

**Statement in Support of M.P.G. Corporation’s Application to  
City of Worcester Zoning Board of Appeals for Special Permits  
for Automobile Refueling Station, Retail and Food Service with Drive-Through  
Development Project at 205 Hope Avenue, Worcester, Massachusetts**

**I. Background and Project Scope.**

M.P.G. Corporation (the “Applicant”) seeks to develop a parcel of land known and numbered as 205 Hope Avenue, Worcester, Massachusetts (the “Property”),<sup>1</sup> which land is approximately 2.08 acres in size and currently contains multiple buildings with various retail and food establishment uses, including a donut shop with a drive-through, bakery/deli, restaurant and package store.

The Property is located entirely within the Business, Limited 1.0 (“BL-1.0”) zoning district, and is bounded by Hope Avenue (State Highway Route 12) to the north, Webster Street to the west, residential properties to the east and Leesville Pond to the south.

The Applicant seeks to raze and remove the existing buildings on the property, and to construct and develop a gasoline service station and an approximately 5,000+/- square foot building (the “New Building”) that will contain an approximately 3,500+/- square foot convenience store (including the sale of beer and wine) and an approximately 1,500+/- square foot food service establishment with a drive-through (the “Project”). The Project also includes the construction and/or installation of an overhead fuel canopy, 28 off-street parking spaces with EV-ready spaces (including level 3 fast chargers), EV- bike charging stations, solar-ready canopy, driveways, reconfigured curb cuts (i.e., removal of expansive, undefined curb cuts), accessible walkways, landscaping and other site features.

**II. Requirement for Special Permits.**

Special permits are required to be granted by the Board pursuant to Article II, Section 6A.2 of the Zoning Ordinance for the proposed automobile refueling station use, food service with drive-through use and, to the extent required, accessory storage of flammable liquids/gases in the BL-1.0 under Table 4.1. Special permits are also required pursuant to Article IV, Section 7.A.2<sup>2</sup> for noncompliance with curb cut widths (i.e., exceeding 30 feet),

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<sup>1</sup> The Property has a parcel identification of 27-004-0001 and is also known as 221 Webster Street. The Property is currently owned by William G. Kasper, Tammy M. Kelleher and David C. Kasper, as Trustees of the Kasper Family 2019 Irrevocable Trust, u/d/t March 28, 2019.

<sup>2</sup> The Board is the special permit granting authority pursuant to Article IV, Section 7.A.2 for any special permits with respect to Notes 2(b) and 5 of Table 4.4.

drive-through lane length requirements (less than 240 feet), and, to the extent applicable, modification of the parking area landscaping requirements.

In addition, the Project will also require submissions of applications to the Worcester Planning Board for site plan review approval, to the Worcester Historical Commission for a demolition delay waiver and to the Worcester Conservation Commission for an order of conditions.

### **III. Reasons for Approval of Special Permits.**

The Project satisfies the special permit criteria as set forth in Article II, Section 6.A.2 of the Zoning Ordinance for the reasons stated herein:

#### **1. Social, economic or community needs that are served by the proposal.**

The Project will dramatically modernize, enhance and improve the Property, and will improve the safety, efficiency and aesthetic appeal of the site, landscaping and parking areas. The Project will promote the economic vitality of the neighborhood and the City. The Project will create new jobs and generate additional tax revenues for the City and provide a safe and convenient location for consumers to refuel automobiles and fast-charge electric vehicles, both an essential service for the public good, while patronizing other businesses at the site. With respect to the number and proximity of other gasoline stations in the area, the closest gasoline stations to the Property are a significant distance away from the Property, over 1 mile away (about 4 driving minutes), and there are no level 3 DCFC EV stations within 3 miles of the site (about 10 driving minutes). See enclosed aerial.

With implementation of the proposed redevelopment to install 12 new vehicle fueling positions, and 4 new DCFC EV vehicle chargers, the existing deficit of no gasoline stations or EV charging centers along Hope Avenue, Webster Street and nearby will support demand of the area's population and high existing traffic volume of vehicles passing by the Property on a daily basis. The proposed gasoline station under the Project will accommodate the clear public need and demand for such a use at this location. Based on the foregoing, the Project will not be detrimental to adjoining premises, but, rather, serve and complement the existing mix of residential properties and businesses in the area.

The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will encourage an appropriate use of the land in a manner that protects natural resources as well as the architectural, scenic and aesthetic qualities of the community and protects against the uses of land which are incompatible with nearby uses, undue intensity of noise and danger and congestion in travel and transportation.

#### **2. Traffic flow and safety, including access, parking and loading areas.**

The proposed parking areas will serve the occupants of the Property, and will provide a safe, adequate and efficient layout and design for vehicular and pedestrian traffic both within the site and at all access points. The Project will utilize curb cuts along Hope Avenue and Webster Street that will be a vast improvement over the existing access which currently have undefined driveway aprons. The proposed parking spaces and setbacks, drive aisles, curb cuts and building entrances will not cause any nuisance or hazard to vehicles or pedestrians within or off the Property or line of sight hazards along streets. The proposed drive aisles will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles and delivery trucks. Emergency vehicles that need access to the New Building or canopy can easily park within the drive aisles of the site.

The Applicant does not anticipate that the Project will result in a substantial increase in trip generation levels to and from the Property. According to the Traffic Impact Study prepared by Vanasse & Associates Inc. (the "Traffic Study"), the Project will result in minimal new trips during weekday peak hour and weekend peak hours. According to the Traffic Study, the Project will result in a modest increase in trips, and therefore, will have a minimal impact on traffic within the area.

Traffic generated, and patterns of access and egress will not cause congestion, hazard or a substantial change to the neighborhood character. The proposed parking areas will provide a safe and efficient means of access to and from the New Building, and will be in close proximity of the front and rear entrance of the New Building. Based on the high traffic volume of vehicles passing by the Property on a daily basis and the sparse number of existing gasoline stations in the area, the proposed gasoline station and new level-3 EV charging stations will accommodate the clear public need and demand for such a use at this location.

The proposed parking will adequately serve the Property and all occupants of the New Building. Article IV, Section 7, Table 4.4 of the Zoning Ordinance provides that the minimum off-street parking requirements for (1) retail sales is 1 parking space per 300 square feet of gross floor area; (2) food service is one-half of the person rated occupancy; and (3) drive-through use 1 parking space per 60 square feet of gross floor area dedicated to the drive-through operations within the building. The Project will include 3,500+/- square feet of retail sales space (requiring 12 parking spaces), a 1,500+/- square foot food establishment with a rated capacity of 30 people (requiring 15 parking spaces), and approximately 60+/- square feet of space within the food establishment that will be dedicated to the drive-through use (requiring 1 parking space). Based on the foregoing, the overall Project requires a minimum of 28 parking spaces. The Project proposes a total of 28 parking spaces which meets the overall minimum parking requirement for the site.

No loading spaces are required for the Project based on the limited size of the New Building. The shipping/receiving area for the New Building will occur along the south side of the building. Tanker trucks will park near the refueling dispensing ports.

**3. Adequacy of utilities and other public services.**

Adequate, existing utilities and connection points are available for the New Building, canopy and other Project improvements within the Property or within the adjoining streets with respect to sewerage, water, gas, electricity and other utilities.

**4. Neighborhood character and social structure; buildings, noise, glare, lighting and signs.**

The Property currently contains a number of retail and food service establishments within multiple outdated, dilapidated buildings that are laid out in an inefficient manner throughout the site. The Project proposes to provide an efficient layout that consolidates the proposed uses into a single building and canopy, and which layout is functionally and aesthetically compatible with the surrounding properties in the neighborhood, which include a mix of multifamily and single family properties. The Project will revive the site, and improve the aesthetic appeal, design quality and economic vitality of the neighborhood. The New Building and improvements to the site will not have a negative impact on, adversely affect or be detrimental to adjoining premises or zones or the neighborhood. Based on the foregoing, the New Building and improvements to the Property in connection therewith will fit into the present character of the neighborhood, and granting this relief will promote an appropriate use of the site.

The kind, size, height and nature of the New Building and the proposed site improvements for the Property are consistent with buildings in other neighborhoods within the City that have been developed for automobile refueling station with associated retail and food service uses. The New Building will provide architecturally appealing features and changes in tones and textures of exterior walls that will be visible from surrounding streets. Except as otherwise provided herein, the New Building will comply with yard setbacks, height and floor to area ratio requirements and all other dimensional requirements set forth in the Zoning Ordinance.

The Project uses will not result in any increase in noise levels that would be noticeable at any abutting properties. The Project will neither create a nuisance, hazard, congestion or concerns pertaining to health, safety or general welfare, and there will not be substantial harm to the neighborhood or derogation from the intent of the Zoning Ordinance as a result of the Project.

The proposed outdoor lighting will be adequate for safe and secure access to and from the New Building. The proposed lighting will be arranged and have directional shields so as to

minimize light from shining onto abutting properties and streets, and will not have a deleterious effect on neighboring properties. All signage, if any, will comply with the Zoning Ordinance.

## **5. Impacts on the natural environment.**

There are minimal natural terrain features at the Property, and the Project will minimize, to the extent practicable, changes to the natural terrain as a result of the Project. The proposed automobile refueling station use will feature a clean, modern and safe design that will provide state-of-the-art features and procedures to maximize safety and minimize any potential environmental impact, in compliance with all applicable laws, regulations and safety and industry standards. Some of these features include:

- Double wall corrosion proof fiberglass underground petroleum storage tanks.
- Electronic monitoring of gasoline levels in each tank (able to detect a 0.1-gallon per hour loss of product) and all fuel piping sumps, dispenser sumps and the double wall (annular) space of each tank.
- Overfill shut-off valves located inside of each underground tank designed to prevent delivery trucks from transferring product into the tanks once the product level reaches 95% tank capacity.
- Observation wells for groundwater testing (previous environmental testing was conducted at the site, further testing will be conducted prior to construction and continuous monitoring will be performed once the site is operational).
- Fill and vapor spill prevention.
- Fire suppression system and emergency shutoffs.
- Emergency preparedness and training of operators and employees, as required by EPA regulations.

The Property is outside of the Floodplain and Water Resources Protection Overlay Districts and ecologically sensitive areas, and there are no wetland resource areas on the Property. There will not be any negative impacts to groundwater.

The proposed stormwater management system will result in a significant improvement to stormwater runoff quality and quantity discharged to the City's drainage system. The existing drainage system provides no treatment or attenuation of stormwater runoff and allows any captured sediment and other pollutants to flow into the City's drainage system. For the western portion of the site around the existing restaurant and deli/bakery, stormwater sheet flows off the pavement towards Hope Avenue to the north, the residential neighbors to the west and towards Leesville Pond to the south. Stormwater for the remainder of the developed site drains into two

catch basins which convey the untreated stormwater to the municipal drainage system within Webster Street.

The proposed development will include pretreatment and treatment methods such as deep-  
sump catch basins with hooded outlets, First Defense hydrodynamic oil/water separators units  
and oil/water separator tank(s) for pretreatment. Stormwater treatment will depend on the soil  
horizons within the site and will consist of a mixture of a bioretention areas and underground  
detention and/or infiltration systems with outlet control structures to reduce peak flow rates of  
stormwater runoff leaving the site.

**6. Potential fiscal impact, including city services needed, tax base, and employment.**

The Project will sustain and create new construction jobs and will generate additional tax  
revenues and fees for the City. The Project will improve the economic vitality of the  
neighborhood and surrounding areas by increasing the number of residents in the area who will  
rely on businesses and services in and around the neighborhood.