

**MINUTES OF THE PROCEEDINGS OF THE
ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER
June 15, 2020**

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting was conducted through remote participation. The meeting was livestreamed from the City of Worcester website and via the local cable access channel and is available for streaming online. Public participation was facilitated through a call-in number, 415-655-0001 (Access Code: 730323290#), which was publicized on the posted meeting agenda and during the video broadcast.

Zoning Board Members Joseph Wanat, Chair
Participating: Jordan Berg Powers
George Cortes
Robert Haddon, Alternate Member
Russell Karlstad, Alternate Member

Zoning Board Members Not Participating: Andrew Freilich, Vice Chair

Staff Participating: Stephen Rolle, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Amanda Molina Dumas, Division of Planning & Regulatory Services
Dave Horne, Department of Inspectional Services

Call to Order – 6:00 PM

Approval of Minutes – 7/1/2019; 5/11/2020 **Held to next meeting**

Requests for Continuances, Extensions, Postponements & Withdrawals

New Business

Item #1: **55 Greencourt Street (MBL 35-015-00003) (ZB-2020-018)**
Variance: For relief from the minimum lot area dimensional requirement for a single-family detached dwelling in an RS-7 Zone (Article IV, Section 4, Table 4.2)
Variance: For relief from the minimum frontage dimensional requirement for a single-family detached dwelling in an RS-7 Zone (Article IV, Section 4, Table 4.2)
Petitioner: Luigi DiGioia
Present Use: A vacant lot.
Zone Designation: RS-7 (Residence, Single Family) zoning district
Petition Purpose: The applicant seeks to construct a single-family detached dwelling and conduct related site work.
Hearing Opened: 6/15/2020 Constructive Grant Deadline: 7/14/2020
Hearing Opened with: JW, JBP, CG, RH, RH, RK

Mike Cohen (owner) & Luigi DiGioia (applicant) spoke on behalf of the application. Mr. Cohen provided an overview of the project, seeking Variances for lot area and frontage in order to establish the parcel as a buildable lot to construct a single-family detached dwelling. Mr. Cohen also provided a petition from abutting neighbors in support of the project.

Ms. Smith provided a review of the proposal to the Board, noting that the proposal would also need review by the Planning Board.

Mr. Cohen requested the two waivers suggested by staff and agreed to the conditions of approval in the staff memo.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes, the Board voted 5-0 to close the public hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes, the Board voted 5-0 to approve the Variances for lot area and frontage; the approved requested waivers; approved with Conditions of Approval from staff memo which included submission of final revised site plans & architectural plans; recharge 100% of roof runoff; the property shall be limited to one curb-cut and driveway, per plans; and that both sides of driveway shall remain landscaped and not be paved or rendered impervious; and that the project will be built in substantial accordance with the plans submitted.

Item #2: **344 Bridle Path (MBL 41-002-00229) (ZB-2020-019)**
Variance: For relief from the minimum lot area dimensional requirement for a single-family detached dwelling in an RL-7 Zone (Article IV, Section 4, Table 4.2)
Variance: For relief from the minimum exterior side-yard setback dimensional requirement for a single-family detached dwelling in an RL-7 Zone (Article IV, Section 4, Table 4.2)
Variance: For relief from the minimum rear-yard setback dimensional requirement for a single-family detached dwelling in an RL-7 Zone (Article IV, Section 4, Table 4.2)
Petitioner: Eric Fine
Present Use: Presently on the premises is the foundation of the former single-family detached dwelling, with associated site improvements.
Zone Designation: RL-7 (Residence, Limited) zoning district
Petition Purpose: The applicant seeks to construct a single-family detached dwelling and conduct related site work.
Hearing Opened: 6/15/2020 Constructive Grant Deadline: 7/14/2020
Hearing Opened with: JW, JBP, CG, RH, RH, RK

Eric Fine (owner) & Jay Gallant (architect) spoke on behalf of the application. Mr. Fine stated that the house had been abandoned for several years and the foundation was beyond repair. The house was demolished in December 2019, and its privilege as a pre-existing non-conforming structure was lot. The applicant seeks to construct a new single-family dwelling on the lot to live in.

Jay Gallant, architect for the project, provided an overview of the proposal.

Ms. Molina Dumas provided a review of the proposal to the Board, noting the proposed stormwater system for the site.

Mr. Gallant requested the two waivers suggested by staff and agreed to the conditions of approval in the staff memo.

Ms. Smith stated that a few residents called the office regarding the application, and a summary of those calls was sent to the Board.

Mr. Karlstad expressed concerns about a neighbor's comments that the new structure would block their view of Lake Quinsigamond. Ms. Smith stated that the new structure complies with the height requirements of the Ordinance.

Public Comment

Leahn Mills stated that she lives next door and this proposal will block the view from her property.

Dennis Ives expressed concern about parking for the site.

Upon a motion by Mr. Cortes and seconded by Mr. Berg Powers, the Board voted 5-0 to close the public hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes, the Board voted 4-1 (Mr. Karlstad voting against) to approve the Variances for lot area, ext. side-yard setback and rear-yard setback; along with the approved requested waivers; and approved with the Conditions of Approval from staff memo which included

the submission of final revised site plans & architectural plans; and prior to the issuance of Certificate of Occupancy applicant will provide copy of license agreement for existing wall, or as-built evidencing wall has been reconstructed wholly on property; and one tree shall be planted in front-yard; infiltration or dry-well shall be installed to capture roof runoff; and that the project will be built in substantial accordance with plans submitted.

Item #3: **8 Glen Ellen Road (MBL 47-009-00012) ZB-2020-025**
Variance: For relief from the minimum side-yard setback dimensional requirement for a single-family detached dwelling in an RS-7 Zone (Article IV, Section 4, Table 4.2)
Variance: For relief from the minimum rear-yard setback dimensional requirement for a single-family detached dwelling in an RS-7 Zone (Article IV, Section 4, Table 4.2)
Petitioner: Tony Chauvin
Present Use: Residence, Single Family) zoning district
Zone Designation: RS-7 (Residence, Single Family) zoning district
Petition Purpose: The applicant seeks to construct an addition that will include a one-car, attached garage and an enclosed porch, and to conduct associated site work.
Hearing Opened: 7/17/2020 Constructive Grant Deadline: 8/21/2020
Hearing Opened with: JW, JBP, CG, RH, RH, RK

Zac Couture from H.S. & T. Group spoke on behalf of the applicant, Tony Chauvin. The applicant seeks to construct an addition with a one-car attached garage and enclosed porch.

Mr. Couture reviewed the proposed plans for the site, stating that an infiltration system will be installed to address stormwater runoff.

Ms. Molina Dumas provided a review of the proposal to the Board.

Mr. Couture requested the two waivers suggested by staff and agreed to the conditions of approval in the staff memo.

No Public Comment.

Upon a motion by Mr. Cortes and seconded by Mr. Berg Powers, the Board voted 5-0 to close the public hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes, the Board voted 5-0 to approve the Variances for side-yard setback and rear-yard setback; approved the requested waivers; approved with Conditions of Approval from staff memo which include submission of final revised site plans & architectural plans; recharge 100% roof runoff; and prior to issuance of a building permit the application provide O & M plan & schedule to DPRS; and project be built substantial accordance to plans submitted.

Item #4: **90 Barber Avenue (MBL 22-001-00001) (ZB-2020-026)**
Extension of Time For relief from the minimum parking requirements for a warehouse/storage use in a BG-3.0 Zone (Article IV, Section 7, Table 4.4)
Variance:
Petitioner: Banner Worcester Storage, LLC
Present Use: Presently on the premises is a vacant lot.
Zone Designation: BG-3.0 (Business, General) zoning district
Petition Purpose: The applicant seeks an extension for a previous approval in order to construct a four-story +/- 127,000 SF building to be used as a self-storage facility with associated parking and site improvements.
Hearing Opened: 7/17/2020 Constructive Grant Deadline: 8/21/2020
Hearing Opened with: JW, JBP, CG, RH, RH, RK

Matt Bombasy from Boehler Engineering, and Margo Connelly and Bill Henry from Banner Worcester Storage, LLC spoke on behalf of the application.

Mr. Bombasy provided an overview of the application, stating that the Board had previously approved the Variance and they are now looking for an extension of time as the project was delayed.

No Public Comment.

Upon a motion by Mr. Cortes and seconded by Mr. Berg Powers, the Board voted 5-0 to close the public hearing.

Upon a by Mr. Berg Powers and seconded by Mr. Cortes, the Board voted to approve the Extension of Time for the parking Variance (through December 11, 2020); and approved with Conditions of Approval from staff memo which included that and snow storage shall not occupy any required parking or the landscaped buffer; the granting of Variance is specific to self-storage use; and the that project is built in substantial accordance with plans submitted.

Other Business

5. Communications

6. Discussion of Board Policies and Procedures

Adjournment

Upon a motion by Mr. Cortes and seconded by Mr. Berg Powers, the Board voted 5-0 to adjourn the meeting at 6:38 p.m.