

ATTORNEY AT LAW

2524 177 10 11.

138 GREEN STREET, #304 • WORCESTER, MA 01604

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anyfink@gmail.com

www.attorneyfinkelstein.com

By email to Planning@worcesterma.gov

April 12, 2024

Planning Board City of Worcester c/o Dept. of Planning and Regulatory Services 455 Main Street Worcester, MA 01608

Re: Quality Worcester LLC

Meadowbrook Road

Amendment to Subdivision Plan- Extension of Time

Dear Planning Board Members:

I represent Quality Worcester LLC, owner of the land at the terminus of Meadowbrook Road. This is its request for approval to extend the subdivision approval for a period of three (3) years. In addition, the applicant proposes a corresponding work completion date.

The reason for this request is due to additional issues which have emerged, notably one that required the owner to seek the permission of an abutting landowner, which has now occurred.

The applicant acknowledges that it still needs to draft and execute easements for the planned utilities as well put a surety in place.

Thank you for considering this request.

Very truly yours,

Jonathan Finkelstein

4 Alelet

City of Worcester Planning Board



DEFINITIVE SUBDIVISION PLAN APPLICATION

Division of Planning & Regulatory Services 455 Main Street, Room 404, Worcester, MA 01608 Office 508-799-1400 Ext. 31440 – Fax 508-799-1406

the accompanying plan entitled Meadowbrook Road Subdivision

The undersigned applicant, being the owner of all land included within a proposed subdivision shown on

	and prepared by Robert D. O'Neil
	Massachusetts Registered (Engineer) (Surveyor), Registration Number,
	dated <u>April 25</u> 20 <u>01</u> , submits such plan as a Definitive Plan of the proposed subdivision and makes application to the Board for approval thereof.
2.	The land within the proposed subdivision is subject to the following easements and restrictions: (see attached exhibit listing easements)
3.	There are appurtenant to the land within the proposed subdivision the following easements and restrictions:
	(see attached letter from Attorney Donald Peters)
4.	A preliminary Plan of the proposed subdivision was approved by the Board on 20 The modifications recommended at this meeting have been incorporated in the accompanying plan.
5.	The applicant agrees if the Definitive Plan is approved, to construct and install all improvements within the proposed subdivision required by the Rules and Regulations of the Worcester Planning Board as in force on the date of this application and as modified and supplemented by the work specifications and other requirements of the Public Works Commissioner and the Health and Code Enforcement Commissioner.
6.	The applicant covenants and agrees to complete all said required improvements; (1) within three (3) years from the date of approval of a Definitive Subdivision Plan of ten lots or fewer; or (2) within five years from the date of approval of a Definitive Subdivision Plan of more than ten lots.
7.	The applicant agrees if this application is approved, to file with the Board within twenty (20) days of such approval a bond in form satisfactory to the Board and conditioned on the completion of all required

improvements in the time and manner prescribed, in a penal sum sufficient in the opinion of the Planning

Commonwealth of Massachusetts and satisfactory to the Board as surety or secured by the deposit with the City Treasurer of money or negotiable securities satisfactory to the Board in the amount equal to the

Board upon the advice of the Commissioner of Public Works to cover the cost of such work and executed by the applicant as principal and a surety company authorized to do business in the

penal sum of the bond.

1.

<u>OR</u>

8.	subdivision to be re	er agrees, if this applicati corded in the Worcester) months of such approve on.	District Registry of De	eds or in the Worcester	r Land Registry
9.	Buckingham Deve	the land is derived under lopment LLC		District Desiret	f Doods Book
	, Page	, 20 <u>20</u> , and : or Land 0 egistry District, Book 622	Court Certificate of Title	e Number	_, registered in
Appli	icant's Signature:	Im Ps	un .		
Appli	icant's Name (Please	Print): Quality Worceste	r, LLC		
Appli	icant's Address: 6 Hu	ntington Road, Shrewsb	oury, MA 01545		
Appl	icant's Phone Number	508-561-9760	Fax Number:		
Acce and	epted this Regulations of the Pla	day of nning Board.	, 20	as duly submitted u	nder the Rules
	For		WORCESTE	R PLANNING BOARD	
	By:		Division of Pl	anning & Regulatory Se	
			Division of Pi	anning a negulatory St	El VICES

8.	The applicant further agrees, if this application subdivision to be recorded in the Worcester I District within six (6) months of such approvation within the subdivision.	District Registry of Deed	ls or in the Worce	ster Land Registry
9.	The owner's title to the land is derived under Buckingham Development LLC dated March 20 , 2020 , and Page : or Land C Worcester Land Registry District, Book 6221 25 , Page 42	recorded in the Worces	ter District Regist Number and Worcester A	ry of Deeds, Book registered in ssessor's Book
Applic	licant's Signature:	wh.		
Applic	licant's Name (Please Print): Quality Worcester	, LLC	***************************************	
Applic	licant's Address: 6 Huntington Road, Shrewsbi	ury, MA 01545		
Applic	licant's Phone Number: 508-561-9760	Fax Number:		
	Oli- Oangay Saint Mary's Assumption Albanian Ortho	<u>– Chairman</u> dox Church	<u>∑</u> <u>3</u>	<u>/17/20</u> 24 ate
and R	epted this day of Regulations of the Planning Board. For By:	WORCESTER	as duly submitte PLANNING BOA nning & Regulator	

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 4/11/2024 4:39:10 PM

						
Doc#	Document Type	Town	Book/Page	File Date	Consideration	
26448	DECISION		70386/253	04/11/2024		
Property-S	treet Address and/or De	scription				
0 MEADOV	/BROOK RD					
Grantors						
BUCKINGH	IAM DEVELOPMENT LLC	WORCESTER	CITY PLANNING			
Grantees		·				
References	s-Book/Pg Description	Recorded Year				
62213/315 DEED 2020						
Registered	Land Certificate(s)-Cert	# Book/Pg				



Bk: 70386 Pg: 253 Page: 1 of 3 -04/11/2024 01:40 PM -WE

City of Worcester, Massachusetts Planning Board

Albert LaValley. Chair



Paul DePalo, Vice-Chair Eleanor Gilmore, Clerk Edward Moynihan John Vigliotti

March 11, 2020

Ms. Susan Ledoux City Clerk 455 Main Street, Room 207 Worcester, Massachusetts 01608

RE: 0 MEADOWBROOK ROAD SUBDIVISION
DEFINITIVE SUBDIVISION PLAN AMENDMENT
PB-2020-007
DEED REFERENCE: 3K 62213 Page 315

Dear Ms. Ledoux:

At its February 19, 2020 meeting, the Planning Board voted 4-0 to approve a Definitive Subdivision Plan Amendment for the 0 Meadowbrook Road Subdivision, originally approved on April 25, 2001, and entitled "Definitive Subdivision Plan – Meadowbrook Subdivision," prepared by Robert O'Neil, as amended, by amending the original conditions of approval under MGL Chapter 41, Section 81W by waiving Section VI (I) (2) of the Worcester Subdivision Regulations to establish a new sunset date of **January 13, 2023**, for a two-lot subdivision, owned by Buckingham Development LLC, with the following conditions of approval:

- 1. That the following previously granted waivers remain in effect, which include:
 - a. Section IX, C.8. to allow road length to exceed 500 feet;
 - b. Section X, D.6. to allow the width of the cul-de-sac right of way to be 80 feet;
 - c. Section X, D.5. to allow the traveled way pavement diameter to be 60 feet;
 - d. Section X, F.1. to eliminate the sidewalk requirement;
 - e. Section IX, C.6. to allow a 20-foot radius at the connection to the existing Meadowbrook Road.
- All tree and stump removal shall be in accordance with the Asian Longhorned Beetle program requirements and all new trees and shrub plantings shall be Asian Longhorned Beetle resistant.
- 3. No rock crushing or grinding operations shall be permitted onsite and the contractor shall take steps to limit unnecessary noise and comply with the City of Worcester's Ordinance Relative to Excessive and Unreasonable Noise.
- 4. The contractor shall take all necessary steps to control dust during construction by utilizing a watering system and employing the usage of other dust suppressant methods such as chloride salts (calcium or magnesium chloride).
- Prior to and continuing during all construction activities, appropriate soil erosion and sedimentation control measures, including hay bales and silt fences shall be installed and maintained subject to the oversight and direction of the Commissioner of Inspectional Services.

W O R C E S T E R

- 6. A pre-construction conference with the City of Worcester's Department of Public Work & Parks' Division of Engineering shall be held prior to any construction.
- Construction operations shall be limited from Monday to Saturday between the hours of 7 AM to 7 PM. There shall be no work on Sundays or holidays.
- 8. All work shall conform to the City of Worcester's Subdivision Rules and Regulations, Zoning Ordinance, Planning Board decision and conditions of approval, and to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- 9. Subject to the Zoning Enforcement Officer's determination that the parcels comply with all the relevant provisions of the Zoning Ordinance.

Date: _3.11.20

Sincerely,

Authorized Planning/Board Member

CC: Buckingham Development LLC

Law Department Nick Lyford, DPW&P

City of Worcester, MA

April 11, 2024

I certify that twenty days have elapsed after the attached decision for 0 Meadowbrook Road Subdivision, which was filed with the City Clerk Department on March 12, 2020 and that no appeal has been filed.

Stephen A.J. Pottle Deputy City Clerk

EXHIBIT MEADOWBROOK ROAD SUBDIVISION EASEMENTS

Twenty (20') foot wide water easement to City of Worcester shown on plan recorded Plan Book 201, Plan 94 and shown on Plan Book 635, Plan 35.

Flowage rights, if any, in Book Shown on Plan Book 625, Plan 35.

Subject to appurtenant right and easement to install, use and maintain a sewer line and drainage ditch across the northwesterly portion of Lot 3 on Plan Book 635, Plan 35. (also recited in Book 127, Page 43)

Subject to sewer easement granted Douglas Berns et al dated September 19, 1990 and recorded in Book 13022, Page 362.

Easement for sewer purposes by City of Worcester shown on Plan Book 504, Plan 115 dated March 15, 1983 and recorded in Book 7712, Page 55.

Any water rights and easements deed to City of Worcester in deed recorded June 14, 1979 in Book 6753, Page 252.

DEED OF EASEMENT FOR STREET PURPOSES

MEADOWBROOK ROAD

Quality Worcester, LLC ("Grantor"), a limited liability corporation with a principal place of business located at 6 Huntington Road, Shrewsbury, MA, for consideration paid and in full consideration of less than One Hundred Dollars (\$100.00), hereby grants to the CITY OF WORCESTER, a municipal corporation with a principal address at 455 Main Street, Worcester, Worcester County, Massachusetts, its successors and assigns (Grantee"), with Quitclaim Covenants, a permanent and perpetual right-of-way and easement for street purposes, including, but not limited to, the right to pass and repass in vehicles and on foot, to install, repair, replace, and maintain utilities in and over, and to make any and all reasonable use of the premises incidental to street use, over the subdivision road Meadowbrook Road, as shown on a plan entitled "Meadowbrook Road" dated July 7, 2010, as amended, prepared by Robert D. O'Neil, Jr., PLS, and recorded at the Worcester District Registry of Deeds in Plan Book 883, Page No. 63 , and as more particularly described on Exhibit A, entitled "Legal description, Meadowbrook Road, Worcester, Massachusetts," attached hereto and incorporated herein by this reference.

Grantor's conveyance of this easement is in accordance with the conditions and requirements of the Subdivision Approval granted by the Grantee's Planning Board relative to the above-mentioned plan. Provided, however, that Grantee's acceptance of the easement rights granted hereunder do not constitute the layout and acceptance of the subdivision road(s) as public streets. Said decree to be recorded in the office of the Worcester City Clerk.

Furthermore, the Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is well seized of the premises described herein as good indefeasible estate in fee simple and has good right to bargain and convey the within easement in the manner and form herein set forth.

Grantor's title being that conveyed by deed of Buckingham development, LLC, dated April 15, 2020 and recorded in the Worcester District Registry of Deeds in Book 62213 Page 315.

EXHIBIT A

<u>Legal Description - Meadowbrook Road, Worcester, Massachusetts</u>

Land situated in the City of Worcester, county of Worcester, Commonwealth of Massachusetts, being bounded and described as follows:

Beginning at a point at the Northeasterly terminus of Meadowbrook Road.

THENCE: North 2° 11′ 17″ East, seventy-five and eighty-three hundredths (75.83) feet to a point.

THENCE: Northwesterly by the arc of a curve having a radius of forty and no hundredths (40.00) feet, by the Northerly terminus of Meadowbrook Road one hundred seventy and twenty-three hundredths (170.23) feet to a point.

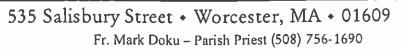
THENCE: Southeasterly by the arc of a curve having a radius of twenty and no hundredths (20.00) feet, by the Northeasterly terminus of Meadowbrook Road twenty-eight and sixty-seven hundredths (28.67) feet to a point.

THENCE: South 69° 30′ 44″ East, sixty-three and sixteen hundredths (63.16) feet to the point of beginning.

Said Easement contains six thousand seven hundred fourteen and seventy-six hundredths (6,714.76) square feet and is more particularly described on a plan entitled "Meadowbrook Road" dated July 7, 2010, as amended, prepared by Robert D. O'Neil, Jr., PLS, and recorded at the Worcester District Registry of Deeds in Plan Book 883, Page No. 63.

Subject to an existing 10 ft. wide and an existing 25ft. wide City of Worcester Sewer Easement, along with a one hundred ninety-one and seventy-eight hundredths (198.78) square feet drainage easement on Lot 3A-R, all as shown on the aforementioned plan.

Saint Mary's Assumption Albanian Orthodox Church





March 2, 2024

Mr. Joseph Goodman

Dear Mr. Goodman:

St. Mary's as the property owner of 501 Salisbury Street (MBL: 25-042-006+5) gives you its permission to file of a Notice Of Intent with the Worcester Conservation Commission for work to create a swale on our property.

Yours truly,

Ilir Danga, President

St. Mary's Parish Council

Ilin Goniga



Assessing Division Samuel E. Konicczny, City Assessor
City Hatl Room, 455 Main Street, Worcester, MA 01608
\$1 \ 508-799-1098 F \ 508-799-1021
assessing@worcesterma.gov

REQUEST FOR MAPS AND/OR ABUTTERS' LISTS:

Please be advised that requested lists will typically be completed within ten (10) business days. Lists will be provided for a fee of \$20.00 per list, paid at the time of request. Please state the reason for the abutters' list and indicate if the subject parcel has shared ownership with an adjoining parcel, this will ensure the provided list meets the appropriate regulations. Two sets of mailing labels will be included when required.

Our email address is: Assessing@worcesterma.gov and our fax number is (508) 799-1021.

	Pic	ase contac	t our office w	ith any qu	estions	•	
PROPERTY ADDRESS O Meadowbrook and 501 Salisbury St. 25-042-0003A;25-042-0003B; 25-042-006+5 REASON: PLANNING ZONING LICENSE COMMISSION	ABUTTER	'S LIST	LABELS	✓ Yes	No	LSET	✓ 2 SETS
MBL No. 25-042-0003A;25-042-0003B; 25-042-006+5 PLANNING ZONING LICENSE COMMISSION	MAP(S)						
MBL No. 25-042-0003A;25-042-0003B; 25-042-006+5 PLANNING ZONING LICENSE COMMISSION	PROPERTY ADDRESS						
ZONING LICENSE COMMISSION	MBL No.						
OTHER-	REASON:	ZON LIC CON HIS	VING ENSE COMMIS NSERVATION C TORICAL COM	OMMISSIO MISSION		-	
Footage for radius							
CONTACT: NAME: Jonathan Finkelstein ADDRESS: 138 Green Street #304 Worcester MA01604 TELEPHONE: 508.868.8542	CONTACT:	ADDRESS: ,	138 Green Stroot #304	Norcester IAA 016	604		

Edward M. Augustus, Jr. CITY MANAGER



CITY OF WORCESTER

Administration & Finance

Timothy J. McGourthy CHIEF FINANCIAL OFFICER

Samuel E. Konieczny City Assessor

Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count: 42			
Parcel Address: Assessor's Map-Block-Lot(s):	501 SALI	WOBROOK RD & SBURY ST 003A, 25-042-0003B, 06+5	
Owner:		Y WORCESTER LLC NGTON RD	····
Owner Mailing:	SHREWS	BURY, MA 01545	
Owner:		Y'S ASSUMPTION ALBA	NIAN
Owner Mailing:		SBURY ST STER, MA 01609	
Petitioner (if other than owner): Petitioner Mailing Address:	138 GRE	AN FINKELSTEIN EN STREET #304 STER, MA 01604	
Petitioner Phone:	508-868-8		- E
	ning:	Liquor License:	ConComm:
Historical: Cann	abis:	Other:	
This is to certify that the above is a list of ababove.	outters to Asses	ssor's Map-Block-Lot's 25-042-000	3A, 25-042-0003B, 25-042-006+5 as cited
25-042-006+6 ALBANIAN ORTHODOX CHU	RCH OF	535 SALISBURY ST	WORCESTER MA 01609
25-029-005+6 TANOGLU YAKUP + JENNIFE	RA	0487 SALISBURY ST	WORCESTER MA 01609
25-042-06+1B ALBANIAN ORTHODOX CHU	RCH OF	535 SALISBURY ST	WORCESTER MA 01609
25-042-006+2 ILLYRIAN GARDENS INC		545 SALISBURY STREET	WORCESTER MA 01609

25-042-006+5	ST MARY'S ASSUMPTION ALBANIAN	0535 SALISBURY ST	WORCESTER MA 01609
25-028-00006	AMOS BRIAN + SUSAN	0164 FLAGG ST	WORCESTER MA 01609
25-033-00011	YAZHARI MICHAEL	0033 OAK HILL RD	WORCESTER MA 01609
25-028-00002	TERRILL ELLIN A	0006 MEADOWBROOK RD	WORCESTER MA 01609
25-029-00019	KARET EVELYN F TRUSTEE	0015 DENISON RD	WORCESTER MA 01609
25-029-00009	WETTENGEL PHILIP F + ANNE S	14 DENNISON RD	WORCESTER MA 01609
25-042-00001	VAUGHAN GEOFFREY M + JENNIFER K	0525 SALISBURY ST	WORCESTER MA 01609
25-051-00007	SIFF LAWRENCE A + KAREN A EXKORN	0533 DUDLEY ROAD	NEWTON MA 02459
25-042-001-3	ZEQUEIRA ALEXIS + JESSIKA A	0531 SALISBURY ST	WORCESTER MA 01609
25-051-00006	LAPOMARDO PAULA	PO BOX 20067	WORCESTER MA 01602
25-042-001-1	HOFRI MICHA TRUSTEE	0521 SALISBURY ST	WORCESTER MA 01609
25-042-00002	VICKSTROM KRISTINA R TRUSTEE	0515 SALISBURY ST	WORCESTER MA 01609
25-033-00004	MENDEZ RAQUEL + CHRISTIAN	0040 OAK HILL RD	WORCESTER MA 01609
25-033-00009	SHANKS TAMARA LYNN	0040 BROOKSHIRE RD	WORCESTER MA 01609
25-042-00003	BONASORTE GARRETT + GROSS	0509 SALISBURY ST	WORCESTER MA 01609
25-042-00005	DHERI KLODIANA + GENCI	0505 SALISBURY ST	WORCESTER MA 01609
25-042-0003A	QUALITY WORCESTER LLC	0006 HUNTINGTON RD	SHREWSBURY MA 01545
25-033-00002	DAVIDSON MARK	0044 OAK HILL RD	WORCESTER MA 01609
25-033-00008	SOJKOWSKI STEVEN M	0038 OAK HILL RD	WORCESTER MA 01609
25-033-00003	FAJANA ADEKUNLE	0015 MEADOWBROOK RD	WORCESTER MA 01609
25-033-00006	BOLGER JAMES V + MARY ANN	0013 MEADOWBROOK RD	WORCESTER MA 01609
25-029-00021	SLOAN JASON + HEIDI R	0019 DENISON RD	WORCESTER MA 01609
25-029-00018	SPILLANE ROSEMARY A TRUSTEE	0023 INSTITUTE RD	WORCESTER MA 01609
25-029-00007	DOUILLARD PAUL R + CAROL M	0020 DENISON RD	WORCESTER MA 01609
25-027-00001	DROB ELINOR	0024 OAK HILL RD	WORCESTER MA 01609
25-029-00020	ANGELIS ARTHUR G + DAYLIN	0017 DENISON RD	WORCESTER MA 01609
25-032-00020	SWEENEY JONATHAN E +	0017 OAK HILL RD	WORCESTER MA 01609
25-029-00008	SHUMAN BRIAN J +	0016 DENISON RD	WORCESTER MA 01609
25-027-00012	BARNETT STEVEN + MICHELLE	0011 MEADOWBROOK RD	WORCESTER MA 01609
25-042-00004	SHAW DEVELOPMENT INC	1476 DUNHAMTOWN RD	BRIMFIELD MA 01010
25-028-00003	ROSE HENRY 8 + DONNA J P	12 MEADOWBROOK ROAD	WORCESTER MA 01609
25-051-00005	HAROUTIAN PETER	0676 PLEASANT ST	WORCESTER MA 01602
55-004-00001	ASSUMPTION COLLEGE	0500 SALISBURY ST	WORCESTER MA 01609
25-042-02B-2	ILLYRIAN GARDENS INC	0545 SALISBURY ST	WORCESTER MA 01609
25-042-028-1	ILLYRIAN GARDENS INC	0545 SALISBURY ST	WORCESTER MA 01609
25-042-00006	ALBANIAN ORTHODOX CHURCH OF	535 SALISBURY STREET	WORCESTER MA 01609
25-042-02B-3	ILLYRIAN GARDENS INC	0545 SALISBURY ST	WORCESTER MA 01609
25-042-00038	QUALITY WORCESTER LLC	0006 HUNTINGTON RD	SHREWSBURY MA 01545

Certified by:

Signature

03/29/2024 Date Edward M. Augustus. Jr. CITY MANAGER



CITY OF WORCESTER

ADMINISTRATION & FINANCE

Abutters Map

Timothy J. McGourthy Chief Financial Officer

Samuel E. Konieczny City Assessor



0 MEADOWBROOK AMENDMENT TO DEFINITIVE SITE PLAN

0 MEADOWBROOK WORCESTER, MA

OWNER/ APPLICANT:

BUCKINGHAM DEVELOPMENT I.I.C 19 CEDAR STREET WORCESTER, MA

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Sheef Table
COVERSHEEF
COVERSHEEF
SHE PLAN
EROSHOW CONTROL PLAN
FOR CONTROL PLAN
COMSTRUCTION DETAILS

CITY OF WORCESTER, MA 01609 **BUILDING LOCATION PLAN**

119 Pike St Tewksbury, MA 01876 (978) 501 2695 Joseph Graham, PE PREPARED BY:

Digitally signed by Joseph Graham, PE Date: 2020.02.03

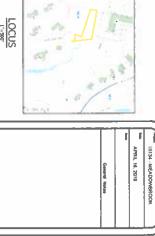
Robert D. SURVEYED BY:
O'Neil Jr. Robert D O'Neil Jr P L.S
2020.02.0
66 Drury Ln
3 01:25:00 Worcester, MA 01607
-05'00' (508) 755-3515 SURVEYED BY:



- NOTES

 * THIS PLAN WAS PREPARED FOR THE APPROVED CONSTRUCTION OF LOT 3A-R OF THE APPROVED AMENDMENT TO THE DEFINITIVE SUBDIVISION PLAN PREPARED BY ROBERT O'NEIL AND JAMMALLEY DATED JANUARY 20, 2008
- ALL SUBSURFACE INFRASTRUCTURE PRETATINING TO THE ROADWAY IS ASSUMED TO BE INSTALLED PER THE PROPOSED PLAN REFERENCED ABOVE
- WETLAND FLACS LOCATED BY HOBERT O O'NEIL JR

REVISION: <u>4</u> DATE: <u>2/2/20</u>



Joseph Graham, PE

119 Pike St Tewksbury, MA 01876 (978) 501 2695

0 MEADOWBROOK RD. WORCESTER, MA 01609 FOR MEMORITHMENT BUTTON THE PROPERTY OF THE PROPER

TITLE SHEET

