



# City of Worcester Zoning Board of Appeals Meeting Agenda Monday, October 7, 2019

Worcester City Hall  
Levi Lincoln Chamber, 3rd floor (Room 309), 455 Main Street at 5:30 p.m.

## Board Members

Joseph Wanat, *Chair*  
Andrew Freilich, *Vice-Chair*  
Jordan Berg Powers  
George Cortes  
Robert Haddon, *Alternate Member*  
Russell Karlstad, *Alternate Member*

## Contacting the Board's Office

The Planning and Regulatory Services  
Division serves as the Board's staff.

**Address:** City Hall, 455 Main St, Room  
404, Worcester, MA 01608  
**Hours:** M-F 8:30am-5:00pm  
**Phone:** 508-799-1400, x 31440  
**Email:** [planning@worcesterma.gov](mailto:planning@worcesterma.gov)  
**Website:** [worcesterma.gov/planning-regulatory](http://worcesterma.gov/planning-regulatory)

The Zoning Board of Appeals is committed to ensuring that its public meetings are accessible to people with disabilities. Should you require auxiliary aids, services, written materials in other formats, reasonable modifications in policies and procedures, please call in advance of the scheduled meeting.

## Our Mission

*Planning & Regulatory Services*  
To provide credible, timely, and accessible data and analysis for decision-making and problem solving for land and programmatic development

## Division Staff

Stephen Rolle, ACDO  
Michelle Smith, Chief Planner  
Amanda Molina Dumas, Senior Planner  
Timothy Gilbert, Planning Analyst  
Stefanie Covino, Conservation Planner  
Brian Pigeon, Sr. Transportation Planner  
Deborah Steele, Principal Staff Asst

## Upcoming Meetings

October 28, 2019  
November 18, 2019  
December 9, 2019  
January 13, 2020  
February 3, 2020  
February 24, 2020  
16-March 16, 2020  
April 6, 2020  
April 27, 2020  
May 11, 2020  
June 1, 2020  
June 22, 2020  
July 13, 2020  
August 3, 2020  
August 24, 2020  
September 14, 2020  
October 19, 2020  
November 9, 2020  
November 30, 2020

## Board Site Views

**Call to Order** – 5:30 pm

**Approval of the Minutes** - 1/14/19, 2/25/19, 3/18/19, 4/8/19, 4/29/19, 5/20/19, 6/10/19, 7/1/19, 7/22/19, 8/12/19 & 9/9/19

**Requests for Continuances, Extensions, Postponements, & Withdrawals**

## New Business

### 1. 45 Webster Street (MBL 27-INX-00001) (ZB-2019-052)

**Special Permit:** To allow the extension, alteration or change of a privileged pre-existing, nonconforming structure and/or use (Article XVI, Section 4)

**Petitioner:** Roman Catholic Bishop of Worcester

**Present Use:** Presently on the premises is a cemetery with associated buildings.

**Zone Designation:** RS-7 (Residence, Single Family) & BL-1.0 (Business, Limited) zoning district and is partially within the Floodplain Overlay District

**Petition Purpose:** The applicant seeks to expand the existing non-conforming use by developing a new section of grave space, with associated driveways, in the southeast corner of the cemetery property, and to conduct associated site work.

**Public Hearing Deadline:** 11/16/19; **Constructive Grant Deadline:** TBD

## Old Business

### 2. 33 Dominion Road (MBL 46-006-00180) (ZB-2019-017)

**Special Permit:** To allow a multi-family low-rise structure in an RL-7 zone (Article IV, Section 2, Table 4.1, Residential Use #11)

**Petitioner:** Silver Tree Realty, LLC

**Present Use:** A vacant lot

**Zone Designation:** RL-7 (Residence, Limited)

**Petition Purpose:** The applicant seeks to construct a multi-family low-rise dwelling with 7 dwelling units and associated parking.

**Hearing Opened:** 4/29/19; **Constructive Grant Deadline:** TBD

**Old Business**

**3. 3 Newton Avenue (MBL 11-013-00004) (ZB-2019-021)**

**3 (aka Lot 1) Newton Avenue (Existing):**

- Variance: For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance: For relief from the minimum lot area dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance: For relief from the minimum side-yard setback dimensional requirement (Article IV, Section 4, Table 4.2)

**Lot 2 Newton Avenue (Proposed):**

- Variance: For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance: For relief from the minimum lot area dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance: For relief from the minimum side-yard setback dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance: For relief from the minimum rear-yard setback dimensional requirement (Article IV, Section 4, Table 4.2)
- Petitioner: Guri Dura and Marjeta Skenderi
- Present Use: At 3 Newton Avenue (aka Lot 1) is a two-family dwelling & on proposed Lot 2 is a detached garage.
- Zone Designation: RL-7 (Residence, Limited) zoning district
- Petition Purpose: To convert the garage into a single-family dwelling.
- Hearing Opened: 6/10/19; Constructive Grant Deadline: 10/29/19
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**4. 17 Mattson Avenue (MBL 13-005-0026A) (ZB-2019-032)**

- Variance:** For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the lot area dimensional requirement (Article IV, Section 4, Table 4.2)
- Petitioner: Artan Ametaj
- Present Use: Presently on the premises is an existing, non-conforming two-family detached dwelling.
- Zone Designation: RG-5 (Residence, General) zoning district
- Petition Purpose: The applicant seeks to construct an addition in order to convert the existing two-family detached dwelling into a three-family detached dwelling and to conduct associated site work.
- Hearing Opened: 7/1/19; Constructive Grant Deadline: 10/29/19
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## New Business

### **5. 67 West Boylston Street (MBL 20-023-0001A) (ZB-2019-036)**

- Special Permit:** To allow the extension, alteration or change of a privileged pre-existing, nonconforming structure and/or use (Article XVI, Section 4)
- Special Permit:** To allow a food-service drive-thru (Business Use #6) in a BG-3.0 District (Article IV, Section 2, Table 4.1)
- Special Permit:** To allow an automobile refueling station (Business Use #17) in a BG-3.0 District (Article IV, Section 2, Table 4.1)
- Special Permit:** To modify parking, loading, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7)
- Petitioner:** HTK8 Yankee LLC
- Present Use:** Presently on the premises is an automobile refueling station, a convenience store and food-service with a drive-thru, with associated off-street parking spaces.
- Zone Designation:** The property is split zoned, located within both BG-3.0 (Business, General) and RL-7 (Residential, Limited) zoning districts
- Petition Purpose:** The applicant seeks to construct an escape lane and re-configure the existing drive-thru lane and expand the parking area to add three (3) additional parking spaces, and conduct associated site work.

**Public Hearing Deadline:** 10/7/19; **Constructive Grant Deadline:** 10/29/19

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### **6. 9 (aka 11) Yukon Avenue (MBL 46-030-00239) (ZB-2019-040)**

- Special Permit:** To modify parking, loading, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7)
- Variance:** For relief from the minimum front-yard setback dimensional requirement (Article IV, Section 4, Table 4.2)
- Petitioner:** Imagetech Properties, LLC
- Present Use:** Presently on the premises is a newly constructed single-family detached dwelling with associated site improvements.
- Zone Designation:** RS-7 (Residence, Single Family) zoning district and the Water Resource Protection Overlay District (WR(GP-3))
- Petition Purpose:** The applicant seeks retroactive relief for the construction of the single-family detached dwelling and associated site work.

**Public Hearing Deadline:** 10/7/19; **Constructive Grant Deadline:** 10/31/19

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### **7. 757 Salisbury Street (MBL 50-023-00001) (ZB-2019-041)**

- Variance:** For relief from the maximum height (stories & feet) dimensional requirements (Article IV, Section 4, Table 4.2)
- Petitioner:** HP Acquisitions, LLC
- Present Use:** Presently on the premises are vacant residential buildings.
- Zone Designation:** RS-10 (Residence, Single-Family) & RS-7 (Residence, Single-Family) zoning district
- Petition Purpose:** The applicant seeks to construct a Continuing Care Retirement Community consisting of three multi-family, low-rise buildings with a total of +/- 123 dwelling units, an associated driveway network, and related site work on approximately 17 acres of land (located off Salisbury Street).

**Public Hearing Deadline:** 10/7/19; **Constructive Grant Deadline:** 11/2/19

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## New Business

### **8. 20 (aka Lot 1 & 2) Sherer Trail (MBL 42-026-00005) (ZB-2019-043)**

#### **20 (aka Lot 1) Sherer Trail (Existing):**

- Variance:* For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance:* For relief from the minimum lot area dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance:* For relief from the minimum front-yard setback dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance:* For relief from the minimum rear-yard setback dimensional requirement (Article IV, Section 4, Table 4.2)

#### **Lot 2 Sherer Trail (Proposed):**

- Variance:* For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2)
- Variance:* For relief from the minimum lot area dimensional requirement (Article IV, Section 4, Table 4.2)
- Petitioner:* Nicholas Hoffman
- Present Use:* Presently on the premises at 20 Sherer Trail (aka Lot 1) is an existing, nonconforming single-family detached dwelling, and on proposed Lot 2 is a vacant lot.
- Zone Designation:* RS-7 (Residence, Single-Family) zoning district
- Petition Purpose:* The applicant seeks to divide the existing lot into two, and construct a single-family detached dwelling on proposed Lot 2, along with related site work.
- Public Hearing Deadline:* 10/10/19; *Constructive Grant Deadline:* 11/14/19
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### **9. 15 Hamilton Street (MBL 04-009-00038) (ZB-2019-044)**

- Variance:*** For relief from the minimum parking requirements (Article IX, Sec. 9, Table 9.1)
- Amendment to:***
- Special Permit:*** To allow a Food Service establishment (includes the consumption/sale of alcoholic beverages) and/or providing dancing or entertainment use in a BL-1.0 zone (Article IV, Section 2, Table 4.1, Business Use #8)
- Special Permit:*** To modify parking, loading, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7)
- Petitioner:* Chalita Youssef, of 15 Hamilton LLC
- Present Use:* Presently on the premises is an existing nonconforming structure, operating as a food service establishment with tobacco.
- Zone Designation:* BL-1.0 (Business, Limited) zoning district and within the Commercial Corridors Overlay District (CCOD-E)
- Petition Purpose:* The applicant seeks to amend the previous approvals (ZB-2016-065) in order to increase the occupancy, change the hours of operation, add an outdoor patio/entertainment, reconfigure the parking layout, and further modify the original conditions of approval.

*Public Hearing Deadline:* 10/11/19; *Constructive Grant Deadline:* 11/15/19

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## New Business

### **10. 533 (aka 535-537) Cambridge Street (MBL 07-042-00044) (ZB-2019-045)**

**Special Permit:** To allow the extension, alteration or change of a privileged pre-existing, nonconforming structure and/or use (Article XVI, Section 4)

**Petitioner:** Van K. Nguyen

**Present Use:** Presently on the premises is an existing, nonconforming single-family detached dwelling with associated site improvements.

**Zone Designation:** RG-5 (Residence, General) zoning district and partially within the Floodplain Overlay District

**Petition Purpose:** The applicant seeks to construct an addition, adding 2 new dwelling units, in order to convert the existing single-family detached dwelling into a single-family attached dwelling, with a total of 3 dwelling units, and to conduct associated site work.

**Public Hearing Deadline:** 10/12/19; **Constructive Grant Deadline:** TBD

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### **11. 443 Park Avenue & 78 Charlotte Street (MBL 06-040-26+27 & 06-040-00040) (ZB-2019-047)**

**Special Permit:** To allow the extension, alteration or change of a privileged pre-existing, nonconforming structure and/or use (Article XVI, Section 4)

**Petitioner:** Consulting and Design, LLC, on behalf of Montello Group, Corp.

**Present Use:** Presently on the premises is a pre-existing nonconforming convenience store with associated surface parking and walk-up ATM.

**Zone Designation:** BG-3.0 (Business, General) zoning district

**Petition Purpose:** The applicant seeks to construct an addition, reconfigure the store interior and use a portion of the building for a new food service use, along with associated site work.

**Public Hearing Deadline:** 11/2/19; **Constructive Grant Deadline:** TBD

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## Other Business

### **12. Communications**

### **13. Discussion of Board Policies and Procedures**

### **14. Signing of Decisions (from prior meetings)**

## Adjournment