

**MINUTES OF THE PROCEEDINGS OF THE  
ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER  
DECEMBER 21, 2020**

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: 730323290#), which was publicized on the posted meeting agenda and during the video broadcast.

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

Zoning Board Members Not Participating:

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

**Old Business- Public Hearings**

Item #1 **1193 (aka 1239) & 1243 (aka 1241) Millbury Street (MBL 31-003-00011, -00005) (ZB-2020-036)**

Special Permit: To allow open lot storage of more than one (1) unregistered automobile in excess of seven (7) days (Article IV, Section 2, Table 4.1, General Use #13)

Special Permit: To allow open lot storage and/or salvage recycling operations (Article IV, Section 2, Table 4.1, Manufacturing Use #8)

Petitioner: Boakye Osei Bonsu

Present Use: At 1243 (aka 1241) Millbury Street are two buildings – a +/-1,319 SF commercial building, formerly used as convenience store, and a +/- 3,480 SF commercial building, formerly used for retail food sales – each with associated surface parking and at 1193 (aka 1239) Millbury Street is a parking lot used for open lot storage.

Zone Designation: MG-1.0 (Manufacturing, General) zoning district and the Blackstone River Parkway Sign Overlay District (BSOD)

Petition Purpose: To allow open lot storage of vehicles on both lots, to convert the existing +/- 3,480 SF commercial building into a garage to be used for dismantling of vehicles.

Hearing Opened: 10/5/2020 Constructive Grant Deadline: TBD

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to continue the Special Permit application to the January 11, 2021 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to February 2, 2021.

Item #2 **53 Ward Street (aka 101 Endicott Street) (MBL 05-020-00021) (ZB-2020-053)**  
Special Permit: To modify dimensional standards for a Residential Conversion (Article IV, Section 9)  
Variance: For relief from the minimum parking requirements for a residential use (Article IV, Section 7, Table 4.4)  
Petitioner: Mike's Properties LLC  
Present Use: Two privileged, non-conforming structures - a multi-family high-rise dwelling (with a total of 7 units) with a vacant commercial ground floor unit, known as 53 Ward Street, and a three-family dwelling, known as 101 Endicott Street, and associated site improvements  
Zone Designation: RG-5 (Residence, General) zoning district  
Petition Purpose: To convert the vacant ground floor unit of the existing multi-family dwelling at 53 Ward Street into a new dwelling unit (for a total of 8 units), and conduct associated site work.  
Hearing Opened: 11/17/2021 Constructive Grant Deadline: 2/21/2021

Attorney Jonathan Finkelstein and Michael O'Rourke from Mike's Properties, LLC called in for the application.

Mr. Finkelstein gave an overview of the application. The applicant is seeking to convert the vacant ground floor space (formerly a commercial space) into a new dwelling unit, for total of 8 units on the site.

Ms. Molina Dumas reviewed the scope of the project.

Mr. Finkelstein stated that they are requesting the waivers suggested by staff and are fine with the Conditions of Approval suggested by staff.

Mr. Kelly asked if the building had sprinklers. Mr. Finkelstein stated that it does not but they are in discussion with Fire Department regarding it.

Mr. Cortes asked the applicant to review the parking for the site. Ms. Molina Dumas reviewed the parking on the site.

### **Public Comment**

No Public Comment

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to approve the Special Permit with the following Conditions of Approval; That original of a final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services. The final revised site plan and architectural plans shall reflect the following changes:

- a. Provide floor plans for existing units and proposed unit that demonstrates compliance with definition of a multi-family dwelling.
- b. Provide existing and proposed plans for the new dwelling unit that shows proposed windows and egress.

That Exterior appearance of the structure shall remain unchanged except for new doors and windows, fire escapes, and stairways. Fire escapes and exterior stairways, if provided, must be in the rear of the structure where practical.

That the parking variance for 2 spaces specifically applies only to the one proposed dwelling unit, and not to a change in use or expansion of such use. Any change in use shall meet applicable parking requirements or receive the necessary relief from said requirements.

That the project is constructed and operated in substantial accordance with the findings of fact and all final revised plans and documents on file with the City of Worcester and in accordance with all applicable governmental codes.

And to approve the waivers requested by the applicant.

Item #3                                   **294 Hamilton Street (MBL 18-038-15-17) (ZB-2020-058)**

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

Variance:                               For relief from the minimum rear-yard setback dimensional requirement for a non-residential use in a BL-1.0 Zone (Article IV, Section 4, Table 4.2)

Petitioner:                             Paulina Tollkuci

Present Use:                           A one-story, +/- 3,600 SF commercial building, with associated off-street parking spaces.

Zone Designation:                   BL-1.0 (Business, Limited) zoning district

Petition Purpose:                   To renovate the existing building and construct a two-story, +/- 1,391 SF footprint addition (to the rear), for use as an adult daycare facility, and to conduct associated site work

Hearing Opened:                    2/7/2021   Constructive Grant Deadline:   3/14/2021

Attorney Paul Novak called in for the application Paulina Tollkuci.

Mr. Novak gave an overview of the proposal. The existing structure used to house two restaurants, uses which will be abandoned. The applicant seeks to renovate the existing building, including the construction of a two-story addition, for use as an adult daycare facility.

Mr. Novak stated that they are requesting the waivers suggested by staff and are in agreement with the Conditions of Approval suggested by staff.

Ms. Molina Dumas provided a review of the plans for the property. Ms. Molina Dumas stated that staff had received one notification from an abutter who had concerns about the proposal and that had been included in the Board packet.

The Board and the applicant discussed the dumpster location, accessible parking, and proposed landscaping for the property.

Board members expressed concern for the parking for the site.

**Public Comment**

Robin Yancy, abutter to the property, expressed her concern for the proposal, specifically the location of the dumpster, if the bus stop location would change, and parking and landscaping for the site.

The Board and the applicant discussed the dumpster location for the site.

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to approve the Special Permit and Variance with the following Conditions of approval; Prior to the issuance of a Building Permit, provide one (1) full-size, to-scale, stamped/sealed original of a final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services. The final revised site plan and architectural plans which shall reflect:

- Add two or more additional windows on the second floor in the lunch area along the Hamilton Street elevation to improve symmetry and appearance of the façade;
- Windows on the second-story rear elevation of the proposed addition shall be installed at least 60 inches above the start of the second story;
- Show all proposed lighting;
- Add the accessible parking spaces and proposed walkways;
- Add new 6 foot stockade fence along rear lot line between subject parcel and abutter at 5 Trahan Street;
- Add dumpster location with solid style screening.



Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to approve the Special Permit and Variance applications with the following Conditions of Approval:

There shall be no expansion of impervious area within the front-yard, except nominal areas for extended walkways/landings as may be needed for egress.

The external appearance of the structure shall not be altered except if necessary to provide stairs as a means of egress to the dwelling units, which must be located in the rear of the structure where practical.

Provided that the project is constructed and operated in substantial accordance with the findings of fact, final revised definitive site plans, including architectural renderings, calculations, and operation and maintenance plans and schedules, on file with the City of Worcester and in accordance with all applicable governmental codes.

And to approve the Waivers requested by the applicant.

### **Other Business**

#### **5. Communications**

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

#### **7. Elections of Officers**

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 4-0 to appoint Mr. Wanat Chair for year 2021.

Upon a motion by Mr. Cortes and seconded by Mr. Haddon, the Board voted 4-0 to appoint Mr. Karlstad as Vice-Chair for year 2021.

#### **8. Approval of Minutes-None**

### **Adjournment**

Upon a motion by Mr. Haddon and seconded by Mr. Karlstad, the Board voted 5-0 to adjourn the meeting at 7:37 p.m.