

**MINUTES OF THE PROCEEDINGS OF THE
ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER**

January 7, 2013

WORCESTER CITY HALL, 455 MAIN STREET, LEVI LINCOLN ROOM

Zoning Board Members Present: Andrew Freilich, Chair
Lawrence Abramoff, Vice-Chair
Vadim Michajlow
William Bilotta
Timothy Loew
Kola A. Akindele

Zoning Board Members Absent: None

Staff Present: Joel Fontane, Division of Planning & Regulatory Services
Marlyn Feliciano, Division of Planning & Regulatory Services
John Kelly, Department of Inspectional Services

Board Site Views

CALL TO ORDER

Chair Freilich called the meeting to order at 5:29 PM.

APPROVAL OF THE MINUTES

Upon a motion by Mr. Loew and seconded by Mr. Akindele, the Board voted 5-0 (Alternate Kola Akindele voted) to accept the August 27, 2012 and November 19, 2012 minutes.

NEW BUSINESS

1. 379 Main Street (ZB-2012-072)

Variance: Relief of 143.35 ft from the 200 ft frontage requirement in the BG-6 (Business, General) zoning district.

Petitioner: S.J. Realty, LLC

Present Use: A five story building. The first floor is currently commercial and the upper floors are currently vacant.

Zone Designation: BG-6 (Business, General)

Petition Purpose: To redevelop the existing building to construct micro-loft residential units on the upper floors. The petitioner seeks relief from the frontage requirements of the Zoning Ordinance. The Ordinance requires 40 ft per dwelling unit but no more than 200 ft of frontage in the BG-6 zoning

district. The proposal provides 56.65 ft of frontage and 143.35 ft of relief is being sought.

Attorney Robert Longden introduced Ron Stewart and Dan Jalbert, principals of SJ Realty, Chuck Scott of CSF Engineering, and Dan Benoit, architect for the project. Mr. Longden asked to take up items one and two contemporaneously.

Mr. Longden stated that 379 Main Street is a five story building, the first floor is commercial and the upper floors have been vacant for years. 371 Main Street is a three story building with the commercial set up on the first floor and vacant floors above.

Dan Benoit stated that the second and third floors of the two building will be connected because they are at the same level. He explained that the micro-left units will be ~300 SF each will be fully furnished and will have a full bath and kitchenette. Each building will have a secure lobby entrance. These types of units are popular in Boston, San Francisco, and Vancouver. They are geared towards young professionals and graduate students.

Mr. Benoit stated that the goal with 379 Main Street is to restore the historic façade and possibly pursue historic tax credits to make it look as close to original as possible. 371 Main Street will also get an updated façade on the ground floor. Mr. Fontane, Director of DPRS, stated that the applicant will have to submit a Building Demolition Delay Waiver application to the Historical Commission for any exterior work.

Mr. Benoit stated that some of the units on the 3rd floor will be loft style with double height and an internal stair. He also stated that the second floor will house a campus center, store, laundry facilities, and a common area. The fifth floor units will be slightly larger but will not have as much common space. They estimate to have no more than 60 units between the two buildings.

Mr. Freilich asked if the applicant had any agreements with any of the colleges in the area. Dan Jalbert stated that the Mass College of Pharmacy & Health Services has signed a pre-lease agreement for 26 units. There have been discussions to lease other units over time since they expect major growth in the next few years. Mr. Jalbert stated that he feels that there is an extensive demand for these types of units but has not spoken to any of the other schools. He expects that a model unit will be available by spring to facilitate the leasing of the remaining units.

Mr. Freilich stated he believed this is a fantastic project for the City and asked the applicant what the re-rentability of these units are in the event that the intended market does not work out. He also asked about security and parking.

Mr. Jalbert stated that these will not be marketed as apartments and that the plan is to finish the units as the demand grows. They will not build them all at once but will finish the units as needed.

Mr. Freilich asked if there can be a condition to rent only to students and Mr. Fontane state that Fair Housing laws prevent such type of conditions be applied.

Mr. Fontane stated that the City likes to see adaptive reuse of office space and respectfully recommends approval with the following conditions: that the buildings remain mixed use with at least one active non-residential use (restaurant or retail) on the first floor. He also noted that the findings of fact were modified by staff.

Mr. Longden stated that he was amenable to those conditions and Mr. Benoit stated that they will go before the Historical Commission.

Mr. Bilotta asked what the plan is to upkeep the property free from trash and old furniture. Mr. Jalbert stated that included in the \$950/month rent is daily cleaning of the units and the common areas. They will also have a recycling area in the back of the building.

Mr. Freilich asked what signage was proposed. Mr. Jalbert stated that no signage was proposed. Mr. Longden stated that his client agreed that barring any contractual obligation to keep non-accessory signs they will not have any non-accessory signs.

Jo Hart, Worcester resident, stated that she believed that anyone who is able to meet the requirements should be allowed to rent; it should not be limited to only students.

Attorney Todd Brodeur, representing the Guaranty Building Associates Limited Partnership at 370 Main Street, stated that his client lends their support for this project.

Vincent Campobasso, owner of 389 Main Street and 10 Mechanic Street, stated he was in favor of this project.

Upon a motion by Mr. Abramoff and seconded by Mr. Loew, the Board voted 6-0 to close the hearing.

Mr. Freilich stated that Alternate Timothy Loew would vote on 379 Main Street. Upon a motion by Mr. Abramoff and seconded by Mr. Bilotta, the Board voted 5-0 to adopt the findings of fact as modified by staff and to approve the petition for 379 Main Street subject to the following conditions:

- That the building remains mixed use with at least one active non-residential use (restaurant or retail) on the first floor.
- That the number of units built does not exceed a maximum of 60 residential units between both 371 and 379 Main Street.
- Barring any contractual obligation to keep the existing billboard, non-accessory signs are not permitted on this property.

List of Exhibits.

Exhibit A: Variance Application; received December 4, 2012; prepared by S.J. Realty, LLC.

Exhibit B: Schematic Floor Plan; dated December 4, 2012; prepared by CFS Engineering.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Zoning Board of Appeals; re: 379 Main Street; dated January 3, 2013.

2. 371 Main Street (ZB-2012-073)

Variance: Relief of 141.17 ft from the 200 ft frontage requirement in the BG-6 (Business, General) zoning district.

Petitioner: S.J. Realty, LLC

Present Use: A three-story mixed use building. The first floor is currently commercial and the upper floors are vacant.

Zone Designation: BG-6 (Business, General)

Petition Purpose: To redevelop the building to construct micro-loft residential units on the top two floors. The petitioner seeks relief from the frontage requirements of the Zoning Ordinance. The Ordinance requires 40 ft per dwelling unit but no more than 200 ft of frontage in the BG-6 zoning district. The proposal provides 58.83 ft of frontage and 141.17 ft of relief is being sought.

Item was taken up contemporaneously with the request for 379 Main Street. See above for details.

Mr. Freilich stated that Alternate Kola Akindele would vote on 371 Main Street. Upon a motion by Mr. Abramoff and seconded by Mr. Bilotta, the Board voted 5-0 to adopt the findings of fact as modified by staff and to approve the petition for 379 Main Street subject to the following conditions:

- That the building remains mixed use with at least one active non-residential use (restaurant or retail) on the first floor.
- That the number of units built does not exceed a maximum of 60 residential units between both 371 and 379 Main Street.
- Barring any contractual obligation to keep the existing billboard, non-accessory signs are not permitted on this property.

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3. CAC Board Member Survey

Mr. Fontane stated that the Citizen Advisory Council has developed a survey and would like all Board members to take the survey to better understand what to look for in future candidates. He

instructed the board members to fill them out and return them to the Planning & Regulatory Services office at their earliest convenience.

DECISIONS FROM PRIOR MEETINGS

The decisions for 39 Belcourt Road, 545 Salisbury Street and 5, 7, & 9 Flower Hill Drive, I-290 Billboard (near Route 146 and 45 McKeon Road), 477 Lake Avenue, 248 Lincoln Street, and 69 South Ludlow Street were signed.

ADJOURNMENT

The meeting was adjourned at 6:37 p.m.