

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

April 8, 2019

WORCESTER CITY HALL, 455 MAIN STREET, LEVI LINCOLN CHAMBERS

Zoning Board Members Present: Joseph Wanat, Chair
Andrew Freilich, Vice-Chair
George Cortes
Robert Haddon, Alternate Member

Absent: Jordan Berg Powers
Russell Karlstad, Alternate Member

Staff Present: Stephen R. Rolle, Division of Planning & Regulatory Services
Michelle M. Smith, Division of Planning & Regulatory Services
David Horne, Department of Inspectional Services

Approval of the Minutes

January 14, 2019; February 25, 2019; March 18, 2019 – Held to April 29, 2019.

Requests for Continuances, Extensions, Postponements, and Withdrawals

1. 49 Arlington Street (MBL 05-037-00031) (ZB-2019-016)

Variance: For relief from the minimum lot area dimensional requirement in an RG-5 zone (Article IV, Section 4, Table 4.2)

Variance: For relief from the minimum frontage dimensional requirement in an RG-5 zone (Article IV, Section 4, Table 4.2)

Petitioner: Fortin Investments, LLC

Present Use: A vacant lot

Zone Designation: RG-5 (Residence, General)

Petition Purpose: The applicant seeks to construct a three-family dwelling and associated parking.

Public Hearing Deadline: 5/9/19

Constructive Grant Deadline: 6/3/19

Upon a motion by Mr. Freilich and seconded by Mr. Haddon, the Board voted 4-0 to postpone the Variance applications to the April 29, 2019 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to May 21, 2019.

2. 33 Dominion Road (MBL 46-006-00180) (ZB-2019-017)

Special Permit: To allow a multi-family low-rise structure in an RL-7 zone (Article IV, Section 2, Table 4.1, Residential Use #11)

Petitioner: Silver Tree Realty, LLC

Present Use: A vacant lot

Zone Designation: RL-7 (Residence, Limited)

Petition Purpose: To construct a multi-family low-rise dwelling with a total of 7 dwelling units and associated parking.

Public Hearing Deadline: 5/9/19

Constructive Grant Deadline: TBD

Upon a motion by Mr. Freilich and seconded by Mr. Haddon the Board voted 4-0 to postpone the Special Permit application to the April 29, 2019 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to May 21, 2019.

New Business

3. 334 Grafton Street (MBL 04-029-00002) (ZB-2019-011)

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

Petitioner: Jean Skaff

Present Use: An automobile refueling station with a convenience store, along with associated site improvements.

Zone Designation: The property is split zoned, located within both an RG-5 (Residence, General) and a BL-1.0 (Business, Limited) zoning district and partially within the Commercial Corridors Overlay District (CCOD-E)

Petition Purpose: To construct a ~300 SF addition to expand the existing structure and to conduct related site work.

Public Hearing Deadline: 4/8/19

Constructive Grant Deadline: TBD

Jean Skaff, petitioner, and Hal Choubah, project engineer, appeared upon behalf of the application. The applicant seeks to construct a ~300 SF addition to expand the existing structure and to conduct related site work. The engineer gave an overview of the proposal.

Mr. Rolle reviewed the proposed conditions of approval, noting that construction on Grafton Street results in potential conflicts in regard to landscaping, and that the conditions of proposal have been written accordingly.

Mr. Wanat stated that he likes that the proposal reduces the curb cuts from three to two.

The Board and the applicant discussed the parking arrangement for the site.

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

Upon a motion by Mr. Haddon and seconded by Mr. Freilich, the Board voted 4-0 to approve the Special Permit with conditions outlined in the staff memo, as well the requested waiver to label abutters and abutters thereto within 300 feet on the plan.

List of Exhibits:

- Exhibit A: Special Permit Application; dated February 8, 2019 and received February 12, 2019; prepared by Choubah Engineering Group, P.C.
- Exhibit B: Proposed Building Modifications; received February 12, 2019; prepared by Choubah Engineering Group, P.C.
- Exhibit C: Fire Comments; dated April 4, 2019.

4. 293 Cambridge Street (MBL 07-019-00013) (ZB-2019-015)

Variance: For relief from the minimum lot area dimensional requirement in a BL-1.0 zone (Article IV, Section 4, Table 4.2)

Petitioner: Vangella Real Estate, LLC

Present Use: Presently on the premises is a vacant lot

Zone Designation: BL-1.0 (Business, Limited)

Petition Purpose: The applicant seeks to construct a single-family detached dwelling and associated parking.

Public Hearing Deadline: 5/4/19

Constructive Grant Deadline: 6/8/19

Mike Burke appeared upon behalf of the applicant, Vangella Real Estate, LLC. The applicant seeks relief of 363 SF from the minimum lot area dimensional requirement in a BL-1.0 zone in order to construct a single-family detached dwelling. Mr. Burke provided an overview of the proposal.

Ms. Smith stated that staff comments have been addressed through revised plans and renderings. Ms. Smith noted that, in 2005, a Variance for the same relief was previously granted, but never acted upon.

Ms. Smith asked if any trees were going to be removed from the site. Mr. Burke stated no.

Upon a motion by Mr. Haddon and seconded by Mr. Freilich the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. Haddon and seconded by the Board voted 4-0 to approve the Variance with conditions outlined in the staff memo and to accept the petitioner's Findings of Facts as proposed by the applicant and modified by staff, as well as the following two requested waivers:

1. Labeling of abutters and abutters to abutters thereto within 300 feet on the plan;
2. Showing the percentage of the lot covered by principal and accessory buildings.

List of Exhibits

Exhibit A: Variance Application; received February 27, 2019; prepared by Michael J. Burke.

Exhibit B: Zoning Approval Plot Plan; dated February 27, 2019; prepared by Burke Engineering.

Exhibit C: Rendering; Received April 5, 2019.

Other Business

5. Communications

6. Discussion of Board Policies and Procedures

7. Signing of Decisions from prior meetings

Adjournment

Upon a motion by Mr. Freilich and seconded by Mr. Cortes the Board voted 4-0 to adjourn the meeting at 6:03 PM.