

WORCESTER ZONING BOARD OF APPEALS
MINUTES OF MEETING
November 28, 2005

Board Members Present:

Leonard Ciuffredo
Jerry Horton
John Reynolds
Matthew Armendo
Thomas Hannigan
Morris Bergman
David George

Staff Present:

Dave Holden, Department of Code Enforcement
Donald Ryder, Law Department
Lara Bold, Division of Planning and Regulatory Services
Edgar Luna, Division of Planning and Regulatory Services
Russ Adams, Department of Public Works

Regular Meeting (5:30 PM) – Saxe Room, Worcester Public Library

Call to Order: Leonard Ciuffredo called the meeting to order at 5:30 P.M.

- 1) **25 Eskow Road** (Z05-207) – Special Permit/Variances: Upon a motion by John Reynolds and seconded by Matthew Armendo the Board voted 5-0 (Thomas Hannigan was not present for all of the hearing, David George voted) to continue the hearing until January 9, 2006, to provide written documentation of approval from the Worcester Fire Department, to provide information relative to the water table, to provide copies of the contingency plan to the Board members and to provide a list of Global Companies' sites in the region.
- 2) **1 & 3 Prioux Street** – Remand from Land Court: Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to set the following terms and conditions for 1 & 3 Prioux Street: 1) uphold the Planning Board's original conditions on the site plan dated July 29, 2004 and add the following conditions: 2) That the sanitary connection run through the existing utility easement and tie into the existing Byron Street sanitary main via a gravity-fed main as agreed to by the developer; 3) That the parking area for the 15 unit complex comply with the City of Worcester Zoning Ordinances' parking lot requirements; and 4) That Prioux Street be paved as agreed by the developer.
- 3) **35 Bristol Street** (Z05-174) Special Permit: Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the hearing until December 19, 2005 at the request of the applicant.

- 4) **301 Plantation Street** (Z05-176) –Special Permit: Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the petitioner's requested Special Permit to allow a 3 family dwelling in an RL-7 zone provided that it is in accordance with the revised plan showing run-off going into the vegetated buffer at the rear of the lot and showing that there will be no access from Atlanta Street to the parking area on the east side of the property.
- 5) **18 East Mountain Street** (Z05-187) – Variances/Special Permit: Upon a motion by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to approve the petitioner's request to Leave to Withdraw without Prejudice relative to the petitioner's requested Variance for 3,049 square feet of relief from the gross dimensional requirement, the Variance for 20 feet of relief from the front yard setback, a Variance to allow parking in front yard setback and the requested Special Permit to allow single family semi-detached (duplex) in an RS-7 zone.
- 6) **251-261 Plantation Street** – Special Permit (Z05-163) Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted to continue the hearing until December 19, 2005.
- 7) **30 Hollis Street** (Z05-158) – Special Permit: Upon a motion by Thomas Hannigan and seconded by Matthew Armendo, the Board voted 5-0 (John Reynolds recused himself, Morris Bergman voted) to approve the requested Special Permit to allow a flea market in an MG-2.0 zone with the following condition: that the applicant must provide a signed copy of the lease from the current owner to the Division of Planning and Regulatory Services for the file.
- 8) **1-7 Piedmont Street** (Z05-202) – Special Permit/Variances –Upon a motion by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 (John Reynolds recused himself) to approve the requested Special Permit for expansion or change of a pre-existing non-conforming use, the requested Variance for 115 feet from the frontage requirement and the requested Variance for relief of 48 spaces from the off-street parking requirement.
- 9) **21 Progressive Street** (Z05-203) –Special Permit: Upon a motion by Jerry Horton and seconded by John Reynolds, the Board voted 5-0 to grant the petitioner's request to Leave to Withdraw Without Prejudice relative to the petitioner's request for a Special Permit to allow 4 attached townhouse style dwellings.
- 10) **155 Ararat Street** (Z05-204) –Administrative Appeal: Upon a motion by Jerry Horton and seconded by John Reynolds, the Board voted 5-0 to deny the petitioner's administrative appeal to overturn the Director of Code Enforcement's enforcement order dated September 29, 2005. The Director of Code Enforcement indicated that the Division of Code Enforcement would not proceed with said enforcement order until any appeals relative to 155 Ararat Street had been heard and decided.
- 11) **155 Ararat Street** (Z05-205) – Administrative Appeal: Upon a motion by John Reynolds and seconded by Thomas Hannigan, the Board voted 5-0 to deny the petitioner's administrative appeal. Upon a motion by Thomas Hannigan and seconded by Matthew

Armendo the Board voted 1-4 to reconsider the petition (Matthew Armendo, Jerry Horton, Leonard Ciuffredo opposed). The denial of the administrative appeal was upheld.

- 12) **281 Clark Street** (Z05-206) – Special Permit: Upon a motion by Matthew Armendo and seconded by Jerry Horton the Board voted 5-0 to continue the hearing until January 9, 2005.
- 13) **260 Lincoln Street** (Z05-208) – Variance/Special Permit: Upon a motion by Matthew Armendo and seconded by Thomas Hannigan, the Board voted 5-0 to approve the petitioner's requested Variance for relief of 9 parking spaces from the parking requirement and the requested Special Permit for expansion or change of a pre-existing, non-conforming use with the condition of no hours of operation on Sunday.
- 14) **155 Millbury Street** (Z05-209) – Special Permit: Upon a motion by Matthew Armendo and seconded by David George, the Board voted 5-0 to continue the hearing until December 19, 2005.
- 15) **35 A & B Houghton Street** (Z05-210) – Variance: Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Special Permit to allow a private garage on more than 10% of the lot area.
- 16) **54 Catharine Street** (Z05-211) – Variances: Upon a motion by Jerry Horton and seconded by Thomas Hannigan, the Board voted 5-0 to approve the petitioner's requested Variance for 7 feet of relief from the rear yard setback requirement and a Variance for 400 feet of relief from the gross dimensional requirement for a duplex in place of the petitioner's original request for a Variance of 1,000 square feet of relief from the gross dimensional requirement for three townhouses.
- 17) **37 June Street Terrace** (Z05-212) – Variance: Upon a motion by Jerry Horton and seconded by Thomas Hannigan, the Board voted 5-0 to approve the petitioner's requested Variance for 1,486 square feet of relief from the gross dimensional requirement.

Approval of 2006 Meeting Schedule: Upon a motion by Matthew Armendo and seconded Morris Bergman, the Board voted 5-0 to approve the 2006 Meeting Schedule.

Approval of Minutes: Upon a motion by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to continue approval of the November 14, 2005 minutes until December 19, 2005.

The meeting adjourned at 11:00 P.M.