



City of Worcester Zoning Board of Appeals Meeting Agenda

Monday, December 14, 2015

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

Board Members

Lawrence Abramoff, *Chair*
Vadim Michajlow, *Vice-Chair*

Timothy Loew
George Valeri
Joseph Wanat

Robert Haddon, *Alternate Member*
Thomas Dillon, *Alternate Member*

Contacting the Board's Office
Division of Planning and Regulatory
Services serves as the Board's staff.

- **Address:** City Hall, 455 Main St, Room 404, Worcester, MA 01608
- **Hours:** M-F 8:30am-2:00pm
- **Phone:** 508-799-1400 ext. 260
- **Email:** planning@worchesterma.gov

The Zoning Board 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.

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

To provide credible, timely, and accessible data and analysis for decision-making and problem solving for land and programmatic development.

Division Staff

Stephen S. Rolle, Director
Domenica Tatasciore, Chief Planner
Luba Zhaurova, Sustainability Project Mgr
Michelle Smith, Senior Planner
Michael Antonellis, Planning Analyst
Deborah Steele, Principal Staff Asst
Marlyn Feliciano, Staff Assistant

Upcoming Meetings

January 11, 2016
February 8, 2016
February 29, 2016
March 21, 2016
April 11, 2016
May 2, 2016
May 23, 2016
June 20, 2016

Board Site Views

Call to Order – 5:30 pm

Approval of the Minutes –

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

Unfinished Business

1. 126 Southwest Cutoff (ZB-2015-055)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, or the number of required parking spaces (Article IV, Section 7)

Petitioner: Trusswan, Inc.,

Present Use: Presently located on the premises is an existing commercial structure, used as an automobile sales facility

Zone Designation: BL-1.0 (Business, Limited) zone

Petition Purpose: The petitioner seeks to modify the requirements of the Ordinance with regard to landscaping requirements for parking.

Public Hearing Deadline: 12/14/15

New Business

2. 22 Saxon Road (ZB-2015-057)

Special Permit: To allow for Expansion, Alteration, or Change of a Pre-existing, Non-conforming Structure/Use (Article XVI, Section 4)

Petitioner: Francis and Alexandra Dennehy

Present Use: Presently located on the premises is an existing single-family detached dwelling and associated off-street parking.

Zone Designation: RS-10 (Residence, Single-family)

Petition Purpose: The petitioner seeks to construct a ~156 SF covered porch on the front of the existing structure. The structure is currently non-conforming with regard to the front-yard and side-yard setbacks, lot area, and frontage.

Public Hearing Deadline: 1/9/16

3. 74 Berwick Street (ZB-2015-058)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, or the number of required parking spaces (Article IV, Section 7)

Variance: For relief from the minimum front-yard setback dimensional requirement (Article IV, Section 4, Table 4.2.) and/or for relief from the minimum setback dimensional requirement for an accessory structure (Article IV, Section 8.B.10.)

Petitioner: Elizabeth Gregory

Present Use: Presently located on the premises is an existing single-family detached dwelling.

Zone Designation: RS-10 (Residence, Single-family)

Petition Purpose: The petitioner seeks to construct a driveway/parking area, along with associated infrastructure (i.e. retaining wall) and site work, in the front of the existing structure.

Public Hearing Deadline: 1/9/16; **Constructive Grant Deadline – Variance:** 2/13/16

4. 747 Plantation Street (ZB-2015-059)

Special Permit: To allow for food-service drive-through in a ML-0.5 Zone (Article IV, Section 2, Table 4.1, Business Use #6)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, or the number of required parking spaces (Article IV, Section 7)

Petitioner: JMM & A, Inc.

Present Use: Presently located on the premises is an existing ~28,110 SF commercial structure, used as a convenience store, food-service establishment, and gas station, along with accessory off-street parking.

Zone Designation: ML-0.5 (Manufacturing, Limited) & Water Resources [WR (GP-2)] Overlay District

Petition Purpose: The petitioner seeks to construct a food-service drive-through and re-configure the parking layout along with associated improvements and site-work.

Public Hearing Deadline: 1/10/16

5. 35 A & B Colton Street (ZB-2015-061)

35 A Colton Street:

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.)

35 B Colton Street:

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: Worcester Affordable Housing, LLC

Present Use: Presently located on the premises is a vacant lot.

Zone Designation: RG-5 (Residence, General)

Petition Purpose: The petitioner seeks to construct a single-family semi-detached dwelling and off-street parking along with associated site-work.

Public Hearing Deadline: 1/13/16; **Constructive Grant Deadline:** 2/17/16

6. 256 Webster Street (ZB-2015-063)

Special Permit: To allow for food-service drive-through in a BL-1.0 Zone (Article IV, Section 2, Table 4.1, Business Use #6)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, or the number of required parking spaces (Article IV, Section 7)

Petitioner: 256 Webster Street, LLC

Present Use: Presently located on the premises is an existing ~3,460 SF commercial structure, used as a convenience store.

Zone Designation: BL-1.0 (Business, Limited)

Petition Purpose: The petitioner seeks to demolish a portion of the structure and add a food-service drive-through to the existing store along with associated site-work and re-configuration of the parking area.

Public Hearing Deadline: 1/13/16

7. 0 (aka 10 A & B) Clapp Street (ZB-2015-064)

Lot 10 A - Variance: For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2.)

Lot 10 B - Variance: For relief from the minimum frontage dimensional requirement (Article IV, Section 4, Table 4.2.)

Petitioner: Van K. Nguyen

Present Use: Presently located on the premises is a vacant lot.

Zone Designation: RG-5 (Residence, General)

Petition Purpose: The petitioner seeks an extension of time for two Variances previously approved by the Board, with their final action on January 13, 2015.

Public Hearing Deadline: N/A; **Constructive Grant Deadline:** N/A

8. 18 Hampden Street (ZB-2015-065)

Administrative Appeal: Cease and Desist Order issued by the Commissioner of Department of Inspectional Services due to a violation of Article IV, Section 2, Table 4.1 of the Zoning Ordinance (Article II, Section 6)

Petitioner: Dorothea and George Angelis

Present Use: Presently located on the premises is an existing three-family detached dwelling.

Zone Designation: RL-7 (Residence, Limited)

Petition Purpose: The petitioner is appealing the Cease and Desist Order of the Inspectional Services Commissioner dated October 16, 2015 which asserted that the first, second, and third floors of 18 Hampden Street were each found to be operating as a Lodging House without a Lodging House License, given each apartment was found to have four or more unrelated adult occupants.

Public Hearing Deadline: 1/20/16

Other Business

9. **Board Elections of Officers** – The Board shall, by a majority vote, elect both a chairperson and a vice chairperson. Alternates may not participate in this annual election (ZBA Rules & Regulations, Section 3 - as amended 6-29-2009)
10. **Communications**
 - a. Letter from Enzo and Elizabeth Simmarano, dated November 30, 2015
11. **Signing of Decisions from prior meetings**

Adjournment