



VARIANCE & SPECIAL PERMIT APPLICATION

CITY OF WORCESTER ZONING BOARD OF APPEALS

455 Main Street, Room 404; Worcester, MA 01608

Phone 508-799-1400 Ext. 31440 - Fax 508-799-1406

Fill in information for the Variances (s) you are applying for. Attach additional documentation as necessary.

Lot Area		Front Yard Setback		Rear Yard Setback	
Square footage required:		Setback required:		Setback required:	
Square footage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Frontage		Side Yard Setback		Exterior Side Yard Setback	
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Parking/Loading		Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:	50 feet	Type of structure:	
Parking provided:		Height provided:	79 feet	Square footage of structure:	
Relief requested:		Relief requested:	19 feet	Relief requested:	
Loading required:		Other Variances			
Loading provided:		Relief requested:			
Relief requested:		Zoning Ordinance Article & Section:			
Signs		Requirement:			
Area permitted:		Provided:			
Area provided:		<p align="center">Indicate if Variances are being requested for more than one structure or more than one lot. Only complete the sections which pertain to the Variances (s) you are applying for.</p>			
Relief requested:					
Height permitted:					
Height provided:					
Relief requested:					
Setback permitted:					
Setback provided:					
Relief requested:					

TYPE OF SPECIAL PERMIT (check the Special Permit you are requesting and describe what you are requesting)

1. Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure and/ or Use (Article XVI, Section 4)
2. Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
3. Non-Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
4. Non-Accessory Sign (Article IV, Section 6)
5. Residential Conversion (Article IV, Section 9)
6. Placement of Fill/Earth Excavation (Article IV, Section 5)
7. Modification of Parking/Loading Requirements (Article IV, Section 7)
8. Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7)
9. Other Special Permit (Describe Special Permit sought):

1. Assessor's **ADDRESS OF SUBJECT PROPERTY:** 225 Shrewsbury Street and 68 Albany Street
(List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).

2. Is this property known by any other address: No.

3. **OWNER OF RECORD:** 225 Shrewsbury Street Realty, LLC and 68 Albany ~~Street~~, LLC
(The owner of record is the person or entity who owns title to the property as of today's date)

4. Address (es) of owner of record is /are 163 Washington Street, Auburn, MA 01501

5. Worcester District Registry of Deeds (WDRD) Book(s) 56620/57149, Page(s) 95/233
(List Book and Page number of deed filed for the subject property as recorded at the WDRD)

6. City of Worcester Assessor's Office Map 16 Block 032/ 031 Lot 02+2A/ 00003
(List MBL number for the subject property as listed at Assessor's Office)

7. **NAME OF APPLICANT(S):** Lundgren Equity Partners LLC

8. Address of Applicant: 163 Washington Street, Auburn, MA 01501

9. Telephone: 508-926-3464

10. Email: jsmith@bowditch.com

11. Check if you are an: owner (s) , lessee (s) , optionee (s) (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.) Affiliate of property owners.

12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts):
BG-2.0; MG-2.0; CCOD-S; USOD

13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):
225 Shrewsbury Street, Worcester currently contains approximately 2.38 acres of land and a 1-story approximately 23,336 square foot shopping plaza building containing restaurant, café, medical (dental), bank and office uses and a 1-story approximately 7,287 square foot former ambulatory storage building.

68 Albany Street, Worcester currently contains approximately 0.95 acres of land and a 1-story approximately 29,730 square foot industrial building.

14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):
Construction and development of a new 7-story approximately 204,413 square foot multifamily high rise building with 218 units (the "New Building") (the "Project"). A total of 298 parking spaces will be provided for the entire Project site, including a 104-space at-grade podium parking area within the New Building, 74 existing parking spaces located next to the existing shopping plaza building that will remain in place and a new 120-space surface parking area at the Albany Street property. The Project also includes the construction and/or installation of related site improvements, including, but not limited to, new driveways and accessible walkways, ramps and crosswalks (i.e., across Albany Street and Casco Street to provide pedestrian access to the New Building and shopping center), landscaping, curb cuts, open space amenity areas, electric vehicle charging stations, bicycle storage areas, utilities and other site features. The existing storage building and the existing Albany Street building will both be razed to accommodate the Project.

15. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed used of the property):

See Article IV, Table 4.1, which permits multi-family dwelling, high rise. See also Article IX, Section 5.A.

16. Are you aware if this property has been previously granted approvals from any City Board or Commission?

If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions):

48,000 square foot office building project approved in 2018 by Planning Board.

17. Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and been refused for non-compliance with the Zoning Ordinance (e.g. a cease and desist order has been issued)? If so, explain:

Unknown.

18. List any additional information relevant to the Variance (s) and Special Permit (s):

See Statement in Support.

WHEREFORE the applicant(s) requests that this Board grant the special permit (s) as requested above.

Lundgren Equity Partners LLC

225 Shrewsbury Street Realty, LLC

68 Albany Street, LLC

By: _____

By: _____

(Signature of Applicant or Applicant's Agent)

(Signature of Property Owner or Owner's Agent)

If more than one applicant, all applicants must fill out information.

If more than one property owner, all owners must fill out information.

Lundgren Equity Partners LLC

225 Shrewsbury Street Realty, LLC and 68 Albany Street, LLC

(Name of Applicant)

(Name of Property Owner)

163 Washington Street, Auburn, MA 01501

163 Washington Street, Auburn, MA 01501

(Address)

(Address)

508-926-3464 - Joshua Lee Smith, Esq.

508-926-3464 - Joshua Lee Smith, Esq.

(Contact Phone Number)

(Contact Phone Number)

jsmith@bowditch.com

jsmith@bowditch.com

(Email)

(Email)

8/8/22

8/8/22

(Date)

(Date)

SUPPLEMENTARY QUESTIONS FOR SPECIAL PERMITS ONLY

Complete the requested information for the Special Permit requested. Attach additional documentation as necessary. Only complete the sections which pertain to the Special Permit (s) you are applying for.

Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure (Article XVI, Section 4)

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities)
2. Indicate how long the nonconforming aspects of the structure have been in existence:
3. At the time of construction, did the structure meet applicable zoning requirements? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)
4. Describe the proposed extension, alteration or change and the total square footage of any physical expansion:

5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:

6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the structure as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.

7. Explain how the structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Use
(Article XVI, Section 4)**

1. Describe what is currently nonconforming about this use:

2. Indicate how long the nonconforming use has been in existence? What year did the use begin? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)

3. At the time the use was initiated, was the use allowed under the then applicable Zoning Ordinance?

4. Describe the proposed extension, alteration or change of use and the total square footage to be utilized for the use:

5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:

6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the use as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.

7. Explain how the use as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing use:

10. For a proposed non-accessory parking lot or a motor vehicle display lot, provide additional documentation showing compliance with Article IV, Section 7B.

**Non-Accessory Sign
(Article IV, Section 6)**

1. Square footage, length and width of proposed sign, and height of total structure:

2. Distance of proposed sign from other non-accessory signs along each side of a street.

3. Indicate on the submitted plan the type and style of sign, exact location, etc.

**Residential Conversion
(Article IV, Section 9)**

1. Total number of existing units/Total number of proposed units:

2. Will the external appearance of the structure remain unchanged except for new doors, windows, fire escapes, and stairways?

3. Number of off-street parking spaces to be provided (If new parking is being created, the applicant(s) may need to seek a Special Permit for extension, alteration or change of a pre-existing, nonconforming structure if existing structure does not meet current zoning dimensional requirements. If additional parking cannot be provided for new dwelling unit(s), the proposed conversion may also require a Variance or Special Permit from off-street parking requirements):

4. Which dimensional requirements/setbacks are you seeking relief by the Special Permit?

**Placement of Fill/Earth Excavation
(Article IV, Section 5)**

1. Indicate whether the Special Permit is for Placement of Fill or Earth Excavation:
2. Attach documentation showing proposed measures to protect pedestrians and vehicles.
3. Provide a proposed timeline for completion of placement of fill.
4. Attach documentation from the Director of Public Health and the Conservation Commission as outlined in the City of Worcester Zoning Ordinance Article IV, Section 5.
5. Attach a site plan with all required information in support of the application per the City of Worcester Zoning Ordinance Article IV, Section 5.

**Modification of Parking/Loading Requirements
(Article IV, Section 7)**

1. Indicate what relief is being sought under the Special Permit:
A special permit is required to be granted by the Board pursuant to Article IV, Section 7.A.2 for noncompliance with the loading requirements set forth in Table 4.5.
2. If applicable, indicate locations, square footages, and dimensions of relief sought under the Special Permit:
N/A.

2. If applicable, provide number of parking/loading spaces required and relief requested through the Special Permit:
4 loading spaces are required for the New Building and 1 loading space is required for the Existing Shopping Plaza Building based on the gross floor areas of the buildings, and no new dimensionally compliant loading spaces are contemplated for the Project. Lundgren requests a reduction of loading spaces from 5 to 0 spaces. Loading for the New Building will occur in the parking area within the New Building near the Casco Street curb cut, and allow trucks to enter the site from Casco, turn right into a time-restricted parking area and back into the loading zone. There are currently no designated loading spaces for the Existing Building, and loading for the Existing Building will continue to occur within the drive aisle along the westerly side of the Existing Building. The proposed loading areas will be a safe distance from pedestrian walkways.

Other Special Permits

1. Describe Special Permit sought and provide relevant details on the plan of land and rendering. Provide square footage and height of any structures and indicate percentage of lot structure will occupy:

CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION

***Note: This form must be completed and signed by both the applicant(s) and owner(s) of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.**

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

(1) If a Proprietorship or Single Owner of residential property:

Name of Owner _____

Business Address _____

Home Address _____

Business Phone _____ Home Phone _____

Signature of owner (certifying payment of all municipal charges):

_____ Date: _____

(2) If a Partnership or Multiple Owners of residential property:

Full names and address of all partners

Printed Names

Addresses

Business Address _____

Business Phone _____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

(3) If a Corporation:

Full Legal Name 225 Shrewsbury Street Realty, LLC and 68 Albany Street, LLC

State of Incorporation MA

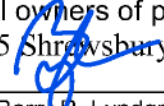
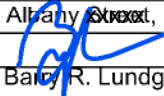
Principal Places of Business 163 Washington Street, Auburn, MA 01501

Place of Business in Massachusetts Same

Printed Names of Officers of Corporation:	Title
_____	_____
_____	_____
_____	_____

Owners of Corporation: Printed Names	Address	% of stock
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary) 225 Shrewsbury Street Realty, LLC

By: 
Barry R. Lundgren, Its Manager
By: 
Barry R. Lundgren, Its Manager

Date: 8/8/22
Date: _____
Date: _____
Date: 8/8/22

(4) If a Trust:

Name of Trust _____

Business Address _____

Printed Names of Trustees:	Address
_____	_____
_____	_____
_____	_____

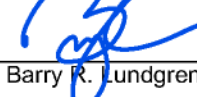
Printed Names of Beneficiaries:	Address
_____	_____
_____	_____
_____	_____

Signature of trustees of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____ Date: _____
Date: _____
Date: _____
Date: _____

(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):

Printed Name of Applicant: Lundgren Equity Partners LLC

Signature of Applicant:  _____ Date: 8/8/22