

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
September 13, 2004**

Board Members Attending: John Barbale
Thomas Hannigan
John Reynolds
Jerry R. Horton
Matthew Armendo
Lenny Ciuffredo
Morris Bergman

Staff Attending: Joanne Valade, Division of Land Use
David F. Holden, Code Enforcement

Thomas Hannigan, Vice Chairman, opened the meeting at 5:30 P.M. The following actions were taken:

584 West Boylston Street – Variance & Special Permit: Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Variance and Special Permit (*to convert first floor commercial use of structure to residential use*) as listed below:

Variance:

1. Relief of six spaces from off-street parking requirement.

Special Permit:

1. Conversion to additional dwelling units (2 apartments).

1001 Southbridge Street – Variance: Upon a motion duly made by John Reynolds and seconded by Morris Bergman, the Board voted 4-1 to approve the requested Variance (*to relocate sign onto freestanding sign structure*) as listed below:

Variance:

1. Relief from height limitations on freestanding accessory sign.

166-207 Grafton Street (2 Keese Street) – Administrative Appeal: After a request from the petitioner to the Board and to the City's Law Department, and after the Law Department recommended the Board reconsider, upon a motion duly made and seconded the Board voted to deny the request to reconsider the Administrative Appeal (*to overturn the May 26, 2004 Planning Board decision granting Site Plan Approval at 166-207 Grafton Street*).

166-207 Grafton Street (38 Artic Street) – Administrative Appeal: After a request from the petitioner to the Board and to the City's Law Department, and after the Law Department recommended the Board reconsider, upon a motion duly made and seconded the Board voted to deny the request to reconsider the Administrative Appeal (*to overturn the May 26, 2004 Planning Board decision granting Site Plan Approval at 166-207 Grafton Street*).

**** 67 Millbrook Street – Special Permit & Variance:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the requested hearing to September 27, 2004 for Special Permit & Variance (*to construct three billboards on premises*) as listed below:

Variance:

1. Relief from signage height limitations (Article IV, Section III, C).

Special Permit:

1. To allow outdoor advertising in a MG-2.0 district.

**** 23 Barclay Street – Variance:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted to continue the requested hearing to September 27, 2004 for Variance (*to construct a single family semi-detached dwelling -- duplex*) as listed below:

Variance:

1. Relief of 1,701 square feet from Gross Dimensional requirement.

Bolton Street – Variances: Upon a motion duly made and seconded, the Board voted to dismiss the requested hearing for Variances (*to construct a single-family semi-detached dwelling -- duplex*) as listed below due to the fact that the filing was not properly before the board.

Variances:

1. Relief of 200 square feet from Gross Dimensional requirement.
2. Relief of 10 feet from Frontage requirement.

**** 346 Shrewsbury Street – Special Permit & Variance:** Upon a motion duly made and seconded, the Board voted 5-0 to continue the requested hearing to September 27, 2004 for Special Permit & Variance (*to convert vacant structure to restaurant*) as listed below:

Variance:

1. Relief of twenty-five spaces from off-street parking requirement.

Special Permit:

1. Expansion or change of a non-conforming use.

7 Durant Way – Special Permit: Upon a motion by Matthew Armendo and seconded by John Reynolds, the Board voted 5-0 to approve the requested Special Permit (*to construct second floor addition onto existing single-family dwelling – raise roof*) as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.

505, 507, 509 Plantation Street – Variance: Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted to approve the requested Variance (*to construct one sign on one lot to identify four separate uses on separate but adjoining parcels*) as listed below and with the following condition:

Variance:

1. Relief from signage dimensional limitations and to allow multiple identification signs on one lot.

Condition:

1. Existing signs to be removed.

320 Millbury Street – Special Permit & Variances: Upon a motion duly made John Reynolds and seconded by Jerry Horton, the Board voted 4-1 to approve the requested Special Permit & Variances (*to construct a fourth dwelling unit in existing three-family dwelling*) as listed below:

Variance:

1. Relief of 110 feet from Frontage requirement.
2. Relief of 4 spaces from off-street parking requirement.

Special Permit:

1. Expansion or change of a non-conforming use.

3 James Street – Variance: Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 4-1 (Jerry Horton voted No) to approve the requested Variance (*to construct two signs on premises*) as listed below with the following condition:

Variance:

1. Relief of 120 square feet from signage Gross Dimensional requirement.

Condition:

1. Signage lighting must be shut down by 9:00 p.m.

**** 712-A Pleasant Street – Special Permit:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to continue the requested hearing to September 27, 2004 for Special Permit (*to operate a retail food service – Chinese take-out*) as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.

304, 315, 319, & 321 Cambridge Street & 2 Hacker Street– Variance: Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted to approve the requested Variance (*to construct twelve low-rise multi-family dwelling units in a single three-story structure*) as listed below with the following condition:

Variance:

1. Relief of 12 spaces from off-street parking requirement.

Condition:

1. Separate lot to be used for neighborhood parking.

247 East Mountain Street – Special Permits: Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Special Permits: *to remove existing single-family dwelling and construct a six unit multi-family dwelling*).

166 Lincoln Street – Special Permit: Upon a motion duly made and seconded, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Special Permit: *to utilize portion of lot for operation of used motor vehicle sales*).

Tainter Street – Special Permit & Variances: Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Special Permit & Variances (*to construct a facility building for Boys & Girls Club and a field house for Clark University*) as listed below:

Variance:

1. Relief of five feet from Front Yard setback requirement (Clark University field house).
2. Relief of 73 spaces from parking/loading requirement (Boys & Girls Club).

Special Permit:

1. New construction, reconstruction or conversion to non-residential use (Boys & Girls Club).

36 Quaboag Street – Variance: Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Variance: *to subdivide lot in order to create two lots with 20 feet of frontage each*).

205 Millbury Street – Variance: Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Variance: *to convert first floor of structure into a restaurant*).

OTHER BUSINESS: None

Approval of Minutes: Upon a motion duly made and seconded it was voted to approve the minutes of the August 16, 2004 meeting.

The meeting adjourned at 8:15 p.m.

NOTE: ** Reflect filings that have been continued.