\_\_

**Special Permits** (circle all that apply)<sup>1</sup>

- |                          |      |              |
|--------------------------|------|--------------|
| AROD                     | FPOD | CCRC         |
| WRP                      | MU   | Cluster COOD |
| Common Drive             | AHDB | AOD          |
| Marijuana Micro-Business |      |              |

**Other Filings** (either Board)

- Amendment
- Administrative Appeal
- Extension of Time
- Comprehensive Permit
- Other

**Zoning Board of Appeals** (Indicate all that apply)

**Variance(s)** (indicate relief needed for all that apply)

Dimension	Requirement	Provided	Relief Requested
Gross Area (SF)			
Frontage (ft.)			
Setback (ft.)	Front		
	Side		
	Exterior Side		
	Rear		
Height (ft.)			
Floor to Area Ratio			
Parking (spaces)			
Landscaping			
Other			

**Applicable Section of Zoning Ordinance**

Article: V  
Section: 5.B  
Paragraph: \_\_\_\_\_

**Special Permit** (circle all that apply):

- Expansion/Change of pre-existing nonconforming Structure Use
- Non-Residential/Residential Conversion
- Other Special Permit  
Minimum Loading and Dimension

Department of Inspectional Services

Authorized Signature Required: [Signature] JRK DJH JKV  
12/7/2022

<sup>1</sup> AOD= Arts Overlay District, AHDB=Affordable Housing, AROD=Adaptive Reuse Overlay District, CCRC=Continuing Care Retirement Community, FPOD = Flexible Parking, FP Flood Plain, MU= Mixed Use WRP=Water Resources Protection



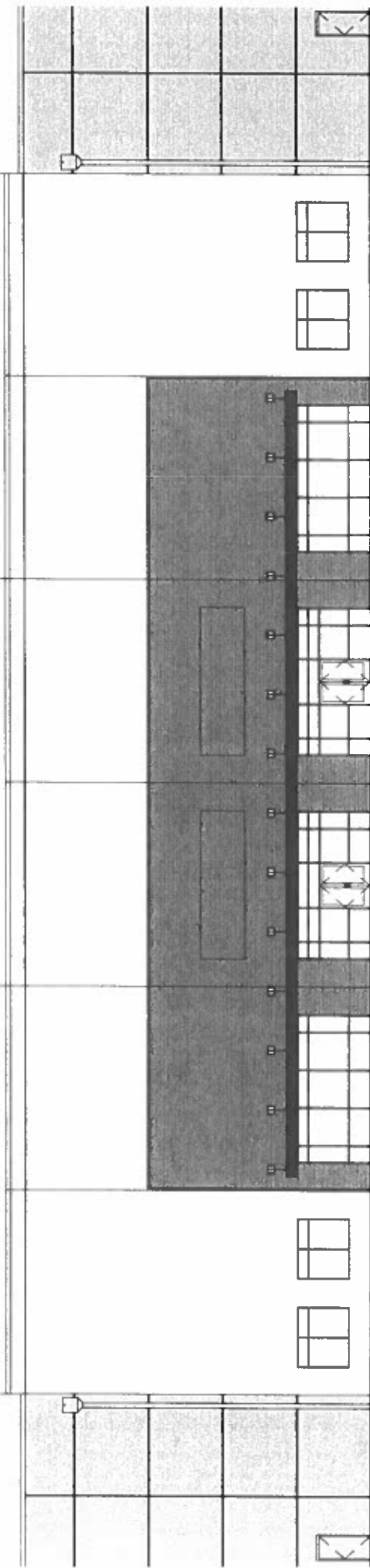


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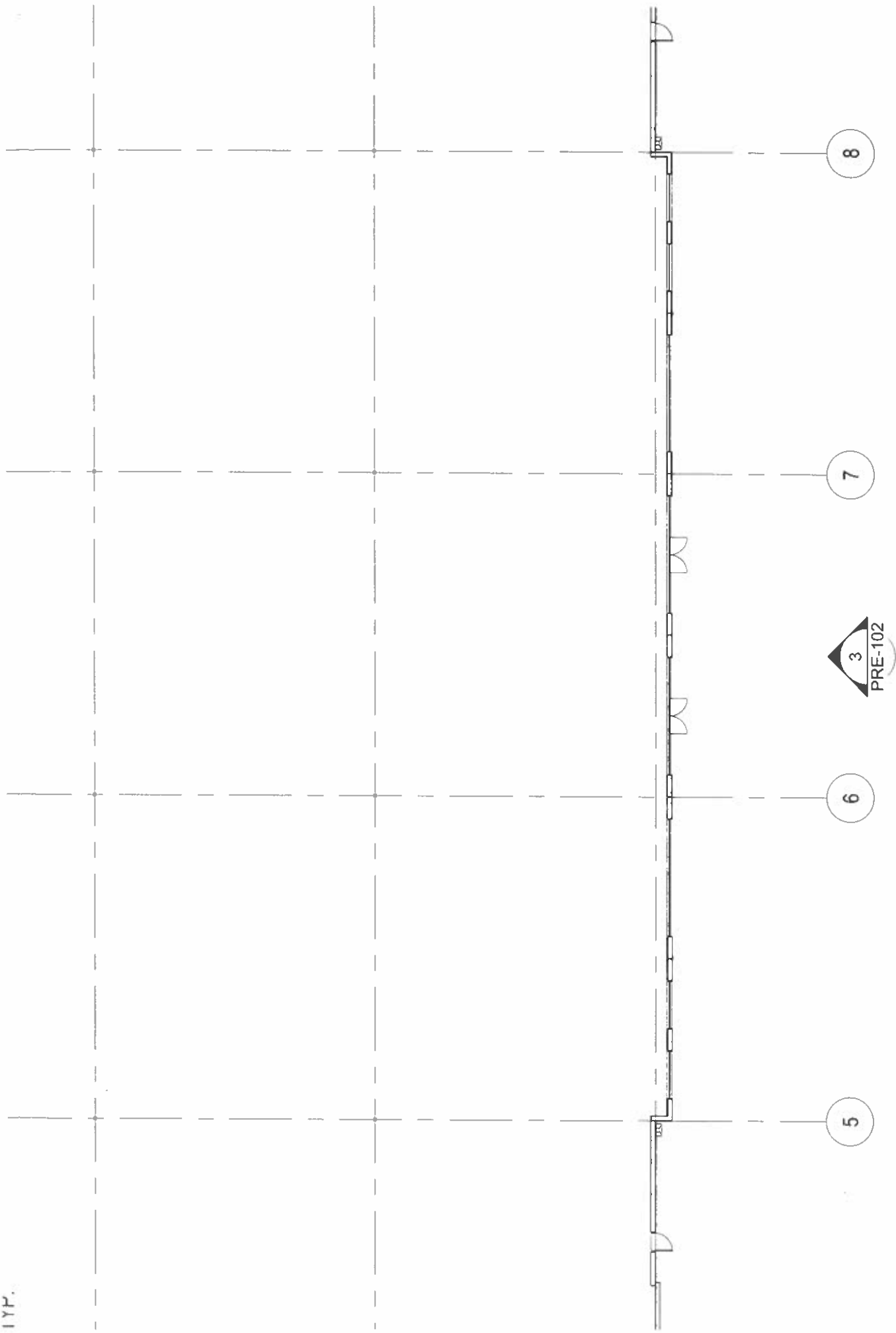
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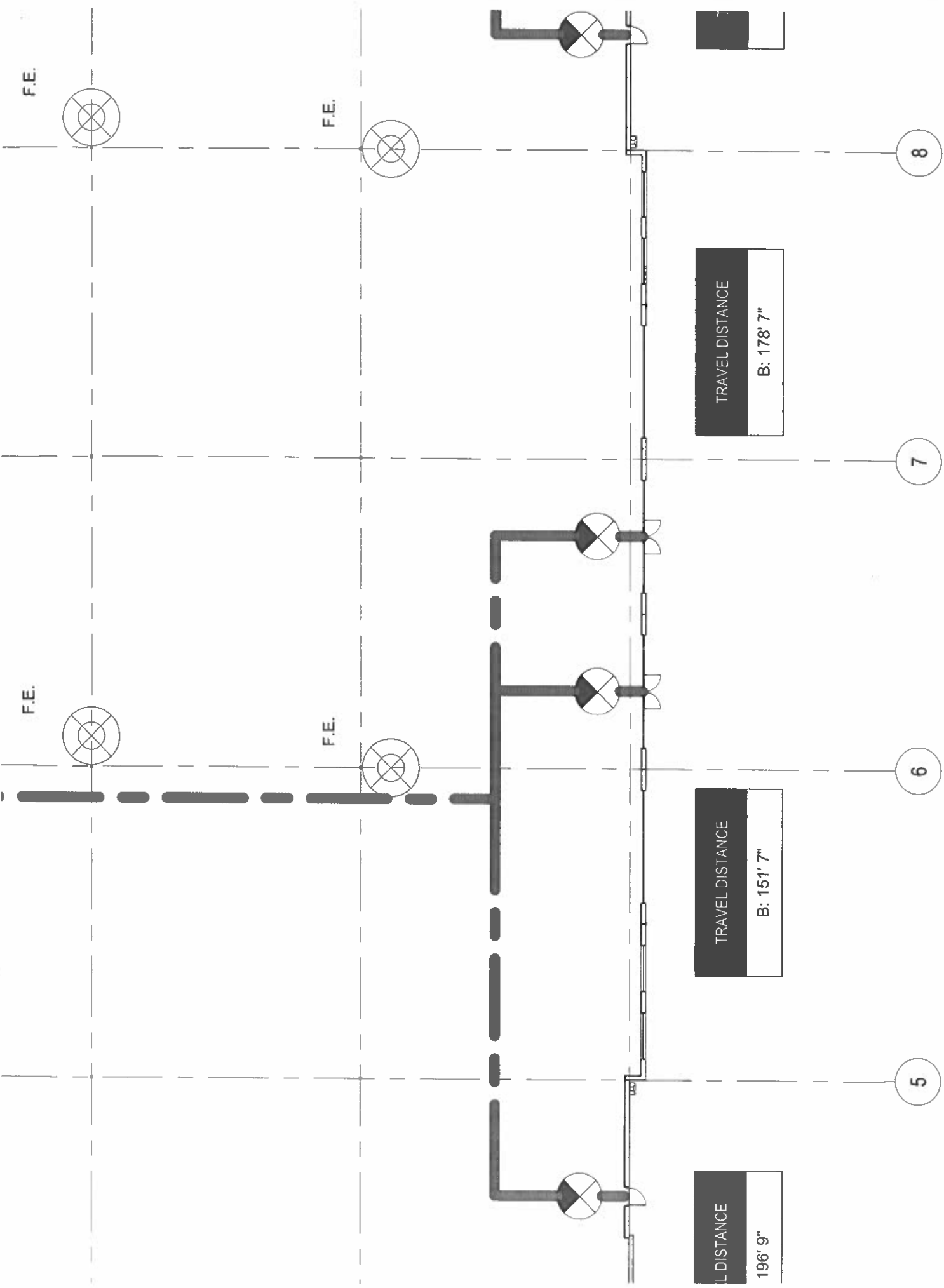
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3  
PRE-102





F.E.

F.E.

F.E.

F.E.

8

7

6

5

TRAVEL DISTANCE

B: 178' 7"

TRAVEL DISTANCE

B: 151' 7"

L DISTANCE

196' 9"



SLOPE 1/4" PER FOOT

TENANT  
SIGNAGE

