

**FILE**



**SPECIAL PERMIT AMENDMENT 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



**TYPE OF SPECIAL PERMIT AMENDMENT** (check Amendment you are requesting and describe what you are requesting)

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

1. Assessor's **ADDRESS OF SUBJECT PROPERTY:** 1241 Millbury St, Worcester, MA 01607  
(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: \_\_\_\_\_

3. **OWNER OF RECORD:** ANGELO PIZZERIA  
(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 1241 MILLBURY STREET, WORCESTER, MA 01607 1059 Crafts St, Worcester, MA

5. Worcester District Registry of Deeds (WDRD) Book(s) \_\_\_\_\_, Page(s) \_\_\_\_\_  
(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 \_\_\_\_\_ Block MBLU 31/003/00005 Lot \_\_\_\_\_  
(List MBL number for the subject property as listed at Assessor's Office)

7. **NAME OF APPLICANT(S):** BOAKYE OSEI BONSU

8. Address of Applicant: 1 SNOWY OWL LANE, WORCESTER, MA 01605

9. Telephone: (508) 450-2165

10. Email: EROBBYF@GMAIL

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.)

12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts):

ME - 1

13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):

1239 is currently an open lot storage with cars.  
1241 was previously used as a fish store and now vacant.  
1243 is

14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):

change the use of the vacant commercial building to a garage for dismantling of cars into parts.

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 use of the property):

(a) XVI, Section 4

(b) ARTICLE IV, SECTION 2, TABLE 4.1

(c) ARTICLE IV, SECTION 7

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):

~~NO~~ EZB - 2013 - 040

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:

N/A

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

Seeking to use this permit for change in use of the facility to support the existing business.

## **SPECIAL PERMIT FINDINGS OF FACT**

**In the spaces below explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(2) of the Zoning Ordinance. (Attach additional supporting documentation as necessary.)**

**1. Social, economic or community needs that are served by the proposal:**

The use of property 1241 Millbury Street is in addition to the operations in adjoining properties 1239 and 1243 Millbury Street. The use of 1241 will be an expansion of operations involving dismantling of used motor vehicles into component parts for exports.

**2. Traffic flow and safety, including access, parking and loading areas:**

The proposed use will provide onsite parking for customers and employees. Onsite operations will also include loading and unloading vehicles and vehicle parts and use of building for dismantling operations.

**3. Adequacy of utilities and other public services:**

The site is equipped with all necessary utilities for intended operations.

**4. Neighborhood character and social structure:**

The neighborhood includes an eclectic blend of residential and commercial uses. The integrity and character of the neighborhood will be maintained. The applicant will provide the state of the art oil leak proof technology to protect against oil leaks to assure operations are environmentally pristine.

**5. Impacts on the natural environment:**

In addition to the state of the art technology to protect against oil leakage, the applicant will provide shrubs and trees to provide aesthetic improvement to a neighborhood with missed uses.

**6. Potential fiscal impact, including city services needed, tax base, and employment:**

The proposed use will also increase revenue for the city, employment opportunities for area residents, and also provide economic stability for the neighborhood.

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

By: [Signature]

(Signature of Applicant or Applicant's Agent)

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

BOAKYE OSEI BONSU

(Name of Applicant)

1 SNOWY OWL LANE, WORCESTER MA 01605

(Address)

(508) 450-2165

(Contact Phone Number)

EROBBYF@GMAIL

(Email)

05/18/2020

(Date)

By: [Signature]

(Signature of Property Owner or Owner's Agent)

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

ANGELO PIZZERIA

(Name of Property Owner)

1059 GRAFTON STREET, WORCESTER MA 01604

(Address)

774 696-3801

(Contact Phone Number)

apfishcompany@verizon.net

(Email)

05/18/2020

(Date)

## SUPPLEMENTARY QUESTIONS FOR SPECIAL PERMITS

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.

<b>Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure (Article XVI, Section 4)</b>
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1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities)  
N/A
  
2. Indicate how long the nonconforming aspects of the structure have been in existence:  
N/A
  
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)  
N/A
  
4. Describe the proposed extension, alteration or change and total square footage of any physical expansion:  
N/A
  
5. Explain how the extension, alteration or change itself complies with the current requirements of this Ordinance:  
N/A
  
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.  
N/A
  
7. Explain how the structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:  
N/A

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Use**

**(Article XVI, Section 4)**

1. Describe what is currently nonconforming about this use:

N/A

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)

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

**Residential Use allowed only by Special Permit in a particular zoning district  
(Article IV, Section 2, Table 4.1)**

1. Describe the proposed residential use:

N/A

2. Total number of dwelling units proposed, number of bedrooms per unit, and square footage of units:

N/A

3. Number and dimensions of off-street parking spaces to be provided and location (garage, driveway). Off-street parking spaces must be located outside of the front yard and exterior side yard setbacks.

N/A

**Non-Residential Use allowed only by Special Permit  
(Article IV, Section 2, Table 4.1)**

1. Describe the proposed use (include description of business, proposed hours of operation, and number of employees)

~~N/A~~ The building will be use as a garage to to dismant  
-N/A cars into parts. Our hours of operation will be from 8:00  
to 5:00pm. The building will be fitted with oil and gas separator  
to ensure proper proposal

2. Total square footage of proposed use:

~~N/A~~ 3408 sq ft

3. Number of off-street parking spaces to be provided. Indicate location of those parking spaces: garage, parking lot, parking spaces on a different lot provided through the same ownership and/or leased spaces (a 5-year minimum lease with renewal options must be provided) within 1,000 feet of the use it will serve.

~~N/A~~ 1241, Milbury Street, has 1 handicap parking, 4 customer  
parking and 6 employee parking  
1239 Mibury Street has 30 parking

4. For a proposed animal hospital, animal clinic, pet shop or animal shelter, per Article IV, Section 2, Notes to Table 4.1, Note 4, indicate the location of any animal runs if a residential zoning district is within 200 feet of the subject property.

N/A

5. For a proposed Bed and Breakfast use, provide additional documentation per Article IV, Section 11.

6. For a proposed Adult Entertainment use, provide additional documentation per Article IV, Section 10.

7. For a proposed Limited Residential Hospice House, provide additional documentation per Article IV, Section 2, Notes to Table 4.1, Note 10.

8. 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:

N/A

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

N/A

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:

N/A

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

N/A

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):

N/A

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

N/A

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

1. Indicate whether the Special Permit is for Placement of Fill or Earth Excavation:

N/A

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:

N/A

2. If applicable, indicate locations, square footages, and dimensions of relief sought under the Special Permit:  
N/A

3. If applicable, provide number of parking/loading spaces required and relief requested through the Special Permit:  
N/A

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**Other Special Permits**

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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:  
N/A

**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: _____

**(3) If a Corporation:**

Full Legal Name EROBBY TRUCKING, INC.

State of Incorporation MASSACHUSETTS

Principal Places of Business 1243 MILLBURY STREET, WORCESTER, MA 01607

Place of Business in Massachusetts \_\_\_\_\_

Printed Names of Officers of Corporation: \_\_\_\_\_ Title

BOAKYE OSEI BONSU PRESIDENT

EUNICE BONSU VICE PRESIDENT

**Owners of Corporation:**

Printed Names \_\_\_\_\_ Address \_\_\_\_\_ % of stock \_\_\_\_\_

BOAKYE OSEI BONSU 1 SNOWY OWL LANE WORCESTER, MA 01605 50%

EUNICE BONSU 1 SNOWY OWL LANE WORCESTER, MA 01605 50%

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

 Date: 5/25/20

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

**(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: \_\_\_\_\_

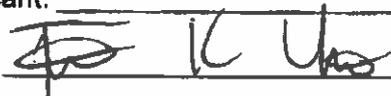
\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

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

Printed Name of Applicant: BOAKYE OSEI BONSU

Signature of Applicant:  Date: 05/25/20

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## **CITY OF WORCESTER CERTIFIED LIST OF ABUTTERS**

**Replace This Page with Certified List of Abutters  
From Assessor's Office**

**List of Abutters:** The Applicant shall provide a list of "parties of interest" which shall be attached to the application form and shall include the names and address of all owners of land (if different from the petitioner), abutters, owners of land directly opposite street or way, and abutters to abutters within three hundred (300) feet of the Applicant's property line including all contiguously owned land. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department shall certify the list of names and addresses.

### **MEETING WITH YOUR NEIGHBORS**

While not required, it is recommended, when possible, that applicants meet with neighbors prior to the scheduled public hearing to discuss the proposed development. State law requires that direct abutters and abutters to direct abutters within a 300-foot radius of the site receive notification of the hearing. Those abutters will receive a brief notice in the mail from the Division of Planning and Regulatory Services indicating the date and time of the public hearing and the requested Special Permit. In some cases, abutters may have additional questions or concerns about the proposed development that are not answered by the legal notice they receive in the mail. Additionally, abutters may not be able to visit the Division of Planning and Regulatory Services office during business hours to view the actual petition and plan.

**City of Worcester, Massachusetts  
Zoning Board of Appeals**

Lawrence Abramoff,  
Chair



Vadim Michajlow, Vice-Chair  
Joseph Wanat  
Timothy Loew, Alternate Member  
Robert Haddon, Alternate Member

**SPECIAL PERMIT - FINDINGS OF FACT AND DECISION**

**1193 (aka 1239) - 31-003-00011**

**1239 & 1243 Millbury Street (MBL 31-003-00011 & 31-003-00005)**

**1241 (aka 1243) - 31-003-00005**

The Board of Appeals viewed the property located at 1239 & 1243 Millbury Street, Worcester, Massachusetts and thereafter held a hearing on September 30, 2013 at 5:30 P.M. in the Worcester City Hall, Levi Lincoln Room, 455 Main Street, on the appeal of Francise Yeboah dba Erobbby Trucking, Inc., petitioner.

It was ordered by the Board that notices of a public hearing to be held on September 30, 2013 be sent to the individuals listed on the City of Worcester Certified Abutter's list for the property.

On September 16, 2013 and September 23, 2013, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

On September 30, 2013, the hearing was called to order by Lawrence Abramoff, Chair. Present for the hearing were Lawrence Abramoff, Vadim Michajlow, William Bilotta, Joseph Wanat, Timothy Loew, and Robert Haddon. The meeting was continued to October 21, 2013.

On October 21, 2013, the hearing was called to order by Lawrence Abramoff, Chair. Present for the hearing were Lawrence Abramoff, Vadim Michajlow, Joseph Wanat, Timothy Loew, and Robert Haddon.

**FINDINGS**

The Worcester Zoning Board of Appeals (ZBA), having viewed the site, conducted a public hearing and reviewed all the submitted evidence, finds that:

1. Francise Yeboah dba Erobbby Trucking, Inc., whose address is 1 Snowy Owl lane, Worcester, MA 01605, is the lessee and petitioner of certain land situated at 1239 & 1243 Millbury Street in the City of Worcester and more particularly described in a deed recorded with the Worcester District Registry of Deeds Book 22627 & 51319, Page 384 & 192 respectively. The owner of the petitioned land is Angelo Pizzarella, whose address is 1241 Millbury Street, Worcester, MA 01607.
2. Said land is situated in a district classified under the City of Worcester Zoning Ordinance as MG-1.0 (Manufacturing, General) & Blackstone River Parkway Sign Overlay District (BSOD).

City of Worcester Zoning Board of Appeals  
Worcester City Hall, 455 Main Street, Room 404 (4<sup>th</sup> floor), Worcester, Massachusetts 01608  
Telephone: (508) 799-1400 x3 Fax: (508) 799-1408  
Email: [planning@worcestema.gov](mailto:planning@worcestema.gov)  
Website: [www.worcestema.gov/development](http://www.worcestema.gov/development)



3. Presently located on the premises is ~40 unregistered vehicles at 1239 Millbury Street and retail food sales at 1241 Millbury Street.
4. Petitioner seeks to operate an open lot storage to park a total of 45 unregistered vehicles at 1239 and 1243 Millbury Street and relief from providing the required landscape buffer along Millbury Street (southerly portion fronting 1243 Millbury Street) and Cliff Street.
5. Petitioner seeks:
  - Special Permit:** To provide open lot storage for more than 1 unregistered automobile in excess of 7 days (General Use #13, Table 4.1)
  - Special Permit:** Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7) – requesting a waiver of a landscaped 5-ft buffer
6. Such a use is permitted by the City of Worcester Zoning Ordinance under Article IV, Section 2, Table 4.1 and by Article IV, Section 7 (A)(2) by the grant of a Special Permit.

#### **Findings of Fact - Special Permit**

7. Per Article II, Section 6 (A)(2), the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations:
  - (1) Social, economic or community needs that are served by the proposal:  
*The proposed use will provide a used car business in the area.*
  - (2) Traffic flow and safety, including access, parking and loading areas:  
*The proposed use provides onsite parking spaces for employees and customers. Loading and unloading of vehicles will also occur onsite.*
  - (3) Adequacy of utilities and other public services:  
*The site is equipped with all necessary utilities.*
  - (4) Neighborhood character and social structure:  
*The neighborhood includes an eclectic blend of residential and commercial uses. Per the Board's condition of approval, the applicant will provide the required 5 ft. landscaped buffer.*
  - (5) Impacts on the natural environment:  
*The landscape buffer will be installed with trees and shrubs and will provide aesthetic improvement to a neighborhood of mixed uses.*
  - (6) Potential fiscal impact, including city services needed, tax base, and employment:  
*The proposed use will increase tax revenues for the City, employment opportunities for area residents, and provide stability to the neighborhood.*

## DECISION

At a meeting of the Board on October 21, 2013, and on motion duly made and seconded, it was voted 5-0 by Board members (Lawrence Abramoff, Vadim Michajlow, Joseph Wanat, Timothy Loew, and Robert Haddon voting in favor) to approve the requested Special Permit to provide open lot storage for more than 1 unregistered automobile in excess of 7 days (General Use #13, Table 4.1) with the following conditions:

**1) The Special Permit is valid for one year from date of the Board's final action;**

**2) Use Related Restrictions**

- Total vehicles on the lots for open lot storage/display/sale is limited to 45 vehicles.
- No dismantling of motor vehicles is to be conducted on site.
- No storage of motor vehicle parts is to be conducted in the parking area. (Note: indoor storage of vehicle parts/salvage materials would require additional permits from the Fire Department.)
- Towing operations may occur 24 hours a day; however vehicles sales, loading and unloading of vehicles for export and other associated operations to take place during stated business hours Monday through Saturday of 7 am - 7 pm.
- All loading/unloading of vehicles is to take place on site, not on public streets.
- No junk (inoperable) cars are allowed to be parked on the 1241 or 1243 Millbury Street lots.

**3) Repairs/ Maintenance**

- Relocate existing dumpster closer to building at 1241 Millbury Street and screen with fencing (stockade, simulated stockade or chain link with slats).
- Perform weekly maintenance of all landscaped areas.

**4) Revised Plans** – Submit six (6) copies of a revised plan showing conditions of approval (above) and with the following modifications prior to release of a building permit.

- Correct scale to read 1 inch = 20'
- Provide a north arrow.
- Provide location and size of existing freestanding signs on site.
- Label snow storage area or include a note saying that excess will be trucked offsite.
- Correct the discrepancy of parking spaces listed in the parking summary with what is approved for the site.
- Under the Parking Spaces notes section, include "Business: Office, Professional/General 1,300 SF gross floor area" as there are buildings associated with the open lot storage located at 1239 and 1243 Millbury Street.
- Correct the spelling of the word *vehicles* in the parking summary.
- A maximum of 4 compact spaces, not 18 are allowed on the combined sites. Correct the notes section and parking summary table or convert one of the five proposed compact space to standard size.<sup>1</sup>

<sup>1</sup> Based on the parking space calculation in footnote #1, a total of 17 parking spaces are required.  $25\% \times 17 \text{ parking spaces} = 4.25 \text{ spaces}$ . The proposed 5 compact spaces  $\approx 30\%$ . (Article IV, Section 7, Table 4.4, Note 3, b – Dimensions of Parking Space \*Compact Spaces) – In parking lots containing more than ten (10) spaces, up to twenty-five percent (25%) of the required parking may be set aside for compact cars as a matter of right."

- Correct the zoning summary table: 15' required rear-yard setback (not 25') and NA for max stories/height.
- Correct number of trees proposed (in Proposed Trees notes section and parking summary). Notes section indicates a total of 7 units (T1 to T7)<sup>2</sup>, tree summary indicates 5 trees proposed and staff counted 7 trees on the plan.
- The plantings as shown on the plan (in the existing buffer between 1239 and 1241-1243 Millbury Street) do not correspond with what staff observed during the site visit. Please clarify if the landscaping depicted is proposed or revise the plans to show existing conditions.
- Revise the following in the parking summary table:
  - Replace "display vehicles" with "total parking spaces" as not all spaces are used for vehicle display/sale (There are no required # of parking spaces for display).
  - Change handicap space required<sup>3</sup> from "2" to "3"
  - Revise number standard display spaces (9' x 18') to read "37"<sup>4</sup>
  - Provide number of existing parking spaces.

and provided it is in accordance with site plan submitted on file with the City of Worcester and in compliance with all governmental codes.

At a meeting of the Board on October 21, 2013, and on motion duly made and seconded, it was voted 0-5 by Board members (Lawrence Abramoff, Vadim Michajlow, Joseph Wanat, Timothy Loew, and Robert Haddon voting in opposition) to approve the requested Special Permit for Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7) – requesting a waiver of a landscaped 5-ft buffer. This Special Permit was denied.

The Special Permit shall not take effect until the petitioner records, at his or her own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to Massachusetts General Laws, Chapter 40A, Section 11, as amended. The rights authorized by this Special Permit must commence no later than one year from the grant hereof. If the requested Special Permit is litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A § 17 and shall be filed within twenty days after the filing of this decision in the office of the City Clerk.

It was **ORDERED** by the Board that persons notified of the hearing be notified of the foregoing decision.

<sup>2</sup> T1 to T3 = 3 units of white fir; T4 to T7 = 4 units of smoketree, smokebush

<sup>3</sup> 521 CMR 23.2.1 (Architectural Access board) Lots with 51-75 parking spaces require a minimum of 3 accessible spaces.

<sup>4</sup> Staff counted a total of 37 based on the 69 spaces shown on the plan.

ADJOURNED

LAWRENCE ABRAMOFF

VADIM MIGHAJLOW

JOSEPH WANAT

TIMOTHY LOEW

ROBERT HADDON

DATE \_\_\_\_\_

DATE 11/4/13

DATE 11/7/13

DATE 10/20/12

DATE 11/4/13

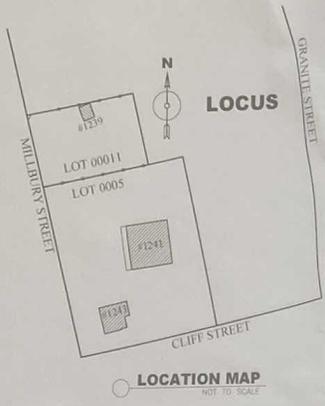
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WORCESTER CITY CLERK  
2013 NOV -5 P 2:25

**REMINDERS**

Time Limitations: If the activity authorized by a Special Permit granted by the ZBA is not initiated within one (1) year of the date of grant (one year from date Special Permit is received by the City Clerk) and/or the activity is not completed within two (2) years, then the Special Permit shall lapse unless the Director of Code Enforcement makes a determination that the failure to complete was for good cause. Per Article II, Section 9, D. 5. of the City of Worcester Zoning Ordinance.

Landscaping Requirements: required landscaping shall be maintained in a healthy growing condition, free of refuse and debris, and any plantings that do not survive shall be replaced in kind by the applicant or the property owner within a reasonable period of time. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking of vehicles or snow storage in areas used for screening and buffering. Per Article V, Section 5, C. iv of the City of Worcester Zoning Ordinance.

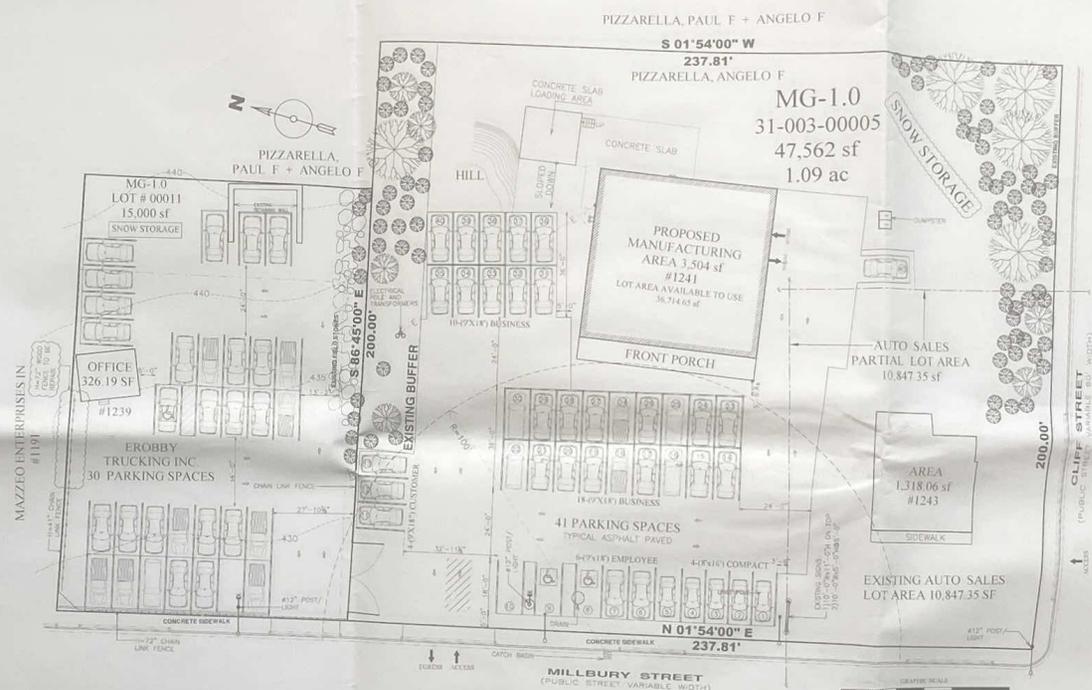
Construction Noise: No person shall operate any powered construction equipment or build, erect construct, demolish, alter, repair, excavate or engage in hoisting, grading, site work, including tree and brush removal, dredging or pneumatic hammering, or deliver construction equipment and/or supplies to the site on any building, road, tower, parking lot, machine, pipe, sewer, sidewalk, or any other construction project, except between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and d Saturday, and between the hours of 9:00 a.m. and 7:00 p.m. on Sundays....Per Chapter 9 Section 1A (e) (9) of the City of Worcester's Ordinance Relative to Excessive and Unreasonable Noise.



**LOCATION MAP**  
NOT TO SCALE



**EXISTING OFFICE**  
SCALE: 1/4"=1'-0"



**PARKING PLAN**  
SCALE: 1"=20'-0"

CITY OF WORCESTER  
Receiver  
JUL 22 2022  
PLANNING & REG.

SEAL OF THE CITY OF WORCESTER  
MANUEL A. DEVEREAUX  
CITY ENGINEER  
RECEIVED  
JUL 22 2022

FILE

PROVISIONS	DATE
No. 1	09/17/2020
1	03/17/2020

**VIMCAD, LLC**  
DESIGN BUILD, CONSTRUCTION MANAGEMENT,  
DRAWING & CONSULTING SERVICES

221 CHANDLER ST., SUITE 203, WORCESTER, MA 01609  
TEL: 508-754-8974 FAX: 508-363-1287

PROJECT & LOCATION CHANGE OF BUSINESS USE TO MANUFACTURING USE FOR DISMANTLES  
1241 MILLBURY STREET, WORCESTER, MA 01607

DRAWING TITLE:	JOB NO.	DRAWN BY:	DRAWING NO.
AMENDMENT PARKING PLAN	100010	JIM	A-1
SCALE:	DATE:	AS NOTED	07-17-20







1241





1241



