



City of Worcester

Zoning Board of Appeals Meeting Agenda

Monday, March 26, 2012

Levi Lincoln Chamber (3rd floor, room 309), City Hall, 455 Main Street
5:30 P.M.

Board Members

Andrew Freilich, *Chair*
Lawrence Abramoff, *Vice-Chair*
William Bilotta
Vadim Michajlow
Kola A. Akindede, *Alternate Member*
Timothy Loew, *Alternate Member*

Contacting the Board's Office

Division of Planning and Regulatory Services serves as the Board's staff. If you have any questions about submitted applications, you can

- Visit us in our office (M-F 8:30am-2:00pm) – City Hall, 455 Main Street, Suite 404 (4th floor), Worcester, MA
- Call 508-799-1400 ext. 260 (M-F 8:30am-2:00pm),
- E-mail planning@worchesterma.gov
- Contact us if you would like to sign-up for our *Land Use News* electronic newsletter.

Decisions

Typically, the Board signs decisions at its next regularly scheduled meeting and files its decision (final action) with the City Clerk the next day. Applicants will be notified of the Board's final action via mail. After the 20 day appeal period has expired, the applicant must obtain a certified copy of the decision from the City Clerk and record that same copy at the Worcester County Registry of Deeds.

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

Joel Fontane, Director
Lara Bold, Chief Planner
Luba Zhaurova, Senior Planner
Deborah Steele, Principal Staff Assistant
Edgar Luna, Planning Analyst
Nancy Tran, Planning Analyst
John Odell, Worcester Energy Program Manager

Upcoming Meetings

April 23, 2012
May 14, 2012
June 4, 2012

Board Site Views

Call to Order – 5:30 pm

Approval of the Minutes – 2/13/2012, 3/5/12

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

Unfinished Business

1. 10 Claremont Street (ZB-2011-058)

Special Permit: To allow a Lodging House in a RG-5 zoning district
Petitioner: Son Van Nguyen
Present Use: A single-family dwelling
Zone Designation: RG-5 (Residential, General)
Petition Purpose: To convert the dwelling to a Lodging House for 8 occupants with 4 off-street parking spaces. Petitioner is applying concurrently for a Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7) – requesting a partial waiver of a 5-ft landscaped buffer (ZB-2012-006)

New Business

2. 2 Elman Road (ZB-2012-004)

Variance: Relief of 9.2 feet from the 20 rear yard setback dimensional requirement
Petitioner: Francis M. Keating
Present Use: Single-family detached dwelling
Zone Designation: RS-7 (Residential, Single Family)
Petition Purpose: Construct 16-ft by 20-ft addition attached to the rear of the existing dwelling

3. 10 Claremont Street (ZB-2012-006)

Special Permit: Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7) – requesting a partial waiver of a 5-ft landscaped buffer

Petitioner: Son Van Nguyen

Present Use: A single-family dwelling

Zone Designation: RG-5 (Residential, General)

Petition Purpose: Convert dwelling to a Lodging House for 8 occupants with 4 off-street parking spaces. Petitioner is applying concurrently for a Special Permit to allow a Lodging House in a RG-5 zoning district (ZB-2011-058)

4. 161 West Mountain Street (ZB-2012-008)

Amendment to a Special Permit: To allow a Personal Wireless Service Facility in the RS-7 Zoning District

Petitioner: New Cingular Wireless, PCS, LLC by AT&T Mobility Corporation

Present Use: Existing personal wireless service facilities on the roof of an apartment building

Zone Designation: RS-7 (Residential, Single Family)

Petition Purpose: To amend the previously granted Special Permit by adding three (3) additional antennas (for a total of 9) with associated equipment behind a screen wall on the roof

5. 67 Millbrook Street (ZB-2012-009)

Amendment to a Special Permit: To allow a Personal Wireless Service Facility in the MG-2.0 Zoning District

Amendment to a Special Permit: Expansion of a dimensional non-conformity with respect to height (more than 10-ft above the roofline).

Petitioner: Bell Atlantic Mobile of Massachusetts Corporation, Ltd. d/b/a Verizon Wireless

Present Use: A five-story office building with existing wireless facilities on a roof-top

Zone Designation: MG-2.0 (Manufacturing, General)

Petition Purpose: To relocate the existing 12 antennas from the facades of the existing roof pent-houses and to mount them at a higher height on the roof penthouse – 4 antennas at a height of 18-ft above the roof level, and 8 antennas at a height of 21-ft above the roof level

6. 50 Gardner Street (ZB-2012-010)

Special Permit: To provide open lot storage for more than 1 unregistered automobile in excess of 7 days (General Use #13, Table 4.1)

Petitioner: Kwadwo Obisui

Present Use: A vacant paved lot and an existing manufacturing building

Zone Designation: MG-2.0 (Manufacturing, General) and AR (Adaptive Reuse Overlay District)

Petition Purpose: To use the lot for storage of approximately 34 vehicles and as a loading dock for container vehicles. Four additional off-street parking spaces will be provided for employees and visitors.

7. 1098 West Boylston Street (ZB-2012-011)

Special Permit: To allow a multi-family low rise dwelling (Residential Use #11, Table 4.1) in an RL-7 zoning district.

Variance: Relief of 59.30-ft from the 90-ft frontage dimensional requirement

Petitioner: Ricky L. Sampson and Kelly A. Sampson

Present Use: Vacant land

Zone Designation: RL-7 (Residential, Limited) and WR (GP-3) (Water Resources Protection Overlay District)

Petition Purpose: To construct a six (6) unit multi-family dwelling with 12 off-street parking spaces and associated site improvements

8. 255 Park Avenue (ZB-2012-012)

Amendment to Special Permit: To allow a Personal Wireless Service Facility in the RG-5 and BG-3.0 Zoning Districts

Special Permit: Expansion of a dimensional non-conformity with respect to height (facilities will be located more than 10-ft above the roofline)

Petitioner: Sprint Nextel Corp.

Present Use: Existing personal wireless service facilities on the roof of a commercial office building

Zone Designation: BG-2.0 (Business, General) and RG-5 (Residential, General)

Petition Purpose: To replace six (6) existing antennas, add twelve (12) Remote Radio Head units, replace an existing GPS unit, install a fiber distribution box and replace an existing cabinet with two (2) cabinets within the existing shelter

9. 49 (aka 51) Union Street (ZB-2012-013)

Amendment to Special Permit: To allow a Personal Wireless Service Facility in a BG-6.0 Zoning District

Petitioner: Sprint Nextel Corp.

Present Use: A commercial building and existing wireless facilities structure-mounted on a 100' Above Ground Level (AGL) smokestack

Zone Designation: BG-6.0 (Business, General)

Petition Purpose: To replace three (3) existing antennas, add nine (9) Remote Radio Head (RRH) units and three (3) combiners, replace an existing GPS unit, replace two (2) existing equipment cabinets, install a fiber cabinet and perform work inside the building within its existing equipment space

10. 995 Main Street (ZB-2012-014)

Special Permit: To allow a drive-thru facility (Business Use #6, Table 4.1)
Special Permit: Extension, Alteration or Change of a Privileged Pre-Existing Nonconforming Use (Article XVI, Section 4)
Petitioner: McDonald's USA, LLC
Present Use: A 3,850 SF McDonald's restaurant with a 71 space parking lot
Zone Designation: BL-1.0 (Business, Limited) and RG-5 (Residential, General)
Petition Purpose: To construct a 200 SF addition for a freezer and upgrade the drive-thru facility to provide side-by-side ordering stations

11. 50 Lafayette Street (ZB-2012-015)

Special Permit: Extension, Alteration, or Change of a Privileged Pre-Existing Nonconforming Structure (Article XVI, Section 4)
Petitioner: Hung Nguyen
Present Use: A partially fire-damaged three-story building with 4 dwelling units and commercial space
Zone Designation: RG-5 (Residential, General)
Petition Purpose: To rebuild and expand the pre-existing nonconforming structure by increasing floor height at the stairwell to meet Fire Code, enclosing a portion of the deck for utilities and constructing an addition on the second floor above the front entrance. Petitioner also proposes to remove a shed in the property's rear to provide an additional parking space.

12. 11 Orlando Avenue (ZB-2012-016)

Variance: Relief of 1.8-ft from the 20-ft front yard setback dimensional requirement
Petitioner: Heather MacKenzie-Petro and Stephen Petro
Present Use: A single-family detached dwelling and storage shed
Zone Designation: RS-7 (Residential, Single-Family)
Petition Purpose: To construct a 607 SF two story addition to the existing dwelling on the northwest side of the house

13. 193 Lake Avenue (ZB-2012-017)

Amendment to Special Permit: Extension, Alteration or change of a privileged Pre-existing, Nonconforming Use (Business Use #24, Table 4.1) in a RL-7 zoning district to change from a retail use to a use of a similar nature
Petitioner: Michael T. Madulka
Present Use: An office building and freestanding seasonal ice-cream shop
Zone Designation: RL-7 (Residential, Limited)
Petition Purpose: To amend the 2009 Special Permit to remove the Board's conditions of approval that there be no seating and no additional food permitted to allow a hot dog vending cart adjacent to an ice cream shop and allow three picnic tables in the rear of the site

14. 19 McKeon Road (ZB-2012-018)

Amendment to Special Permit: To allow a Personal Wireless Service Facility in a MG-2.0 Zoning District

Petitioner: Sprint Nextel Corp.

Present Use: A 10,000 SF commercial building and a 100' Above Ground Level (AGL) smokestack with existing wireless facilities structure-mounted

Zone Designation: MG-2.0 (Manufacturing, General)

Petition Purpose: To replace three (3) existing antennas, add six (6) Remote Radio Head (RRH) units, replace two (2) existing equipment cabinets, replace an existing GPS unit and perform work inside the building within its existing equipment space

Other Business

15. Signing Decisions

16. Board Meeting Schedule 2012-2013

Adjournment