



# The City of Worcester

Zoning Board of Appeals

Russell Karlstad, Chair  
Jordan Berg Powers, Vice Chair  
George Cortes  
Anthony Dell'Aera  
Eric Torkornoo  
Nathan Sabo, Alternate  
Shannon Campaniello, Alternate

## MINUTES OF THE PROCEEDINGS OF THE ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER September 16, 2024

Worcester City Hall – Levi Lincoln Chamber,  
with remote participation options available via Webex online at:  
<https://cityofworcester.webex.com/meet/zoningboardofappealswebex> and  
call-in number 1-844-621-3956 (Access Code: 2630 362 4924).

Zoning Board Members Present: Russell Karlstad, Chair  
Jordan Berg Powers, Vice-Chair  
Dr. Anthony Dell'Aera – *Participated Remotely*  
Eric Torkornoo – *Participated Remotely* (Logged on Approximately  
6:00pm)  
Shannon Campaniello – *Alternate*

Zoning Board Members Absent: George Cortes  
Nathan Sabo – *Alternate*

Staff Participating: Michelle Smith, *Division of Planning & Regulatory Services*  
Victor Panak, *Division of Planning & Regulatory Services*  
Amy Beth Laythe, *Division of Planning & Regulatory Services*  
David Horne, *Inspectional Services*

### **Call to Order:**

Mr. Karlstad called the meeting to order at 5:40PM.

### **Requests for Continuances, Extensions, Postponements, and Withdrawals**

#### *Continuances/Postponements/Withdrawals*

- Item 1. 39 Lamartine Street (ZB-2024-055) Variance Application**  
Request to Continue the Public Hearing to October 7, 2024  
Extend the Constructive Grant Deadline to October 29, 2024
- Item 2. Lot 1B (fka part of 27 Forsberg Street) (ZB-2024-073) Special Permit Application**  
Request to Continue the Public Hearing to October 7, 2024  
Extend the Constructive Grant Deadline to October 29, 2024
- Item 4. 17 Montclair Drive (ZB-2023-095) Special Permit Application**  
Request to Postpone the Public Hearing to December 16, 2024  
Extend the Constructive Grant Deadline to January 7, 2025
- Item 5. 10 Grosvenor Street (ZB-2024-066) Special Permit Application**  
Request to Postpone the Public Hearing to October 7, 2024  
Extend the Constructive Grant Deadline to October 29, 2024

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 4-0 to grant all Continuances/Postponements.**

Planning & Regulatory Services Division

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**Old Business – Public Hearings**

<b>3.</b>	<b>7 &amp; 9 Richards Street (ZB-2024-074) (MBL 07-009-00024 &amp; -00006)</b>		
<b>Special Permit:</b>	To modify the parking dimensional, layout, and/or landscaping requirements, loading requirements, and/or the number of required parking spaces. (Article IV, Section 7.A.2).		
Petitioner:	Gold Star Builders, Inc		
Present Use:	Presently on the premises is a recently constructed 9-unit multi-family dwelling with associated parking.		
Zone Designation:	RG-5 (Residence, General) zoning district		
Petition Purpose:	The applicant seeks to retroactively permit changes to the previously approved plan, specifically reducing the amount of parking spaces, lack of landscaping adjacent to the parking facility. The proposed changes require additional zoning relief not previously granted by the Board		
Exhibits:	Exhibit A:	Special Permit and Variance Application; clerked 8/8/24; prepared by Donald O’Neil	
	Exhibit B:	Site Plan Dated 9/6/2024 prepared by Level Design Group	
	Exhibit C:	As Built Survey dated 4/19/2024 prepared by Level Design Group.	
Public Hearing Deadline:	10/12/2024	Constructive Grant Deadline	TBD

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Don O’Neil, o/b/o Gold Star Builders, Owner & Applicant, reviewed the reasons why this item was continued from the last meeting. Mr. O’Neil stated that he feels staff concerns have been addressed and one parking space and pavement around transformer will be removed and loam and seed will be added. He stated more trees will be added which will reduce the overall impervious area by a thousand square feet. Mr. O’Neil said that on property there are nine units and seventeen parking spaces which is one space short. He stated that he also accepts the waiver.

Michelle Smith, Planning Division, gave an update on the item since the last meeting. She said that a condition was added requiring all landscaping be installed by November 1 and that conditions A-C have been eliminated.

**Public Comment:**

NONE

**Board Comment:**

Mr. Berg-Powers asked if the city confirmed what was checked with the as-built plans mentioned last meeting. He said he has no problem with being short the one space and he was just curious about other issues. Ms. Smith stated that if the landscaping is not as built, then the project will be in violation. David Horne, Building Commissioner, asked for the applicant to call Inspectional Services to do another inspection. Tony Nguyen, Owner and Applicant, said he was comfortable moving along with the November 1 deadline.

Mr. Torkornoo had no comment.

Ms. Campaniello said this is an improvement from what the board saw last time, and she is pleased with the November 1 deadline and is fine with granting the relief.

Mr. Karlstad said if there is a discrepancy from the approved plans, the applicant should notify the board in the future.

Mr. O’Neil said relief for the landscape buffer was also included.

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to close the public hearing.**

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to approve the application with recommended conditions, recommendations, and waivers**

**New Business – Public Hearings**

**6. 36 Fifth Avenue (ZB-2024-072) (MBL 10-030-00049)**

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

**Variance:** For relief from the minimum lot area requirement for a low-rise, multi-family dwelling in the RG-5 zone (Article IV, Section 4, Table 4.2).

**Variance:** For relief from the minimum off-street parking requirements for a low-rise, multi-family use (Article IV, Section 7, Table 4.4).

**Variance:** For relief from the minimum setback dimensional requirement for an accessory structure in a residential zone (Article IV, Section 8, B.10.)

Petitioner: Robert Puntieri

Present Use: Presently on the premises is a garage and an asphalt driveway.

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

Designation:

Petition Purpose: The applicant seeks to construct a low-rise, multifamily dwelling with ±4 units, expand the driveway to provide additional parking, and to conduct associated site improvements.

Exhibits: Exhibit A: Special Permit and Variance Application; clerked 8-26-24; prepared by Robert Puntieri

Exhibit B: Surveyed Plan Dated 8/23/2024 prepared by New England Land Survey, Inc

Exhibit C: Architectural Drawings received 8/09/2024

Public Hearing Deadline: 10/30/2024 Constructive Grant Deadline 12/04/2024

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Mike Konan, Central Mass Builders and Robert Puntieri, owner and applicant, gave an overview of the project and the relief requested. Mr. Konan said Mr. Puntieri plans to rent affordable housing units. Mr. Konan highlighted that in the plans, they moved the house closer to the lot line in the front. Mr. Konan said there are utilities in the street for this project and the parcel will be less impervious than it is now. He said the plan is also to add trees. He said that this project will add tax revenue and housing to the city.

Victor Panak, Planning Division, gave an overview of the project and the relief requested on behalf of the city. Mr. Panak also reviewed staff comments and conditions.

Mr. Karlstad asked Mr. Konan and Mr. Puntieri if they had any response to the city comments and if they are accepting the waivers. Mr. Puntieri said he accepts waivers.

**Public Comment**

Christopher Adler, 32 Fifth Ave, stated that this property was attached to the three-family next door. He asked how many spots are left for the three-family now. Mr. Karlstad said that the three-family is not part of this application and Inspectional Services can check the existing three-family.

**Board Discussion**

Mr. Berg-Powers asked if the neighboring properties were held together or not held together. Mr. Konan said they are not held together. Mr. Dell'Aera said he appreciates staff recommendations on landscaping. Mr. Torkornoo had no comment. Ms. Campaniello asked about parking relief, snow removal placement and the overall parking plan. Mr. Panak explained the relief being asked with the special permit and variance.

Mr. Konan said that the tenants usually do not have cars, they have added a bike rack for bikes, but generally whomever needs parking would use it. Mr. Karlstad said to go over the landscaping with Planning staff.

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to close the public hearing.**

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to approve the application with recommended/amended conditions, recommendations, and waivers.**

**New Business – Public Hearings**

**7. 34 Lakeside Avenue (aka 52 & 54 Circuit Avenue South) (ZB-2024-076) (MBL 08-046-00003)**

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

**Variance:** For relief from the minimum front yard setback requirement for an attached single-family dwelling in the RG-5 zone (Article IV, Section 4, Table 4.2).

**Variance:** For relief from the minimum off-street parking requirements for a multi-family dwelling (Article IV, Section 7, Table 4.4).

**Petitioner:** Tremont Development Partners LLC and E3 Development LLC

**Present Use:** Presently on the premises of 52 and 54 Circuit Avenue South (a portion of the property at 34 Lakeside Avenue) is a 1.4-acre lot occupied by two existing three-story multi-family dwellings, accessory parking, and outdoor amenity space.

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

**Petition Purpose:** The applicant seeks to demolish the existing buildings (except foundations) and construct two new buildings on the remaining foundations. One building is proposed to be a low-rise multi-family building with 5 units and the other building is proposed to be 5 attached single-family dwellings (townhouses). The applicant also proposes to conduct other site improvements, including the reconfiguration of parking areas resulting in 12 parking spaces.

- Exhibits:** Exhibit A: Special Permit and Variance Application; clerked 8/7/24; prepared by Mark Borenstein
- Exhibit B: Site Plan Documents Dated 8/1/2024 prepared by Bohler
- Exhibit C: Architectural Plans dated 7/19/2024 prepared by Davis Square Architects.
- Exhibit D: Traffic Study dated 9/28/2023 Prepared by MDM Transportation Consultants, Inc

**Public Hearing Deadline:** 10/11/2024      **Constructive Grant Deadline:** 11/15/2024

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Mark Borenstein, attorney Prince Lobel, on behalf of the applicants showed a video overview of the project and reviewed the relief requested and requested the waivers.

Victor Panak, Planning Division, gave an overview of the history and evolution of this project for the City. He stated that in the staff comments provided to the applicant the city is looking to improve the landscape buffer between the building and the single-family house to the east and to plant trees and shrubs for screening. He said all other conditions include changes to the plans and standard conditions. Mr. Borenstein said all conditions are acceptable to the applicants.

**Public Comment:**

NONE

**Board Comment:**

Mr. Berg-Powers said he had a question on the status of affordable housing. Mr. Borenstein said these two buildings will be 80% AMI ownership units. Mr. Berg-Powers said that Conservation Commission required Lakeside Apartments residents have access to the Coes Pond Boardwalk and wanted to make sure these residents could access the boardwalk. Mr. Borenstein said this portion of the property is the top side and they are trying to integrate as much as possible.

Mr. Dell-Aera said he wondered the same thing about access to park. Mr. Torkornoo, Ms. Campaniello, and Mr. Karlstad all had no comment

**On a motion by Mr. Berg-Powers seconded by Mr. Campaniello, Board voted 5-0 to close the public hearing.**

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to approve the application with recommended conditions, recommendations, and waivers.**

**New Business – Public Hearings**

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**8. 36 Butler Street (ZB-2024-077) (a portion of MBL 10-043-00012)**

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Lot A:

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

**Variance:** For relief from the minimum off-street parking requirements for a two-family detached dwelling (Article IV, Section 7, Table 4.4).

Lot B:

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

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

**Variance:** For relief from the minimum lot area dimensional requirement for a two-family dwelling in the RG-5 zone (Article IV, Section 4, Table 4.2).

**Variance:** For relief from the minimum frontage dimensional requirement for a single-family attached dwelling in the RL-7 zone (Article IV, Section 4, Table 4.2).

**Variance:** For relief from the minimum rear yard setback dimensional requirement for a single-family attached dwelling in the RL-7 zone (Article IV, Section 4, Table 4.2).

Petitioner: GM Properties LLC

Present Use: Presently on the premises is a 2-story structure, previously operated as a funeral home, a garage, and an asphalt driveway.

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

Petition Purpose: The applicant seeks to divide the existing parcel into Lot A and Lot B. Lot A will contain the existing building, which is proposed to be converted into a two-family dwelling. On Lot B, the applicant seeks to construct two single-family attached townhouse-style buildings with ±9 total units, ±22 parking spaces, to reconfigure the drive aisles, and to conduct associated site improvements.

Exhibits: Exhibit A: Special Permit and Variance Application; clerked 9/19/24; prepared by Joshua Lee Smith

Exhibit B: Site Plans Dated 7/15/2024; revised 8/14/2024 and 8/23/24 prepared by Expedited Engineering, LLC

Exhibit C: Architectural Plans dated 7/30/2024 prepared by R.C. Searles Associates

Public Hearing Deadline: 11/01/2024 Constructive Grant Deadline 12/06/2024

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This item was taken first as there was a four-member board when the meeting began.

Joshua Lee Smith, Attorney, Bowditch & Dewey, on behalf of the applicant GM Properties LLC, gave an overview of the project which includes renovating the existing building and constructing nine townhouse units on the property. He stated that each unit will have two parking spaces which will be a garage and a surface space. Mr. Lee Smith gave background of how the project evolved to where it is today. Mr. Lee Smith showed renderings of the proposed new units.

Michelle Smith, Planning Division, gave an overview of the relief requested for parking, frontage, and setbacks on behalf of the City. Ms. Smith gave neighborhood context and other relief granted from boards and commissions. Ms. Smith also gave an overview of the Preservation Restriction on the exterior of the existing structure. She said staff is recommending this item be continued due to the discrepancies in plans submitted to understand the nature of the relief. Ms. Smith said an additional variance is needed that was not applied for as well.

Mr. Lee Smith said this is a special project due to the historic nature of the existing building and he agrees to all staff comments except for one. He said the applicant would like to keep porticos and not build porches along the front of the new buildings.

**Public Comment:**

*Criag Olsen, 61 Butler Street, said he has an issue with this being an all-rental property as much of the neighborhood is owner occupied. Mr. Olsen said that there should be additional parking for guests provided. Mr. Olsen also has concern for traffic and the city's ability to maintain the road during the winter. He said there are houses on Butler Street that are not completely occupied and the houses, including his own, do not have driveways. Mr. Olsen gave a suggestion to connect this property to the paper street to the rear of the property as a help to alleviate traffic and fire response.*

**Board Comment:**

Mr. Berg-Powers said that he visited the site and believes the City's requests are good except for the porches. He said he likes the request to connect to the rear paper street. He said it would be great to have the added housing.

Mr. Dell-Aera said he likes the idea to connect to Gotland Street and some of the alterations to what is being proposed would be nice. He said porches, outdoor space, and windows on the side facing the house next door would improve aesthetics.

Ms. Campaniello said she agrees with Mr. Dell-Aera to connect to Gotland Street as it could reduce traffic. She said a slight reduction by one unit may relieve congestion on the parcel and adding more trees would result in requiring less relief.

Mr. Karlstad agreed with all the comments. He said he thinks the proposed plan is too dense and asked why the driveways for the new building couldn't be directly off of the street.

James Tetrault, Expedited Engineering, responded that they are looking to minimize driveways off the road and would not reduce impervious cover or runoff. Mr. Karlstad said he would like to see more vegetation on the site. Mr. Lee Smith said they will have as much as will fit. He added that they hadn't thought about developing the paper street as it is very forested and will need to be developed and improved and has a steep slope. He said that they wouldn't want folks using this property as a cut through and would love to work with the neighbors and the city on current complaints around enforcement.

Mr. Karlstad asked about affordable units in this project. Mr. Lee Smith said at this time it is not in the financial model. He said this project has been decreased in density due to the historic property. Mr. Karlstad said the elevations are different from the renderings. He also said that the applicant should check the feasibility of using the rear road.

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 4-0 to continue this item to October 7, 2024, with a constructive grant deadline of October 29, 2024**

**New Business – Public Hearings**

**9. 15 Gardner Street (ZB-2024-078) (MBL 06-035-00022)**

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

**Variance:** For relief from the minimum frontage dimensional requirement for a high-rise, multi-family detached dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2).

**Variance:** For relief from the minimum lot area dimensional requirement for a high-rise, multi-family detached dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2).

**Variance:** For relief from the minimum off-street parking requirements for a high-rise, multi-family dwelling (Article IV, Section 7, Table 4.4).

Petitioner: Fifteen Gardner Worcester, LLC

Present Use: Presently on the premises is a vacant lot

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

Designation:

Petition Purpose:	The applicant seeks to construct a ±4-story, ±8 unit high-rise multi-family detached dwelling, ±9 surface parking spaces and to conduct associated site improvements		
Exhibits:	Exhibit A:	Special Permit and Variance Application; clerked 8/23/24; prepared by Mark Borenstein	
	Exhibit B:	Site Plan Dated 8/11/2024 prepared by A.S. Engineering	
	Exhibit C:	Architectural Plans dated July 2024 prepared by Michienzi Drafting & Design.	
Public Hearing Deadline:	10/27/2024	Constructive Grant Deadline:	12/01/2024

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**Board took 5-minute recess before this item and were back at 7:20pm**

Mark Borenstein, Attorney Prince Lobel, on behalf of the applicant showed a short video overview of the project. He reviewed the staff memo comments and accepted the waivers.

Victor Panak, Planning Division, gave an overview of the project and the relief requested on behalf of the city. He reviewed staff comments and said usually, it is preferred for the building to be along the front property line with parking in the rear. He said the applicant did present that design at an IRT and were asked by staff for the structure to be moved back on the site to move the parking in the front. He said all conditions are standard and staff has asked for additional landscaping and to revise the architectural design for more interest along Gardner Street and for the roof to be solar ready or covered with a white/reflective membrane.

**Public Comment: NONE**

*Rindy Neang, 13 Gardner Street, said they had emailed about the trash and the scale of the building.*

**Board Comment:**

Mr. Berg-Powers and Mr. Torkornoo had no comments. Mr. Dell-Aera asked about abutters wanting to speak as he saw a letter submitted and sees the author online. Mr. Borenstein said they had a neighborhood meeting last week, received feedback and will evaluate a relocation of the trash facilities. Mr. Dell-Aera said as long as the applicant is addressing concern about the location of the trash receptacles.

Ms. Campaniello said she is concerned about the scale of the building, but the requested relief is not for scale. She said if the building were six units, the applicant would meet requirements, but she is ok with moving forward. Mr. Karlstad said the building is too big and thinks six units is where it should be. He said the building has no character and does not reflect Worcester. Mr. Borenstein said the applicant has been evaluating the design for months and trying to make project this financially viable. Mr. Borenstein said that staff requested modifying the entrance and he is happy to evaluate that change. Mr. Karlstad said he doesn't feel he could vote positively for this project.

Mr. Borenstein requested a straw poll of the board.

Mr. Berg Powers voted yes

Mr. Dell-Aera voted no and said he would like to see what they come up with after this meeting

Mr. Torkornoo voted yes

Ms. Campaniello voted no

Mr. Karlstad voted no

Mr. Borenstein asked for a list of concerns and committed to revising the design. He asked for the item to be continued. Mr. Dell-Aera said his feedback is around the size and character. He said he would like to see a reduction in size and a change in the location of the garbage. Ms. Campaniello said she agrees with Mr. Dell-Aera. She would like to see the project compliment the character of the neighborhood. She said she could see the project staying at eight units if the building façade were different. Mr. Karlstad said they should look at addressing the location of the trash, the size and scale of the building, and keep the character of the neighborhood.

Mr. Borenstein asked if the four stories were a problem. Mr. Karlstad said yes. Ms. Campaniello said she would like to see a different design as it is too high and it doesn't fit with the character of the neighborhood so it feels too big.

**On a motion by Mr. Berg-Powers, seconded by Mr. Cortes, Board voted 5-0 to continue to October 28, 2024 with a constructive grant deadline of November 26, 2024.**

**New Business – Public Hearings**

**10. 29 Tennyson Street (ZB-2024-081) (MBL 29-011-00010)**

*Lot 1 (Existing):*

**Variance:** For relief from the minimum frontage dimensional requirement for a single-family detached dwelling in an RS-7 Zone (Article IV, Section 4, Table 4.2).

*Lot 2 (Proposed):*

**Variance:** For relief from the minimum frontage dimensional requirement for a single-family detached dwelling in an RS-7 Zone (Article IV, Section 4, Table 4.2)

Petitioner: Ayad and Yosra Sharif

Present Use: Presently on the premises is a single-family home.

Zone Designation: RS-7 (Residence, Single Family) zoning district

Petition Purpose: The applicant seeks to divide the property into two lots and construct a single-family detached dwelling on the second lot.

Exhibits: Exhibit A: Variance Application; clerked 8/22/24; prepared by Ayad and Yosra Sharif  
Exhibit B: Surveyed Plan received 8/13/24 prepared by hs&t group, inc  
Exhibit C: Architectural Plans dated 3/28/23 prepared by R.C. Searles Associates.

Public Hearing Deadline: 10/26/2024 Constructive Grant Deadline: 11/30/2024

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Yosra Sharif, 29 Tennyson, gave an overview of the project.

Michelle Smith, Planning Division, gave an overview of the project for the City stating this item was an approval that expired. She said the lot was subdivided through Planning Board and the applicant is seeking relief for zoning purposes. She said this relief was previously granted and the conditions in the staff memo are from the original approval. She said condition one is still outstanding, and the waivers were previously granted. Ms. Smith said that If the applicant modified the existing structure, that would also require relief.

**Public Comment: - NONE**

*Lorraine Kelly, Online participant, raised her hand but didn't unmute.* Ms. Sharif offered that Ms. Kelly thinks this project may impact her driveway, but Ms. Sharif showed Ms. Kelly the plan and explained that the driveway will not impact her at all. Ms. Kelly did not log back in to the meeting, so the meeting moved forward.

**Board Comment:**

Mr. Berg-Powers, Mr. Dell-Aera, Mr. Torkornoo, Ms. Campaniello, and Mr. Karlstad all had no comment.

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to close the public hearing.**

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to approve the application with all amended conditions, recommendations, and waivers.**

**New Business – Public Hearings**

**11. 17-19 (Lot 27R & Lot 28R) Pocasset Avenue (ZB-2024-084) (MBL 36-025-27+28)**

*Lot 27R:*

**Variance** For relief from the minimum lot area requirement for a semi-detached single-family dwelling in the RL-7 zone (Article IV, Section 4, Table 4.2).

*Lot 28R:*



<b>Variance:</b>	For relief from the minimum lot area requirement for a semi-detached single-family dwelling in the RL-7 zone (Article IV, Section 4, Table 4.2).		
Petitioner:	Amy Mae Denning		
Present Use:	Presently on the premises is a two-family detached dwelling.		
Zone Designation:	RL-7 (Residence, Limited) zoning district		
Petition Purpose:	The applicant seeks approval to establish a zero-lot line dividing the existing two-family, thereby creating two lots, each with one semi-detached single-family dwelling (duplex).		
Exhibits:	Exhibit A:	Variance Application; clerked 8/22/24; prepared by Don O'Neil	
	Exhibit B:	Surveyed Plan Dated 8/9/2024 prepared by Robert D. O'Neil Jr.	
	Exhibit C:	Original Subdivision Plans dated July 1947 recorded July 30, 1947	
Public Hearing Deadline:	10/26/2024	Constructive Grant Deadline	11/30/2024

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Don O'Neil, attorney on behalf of the applicant Amy Mae Denning, gave an overview of the requested relief and is not proposing any changes to the property. He said he agreed with staff comments and proposed a tree in the backyard instead of the front yard as staff requested.

Amy Beth Laythe, Planning Division, gave an overview of the relief requested and stated that staff requested a tree in the front yard as there is no shade on that side of the parcel.

Michelle Smith, Planning Division, said that the applicant will need an approval for building code through inspectional services.

**Public Comment:**

NONE

**Board Comment:**

Board members had no comment. Mr. Karlstad said he had no feeling about the location of the tree.

Victor Panak, Planning Division, said the tree in front would provide shade in the public realm, but the board can decide.

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to close the public hearing.**

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to approve the application with all conditions, recommendations, and waivers.**

**Other Business:**

**12. Communications – Scrivener’s error 65 Cedar Street**

- Error in the decision that the 17-foot drive aisle was a decision from the board.

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to accept the scrivener’s error**

**13. Approval of Minutes – 8/5/2024, 8/26/2024**

Tabled for next meeting

**14. Discussion of Board Policies and Procedures**

**Adjournment:**

**On a motion by Mr. Berg-Powers, seconded by Mr. Campaniello, Board voted 5-0 to adjourn @ 8:10 PM.**