

**MINUTES OF THE PROCEEDINGS OF THE
ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER
February 22, 2021**

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting was conducted through remote participation. The meeting was livestreamed from the City of Worcester website and via the local cable access channel and is available for streaming online. Public participation was facilitated through a call-in number, 415-655-0001 (Access Code: 1608847670#), which was publicized on the posted meeting agenda and during the video broadcast.

Zoning Board Members	Joseph Wanat, Chair
Participating:	Russell Karlstad, Vice Chair
	Jordan Berg Powers
	George Cortes
	Robert Haddon, Alternate Member

Zoning Board Members	Not
Participating:	

Staff Participating:	Stephen Rolle, Division of Planning & Regulatory Services
	Amanda Molina Dumas, Division of Planning & Regulatory Services
	David Horne, Department of Inspectional Services

Call to Order – 5:30 PM

Old Business – Public Hearings

- 1. 298 Plantation Street (aka 2 Northboro Street) (MBL 17-025-04+05) (ZB-2020-065)**
- Special Permit:** To allow the extension, alteration or change of a privileged pre-existing, nonconforming structure and/or use in a RL-7 zone (Article XVI, Section 4)
- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)
- Variance:** For relief from the minimum front-yard setback dimensional requirement in an RL-7 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the minimum exterior side-yard setback dimensional requirement in an RL-7 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the maximum floor area ratio (FAR) requirements for the RL-7 Zone (Article IV, Section 4, Table 4.2)
- Petitioner:** Rodney Haddad of Remp Realty LLC
- Present Use:** A +/- 2,979 SF non-conforming one-story commercial structure, formerly used as a dry cleaner, with associated off-street parking.
- Zone Designation:** RL-7 (Residence, Limited) zoning district
- Petition Purpose:** To renovate and convert the existing structure into a food service establishment (deli), construct a second story addition with two dwelling units, construct off-street parking, and conduct associated site work.
- Testimony Dates:** 2/11/2021 **Constructive Grant Deadline:** 5/15/2021

Upon a motion by Mr. Karlstad and seconded by Mr. Cortes, the Board voted 5-0 to continue the applications to the March 25, 2021 Zoning Board of Appeals hearing and to extend the Constructive Grant Deadline to April 6, 2021.

2. 10 Richmond Avenue (MBL 11-017-00003) (ZB-2021-003)

Special Permit: To allow the extension, alteration, or change to a privileged non-conforming structure/use (Article XVI, Section 4)

Special Permit: To modify dimensional standards for a Residential Conversion (Article IV, Section 9)

Petitioner: Michael A. Pace

Present Use: A privileged, non-conforming mixed use structure with one residential dwelling unit and a vacant ground floor commercial unit (formerly used as a hair salon), with associated off-street parking space.

Zone Designation: BL-1.0 (Business, Limited) and RS-7 (Residence, Single Family) zoning districts

Petition Purpose: To convert the existing structure into a two-family detached dwelling and conduct associated site work.

Public Hearing Deadline: 4/10/2021 **Constructive Grant Deadline:** TBD

Upon a motion by Mr. Karlstad and seconded by Mr. Cortes, the Board voted 5-0 to allow for Leave to Withdraw for the Special Permit applications.

Commissioner Berg Powers recused himself from item #3

3. 719 Southbridge Street (MBL 07-036-00001) (ZB-2021-005)

Special Permit: To allow the extension, alteration, or change to a privileged non-conforming structure/use (Article XVI, Section 4)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7.A.2)

Special Permit: To modify the dimensional requirements for accessory signs in an RG-5 Zone (Article IV, Section 6)

Petitioner: Nouria Energy Ventures I, LLC

Present Use: A non-conforming automobile refueling station with a convenience store, carwash, and associated site improvements including signage.

Zone Designation: RG-5 (Residence, General) zoning district

Petition Purpose: To demolish the existing site improvements, construct a new +/- 3,600 SF convenience store with food service, +/- 8 pumps to be used for the automobile refueling station, related canopy, wall, and freestanding signage, and +/-12 parking spaces and conduct associated site work.

Public Hearing Deadline: 4/10/2021 **Constructive Grant Deadline:** TBD

Attorney Mark Bornstein along with the engineers and the representatives from Nouria Energy Ventures, I, LLC. called in for the application.

Mr. Bornstein stated that the existing structure will be demolished and a new convenience store with food service as well as 8 gas pumps will be installed on the site. Mr. Bornstein reviewed the site layout and stated that they would request the waivers suggested by staff and is in agreement with Conditions of Approval suggested by staff.

Ms. Molina Dumas reviewed the scope of the project.

Mr. Wanat stated that in his opinion this project will be a big improvement for the site.

Public Comment

No Public Comment.

Upon a motion by Mr. Karlstad and seconded by Mr. Cortes, the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. Karlstad and second by Mr. Cortes, the Board voted 4-0 to approve the Special Permits to allow extension, alteration or change to pre-existing, non-conforming structure and/or use, to modify parking layout, and to modify dimensional requirements for accessory signs; approved with requested waivers by the applicant; approved with Conditions of Approval from staff memo which include submission of final revised site plan-set, architectural plans and landscaping plan prior to issuance of Building Permit; snow storage shall not be located in any required parking spaces or landscaped buffers and shall not impede visibility; once designated snow storage areas exceed capacity, snow shall be removed from the site; and that the project will be built in substantial accordance with plans submitted.

4. 33 Dominion Road (MBL 46-006-00180) (ZB-2021-007)

Amendment to:

Special Permit: To allow a single-family attached dwelling in an RL-7 Zone (Article IV, Section 2, Table 4.1, Residential Use #12)

Petitioner: William Dowell of Apogee Development, LLC

Present Use: A vacant lot. The applicant previously received approval to construct a single-family attached dwelling (with a total of 3 dwelling units), and to conduct associated site work.

Zone Designation: RL-7 (Residence, Limited) zoning district

Petition Purpose: To amend the existing approval to construct a single-family attached dwelling (with a total of 3 dwelling units) in order to reconfigure the site layout and access and to conduct related site work.

Public Hearing Deadline: 4/10/2021 **Constructive Grant Deadline:** TBD

Andy Baum from Summit Engineering called in for the applicant, William Dowell of Apogee Development, LLC and reviewed the scope of the project.

Mr. Baum stated that the application had appeared before the Zoning Board last year and the applicant is looking to amend the application reconfigure the layout.

Ms. Molina Dumas reviewed the scope of the project and what the applicant is looking to change from the original approval.

Mr. Rolle requested Mr. Baum to review the height of the structures for the site and asked if a new ANR plan would be presented to the Planning Board. Mr. Baum reviewed the height and stated that a new ANR plan is going to be submitted to the Planning Board.

Mr. Wanat stated his concern is the building height but likes this better than the previous plan. Mr. Haddon stated he would agree with that also. Mr. Karlstad stated he would agree with the statements of his fellow Board members but no drawings have been submitted so would be uncomfortable approving without seeing the drawings.

Public Comment

No Public Comment.

The Board requested that the applicant provide updated plans prior to the Board voting on application. Mr. Baum stated that he would request to continue the application so can provide the updated plans.

Upon a motion by Mr. Karlstad and seconded by Mr. Cortes, the Board voted 5-0 to continue the application to the March 15, 2021 Zoning Board of Appeals meeting.

Other Business

7. Communications

Mr. Rolle stated that new board member, Nathan Sabo, had been appointed to the Zoning Board of Appeals.

8. Discussion of Board Policies and Procedures

Mr. Rolle stated that staff will begin using the Docusign platform to sign decisions.

9. Approval of Minutes

Upon a motion by Mr. Karlstad and seconded by Mr. Cortes, the Board voted 5-0 to approve the minutes of December 21, 2020.

Adjournment

Upon a motion by Mr. Karlstad and seconded by Mr. Berg Powers, the Board voted 5-0 to adjourn the meeting at 6:36 PM.