

**Joshua Lee Smith**  
Direct telephone: 508-926-3464  
Direct facsimile: 508-929-3064  
Email: jsmith@bowditch.com

September 3, 2024

VIA E-MAIL – [planning@worchesterma.gov](mailto:planning@worchesterma.gov)

Division of Planning & Regulatory Services  
City Hall Room 404  
455 Main Street  
Worcester, MA 01610  
Attn: Michelle M. Smith, Assistant Chief Development Officer



**Re: 102 Temple Street, LLC – Request for Extension of Time for Special Permits and Variance for Mixed-Use Multifamily High Rise Building and Related Site Improvements at 44 Grafton Street and 102 Temple Street, Worcester, Massachusetts**

RECEIVED  
WORCESTER CITY CLERK  
2024 SEP 10 PM 3:29

Dear Ms. Smith:

This firm represents 102 Temple Street, LLC, as successor in interest to AKROS Development, LLC (“Applicant”) in connection with the construction and development of a new 9-story approximately 90,000 square foot mixed-use multifamily high rise building that will contain 105 residential units in 8 levels atop a ground level that will contain approximately 1,000 square feet of commercial space, a lobby and 72-space parking area (with a three-level semi-automated puzzle stacker system), along with other related facilities and site improvements at the above-referenced property (the “Project”).

On September 12, 2022, the Worcester Zoning Board of Appeals (the “Board”) voted unanimously in favor of granting certain zoning relief for the Project, including the special permits (collectively, the “Special Permits”) and variance set forth in the decision of the Board filed with the City Clerk on October 6, 2022. On October 16, 2023, the Board granted an extension of the Special Permits and variance to October 6, 2024 and March 12, 2024, respectively. On March 25, 2024, the Board granted an additional extension of the variance to September 12, 2024. Accordingly, the Special Permits and variance are set to expire on October 6, 2024 and September 12, 2024, respectively. The purpose of this letter is to request a further extension of the Special Permits for one year and variance for 6 months until **October 6, 2025 and March 12, 2025**, respectively, for the reasons provided herein.

While Applicant hopes that construction of the Project will commence sometime in 2025, it needs more time to exercise its rights under the Special Permits and variance. Applicant has been forced to delay commencement of work associated with the Project due to

challenges with respect to labor and supply chain issues and access to financing and capital related to the rise of inflation and interest rates, and an overall slowdown in the commercial real estate market.

Based on the foregoing, we hereby enclose copies of the original decision and application, the October 16, 2023 extension decision, the March 25, 2024 extension decision, a good cause determination (to be provided), the approved layout plan, a Certification of Tax/Revenue Collection Compliance, and a certified abutters list for filing with the Board.

Kindly file this request with the City Clerk and schedule this matter to be heard at the Board's next meeting, which is scheduled to occur on or before **October 7, 2024**.

Thank you for your assistance in this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "J Lee Smith", written in a cursive style.

Joshua Lee Smith

Enclosures

cc: Project Team



**VARIANCE & SPECIAL PERMIT APPLICATION**

**CITY OF WORCESTER ZONING BOARD OF APPEALS**

455 Main Street, Room 404; Worcester, MA 01608

Phone 508-799-1400 Ext. 31440 - Fax 508-799-1406

Fill in information for the Variances (s) you are applying for. Attach additional documentation as necessary.

Lot Area		Front Yard Setback		Rear Yard Setback	
Square footage required:		Setback required:		Setback required:	
Square footage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Frontage		Side Yard Setback		Exterior Side Yard Setback	
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Parking/Loading		Height		Accessory Structure 5-foot Setback	
Parking required:	118 to 125	Height permitted:		Type of structure:	
Parking provided:	72	Height provided:		Square footage of structure:	
Relief requested:	53	Relief requested:		Relief requested:	
Loading required:		Other Variances			
Loading provided:		Relief requested:			
Relief requested:		Zoning Ordinance Article & Section:			
Signs		Requirement:			
Area permitted:		Provided:			
Area provided:		<p align="center">Indicate if Variances are being requested for more than one structure or more than one lot. Only complete the sections which pertain to the Variances (s) you are applying for.</p>			
Relief requested:					
Height permitted:					
Height provided:					
Relief requested:					
Setback permitted:					
Setback provided:					
Relief requested:					

**TYPE OF SPECIAL PERMIT** (check the Special Permit you are requesting and describe what you are requesting)

1.  Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure and/ or Use (Article XVI, Section 4)
2.  Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
3.  Non-Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
4.  Non-Accessory Sign (Article IV, Section 6)
5.  Residential Conversion (Article IV, Section 9)
6.  Placement of Fill/Earth Excavation (Article IV, Section 5)
7.  Modification of Parking/Loading Requirements (Article IV, Section 7)
8.  Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7)
9.  Other Special Permit (Describe Special Permit sought):

1. Assessor's **ADDRESS OF SUBJECT PROPERTY:** 44 Grafton Street and 102 Temple Street  
(List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).

2. Is this property known by any other address: No

3. **OWNER OF RECORD:** Jaffee Realty, LLC  
(The owner of record is the person or entity who owns title to the property as of today's date)

4. Address (es) of owner of record is /are c/o One Mercantile Street, Suite 540, Worcester, MA 01608

5. Worcester District Registry of Deeds (WDRD) Book(s) 22692, Page(s) 199  
61921, Page(s) 232  
(List Book and Page number of deed filed for the subject property as recorded at the WDRD)

6. City of Worcester Assessor's Office Map 04 Block 16 Lot 11+16 and 00015  
(List MBL number for the subject property as listed at Assessor's Office)

7. **NAME OF APPLICANT(S):** AKROS Development, LLC

8. Address of Applicant: 420 West Broadway, Unit 503, Boston, MA 02127

9. Telephone: 508-926-3464

10. Email: jsmith@bowditch.com

11. Check if you are an: owner (s) , lessee (s) , optionee (s)  (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)

12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts):  
BG-3.0; CCOD-C; USOD; DSOD

**13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):**

Approximately 6,672 square foot vacant commercial building. Formerly operated as a retail meat market known as Fairway Beef, which closed in the Summer of 2021 before the property was listed for sale.

**14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):**

AKROS is seeking the grant of a special permit and variance from the City of Worcester Zoning Board of Appeals in connection with the construction and development of a new 9-story approximately 90,000 square foot mixed-use multifamily high rise building that will contain 105 units in 8 levels atop a ground level that will contain approximately 1,000 square feet of commercial space, a lobby and parking area. A total of 72 parking spaces will be provided within the ground level of the new building, including a state-of-the-art 68-space three-level semi-automated puzzle stacker parking system (2 high, 1 deep/below grade) and 4 surface parking spaces. The project also includes the construction and/or installation of related site improvements at the property, including, but not limited to, new driveways and accessible walkways, sidewalks and ramps, landscaping, curb cuts (along both streets), open space amenity areas (including a roof deck, balconies and other areas), public art/mural space, electric vehicle charging stations, bicycle storage areas, rooftop solar panels, utilities and other site features. The existing commercial building will be razed to accommodate the project.

**15. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed used of the property):**

Article IV, Table 4.1 and Article IX, Section 5.A - Multi-family dwelling, high rise and food service uses are permitted by right in the BG-3.0 district and CCOD-C.

**16. Are you aware if this property has been previously granted approvals from any City Board or Commission?**

**If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions):**

Unknown.

**17. Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and been refused for non-compliance with the Zoning Ordinance (e.g. a cease and desist order has been issued)? If so, explain:**

No.

**18. List any additional information relevant to the Variance (s) and Special Permit (s):**

See Statement in Support.

## VARIANCE FINDINGS OF FACT

**Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.**

1. Describe how a literal enforcement of the provision of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:

See Statement in Support.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:

See Statement in Support.

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:

See Statement in Support.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:

See Statement in Support.

## **SPECIAL PERMIT FINDINGS OF FACT**

**In the spaces below explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(2) of the Zoning Ordinance. (Attach additional supporting documentation as necessary.)**

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

See Statement in Support.

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

See Statement in Support.

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

See Statement in Support.

**4. Neighborhood character and social structure:**

See Statement in Support.

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

See Statement in Support.

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

See Statement in Support.

WHEREFORE, the applicant(s) requests that this Board grant the special permit (s) as requested above.

AKROS Development, LLC  
By: [Signature]  
(Signature of Applicant or Applicant's Agent)

If more than one applicant, all applicants must fill out information.  
AKROS Development, LLC (Gachary Kiritsy, Managing Member)

(Name of Applicant)

420 West Broadway, Unit 503, Boston, MA 02127

(Address)

508-926-3464

(Contact Phone Number)

jsmith@bowditch.com

(Email)

8/5/2022

(Date)

Jaffee Realty, LLC  
By: [Signature]  
(Signature of Property Owner or Owner's Agent)

If more than one property owner, all owners must fill out information.  
Jaffee Realty, LLC

(Name of Property Owner)

c/o One Mercantile Street, Suite 540, Worcester, MA 01808

(Address)

508-755-4300

(Contact Phone Number)

mpeters@petersandsowyrda.com

(Email)

8/4/2022

(Date)

**SUPPLEMENTARY QUESTIONS FOR SPECIAL PERMITS ONLY**

Complete the requested information for the Special Permit requested. Attach additional documentation as necessary. Only complete the sections which pertain to the Special Permit (s) you are applying for.

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure (Article XVI, Section 4)**

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities)
2. Indicate how long the nonconforming aspects of the structure have been in existence:
3. At the time of construction, did the structure meet applicable zoning requirements? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)
4. Describe the proposed extension, alteration or change and the total square footage of any physical expansion:



5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:
  
6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the structure as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.
  
7. Explain how the structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Use  
(Article XVI, Section 4)**

1. Describe what is currently nonconforming about this use:
  
2. Indicate how long the nonconforming use has been in existence? What year did the use begin? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)
  
3. At the time the use was initiated, was the use allowed under the then applicable Zoning Ordinance?
  
4. Describe the proposed extension, alteration or change of use and the total square footage to be utilized for the use:
  
5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:
  
6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the use as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.
  
7. Explain how the use as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing use:

**Residential Use allowed only by Special Permit in a particular zoning district  
(Article IV, Section 2, Table 4.1)**

1. Describe the proposed residential use:
  
  
  
  
  
  
  
  
  
  
2. Total number of dwelling units proposed, number of bedrooms per unit, and square footage of units:
  
  
  
  
  
  
  
  
  
  
3. Number and dimensions of off-street parking spaces to be provided and location (garage, driveway). Off-street parking spaces must be located outside of the front yard and exterior side yard setbacks.

**Non-Residential Use allowed only by Special Permit  
(Article IV, Section 2, Table 4.1)**

1. Describe the proposed use (include description of business, proposed hours of operation, and number of employees)
  
  
  
  
  
  
  
  
  
  
2. Total square footage of proposed use:
  
  
  
  
  
  
  
  
  
  
3. Number of off-street parking spaces to be provided. Indicate location of those parking spaces: garage, parking lot, parking spaces on a different lot provided through the same ownership and/or leased spaces (a 5-year minimum lease with renewal options must be provided) within 1,000 feet of the use it will serve.
  
  
  
  
  
  
  
  
  
  
4. For a proposed animal hospital, animal clinic, pet shop or animal shelter, per Article IV, Section 2, Notes to Table 4.1, Note 4, indicate the location of any animal runs if a residential zoning district is within 200 feet of the subject property.
  
  
  
  
  
  
  
  
  
  
5. For a proposed Bed and Breakfast use, provide additional documentation per Article IV, Section 11.
  
  
  
  
  
  
  
  
  
  
8. For a proposed Adult Entertainment use, provide additional documentation per Article IV, Section 10.
  
  
  
  
  
  
  
  
  
  
9. For a proposed Limited Residential Hospice House, provide additional documentation per Article IV, Section 2, Notes to Table 4.1, Note 10.

10. For a proposed non-accessory parking lot or a motor vehicle display lot, provide additional documentation showing compliance with Article IV, Section 7B.

**Non-Accessory Sign  
(Article IV, Section 6)**

1. Square footage, length and width of proposed sign, and height of total structure:
  
  
  
  
  
  
  
  
  
  
2. Distance of proposed sign from other non-accessory signs along each side of a street.
  
  
  
  
  
  
  
  
  
  
3. Indicate on the submitted plan the type and style of sign, exact location, etc.

**Residential Conversion  
(Article IV, Section 9)**

1. Total number of existing units/Total number of proposed units:
  
  
  
  
  
  
  
  
  
  
2. Will the external appearance of the structure remain unchanged except for new doors, windows, fire escapes, and stairways?
  
  
  
  
  
  
  
  
  
  
3. Number of off-street parking spaces to be provided (If new parking is being created, the applicant(s) may need to seek a Special Permit for extension, alteration or change of a pre-existing, nonconforming structure if existing structure does not meet current zoning dimensional requirements. If additional parking cannot be provided for new dwelling unit(s), the proposed conversion may also require a Variance or Special Permit from off-street parking requirements):
  
  
  
  
  
  
  
  
  
  
4. Which dimensional requirements/setbacks are you seeking relief by the Special Permit?

**Placement of Fill/Earth Excavation  
(Article IV, Section 5)**

1. Indicate whether the Special Permit is for Placement of Fill or Earth Excavation:
2. Attach documentation showing proposed measures to protect pedestrians and vehicles.
3. Provide a proposed timeline for completion of placement of fill.
4. Attach documentation from the Director of Public Health and the Conservation Commission as outlined in the City of Worcester Zoning Ordinance Article IV, Section 5.
5. Attach a site plan with all required information in support of the application per the City of Worcester Zoning Ordinance Article IV, Section 5.

**Modification of Parking/Loading Requirements  
(Article IV, Section 7)**

1. Indicate what relief is being sought under the Special Permit:  
Noncompliance with minimum loading space requirement (2 required). One noncompliant loading space will be provided.
2. If applicable, indicate locations, square footages, and dimensions of relief sought under the Special Permit:  
One 11' x 27' loading space will be provided along Temple Street to the west of the new building.
2. If applicable, provide number of parking/loading spaces required and relief requested through the Special Permit:  
See items 1 and 2 above.

**Other Special Permits**

1. Describe Special Permit sought and provide relevant details on the plan of land and rendering. Provide square footage and height of any structures and indicate percentage of lot structure will occupy:

**CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION**

**\*Note: This form must be completed and signed by both the applicant(s) and owner(s) of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.**

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

**(1) If a Proprietorship or Single Owner of residential property:**

Name of Owner \_\_\_\_\_

Business Address \_\_\_\_\_

Home Address \_\_\_\_\_

Business Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature of owner (certifying payment of all municipal charges):

\_\_\_\_\_ Date: \_\_\_\_\_

**(2) If a Partnership or Multiple Owners of residential property:**

Full names and address of all partners

Printed Names

Addresses

_____	_____
_____	_____
_____	_____

Business Address \_\_\_\_\_

Business Phone \_\_\_\_\_

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____

**(3) If a Corporation:**

Full Legal Name Jaffee Realty, LLC  
State of Incorporation MA  
Principal Places of Business 2 Hanna Drive, Auburn, MA 01501  
Place of Business in Massachusetts \_\_\_\_\_

Printed Names of Officers of Corporation:	Manager	Title
<u>John J. Sigel</u>	_____	_____
_____	_____	_____
_____	_____	_____

Owners of Corporation:	Address	% of stock
Printed Names <u>John J. Sigel</u>	<u>2 Hanna Drive, Auburn, MA 01501</u>	_____
_____	_____	_____
_____	_____	_____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary) Jaffee Realty, LLC  
By: *[Signature]* Date: 8/4/2022  
*[Signature]* Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

**(4) If a Trust:**

Name of Trust \_\_\_\_\_  
Business Address \_\_\_\_\_  
Printed Names of Trustees: \_\_\_\_\_ Address \_\_\_\_\_

\_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_ Address \_\_\_\_\_

Printed Names of Beneficiaries: \_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_ Address \_\_\_\_\_

Signature of trustees of property (certifying payment of all municipal charges -attach multiple pages if necessary)  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

**(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):**

Printed Name of Applicant: AKROS Development, LLC  
AKROS Development, LLC  
Signature of Applicant: By: *[Signature]* Date: 8/5/2022  
(Zachary Kivity, Managing Member)



The City of  
**WORCESTER**  
Zoning Board of Appeals



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

**SPECIAL PERMIT & VARIANCE – FINDINGS OF FACT AND DECISION**  
**44 Grafton Street & 102 Temple Street (MBL 004-016-11+16; 00015)**  
**ZB-2022-065**

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The Zoning Board of Appeals scheduled a hybrid public hearing on September 12, 2022 at 5:30 PM in the Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, on the petition of AKROS Development LLC, seeking a Special Permit and Variance for property located 44 Grafton Street and 102 Temple Street, Worcester, Massachusetts.

Due notice of the public hearing to be held on September 12, 2022 was sent to the individuals listed on the City of Worcester Certified Abutter's list for the subject property.

On August 26 & September 2, 2022, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

On September 12, 2022 the hybrid meeting was called to order by Russell Karlstad, Chair. Board members physically present for the hearing at Worcester City Hall, 455 Main Street, Levi Lincoln Chamber were Russell Karlstad and George Cortes. Board members Anthony Dell'Aera, Shannon Campaniello, Eric Torkomoo and Jordan Berg Powers participated remotely. Nathan Sabo was absent. Remote participation was facilitated for attendees via phone at call-in number, 415-655-0001 (Access Code: 160 884 7670) and via Webex link (<https://cow.webex.com/meet/zoningboardofappealswebex>).

**FINDINGS**

The Worcester Zoning Board of Appeals (ZBA), having viewed the site, conducted a public hearing and reviewed all the submitted evidence, finds that:

1. Jaffee Realty, whose address is 1 Mercantile Street, Suite 540, Worcester MA 01608, is the owner of certain land situated at 44 Grafton and 102 Temple Street in the City of Worcester, Massachusetts, and is more particularly described in a deed recorded with the Worcester District Registry of Deeds Book 2269 & 61921, Page 199; 232.
2. Said land is located in a zoning district classified under the City of Worcester Zoning Ordinance as a BG-3.0 (Business, General) zoning district and within the CCOD-C (Commercial Corridors Overlay - Canal District Subarea), USOD (Union Station View Corridor Sign Overlay District) and DSOD (Downtown/Blackstone Canal Sign Overlay District) overlay districts.
3. Presently on the premises is a ±6,672 SF vacant commercial building (former Fairway Beef) and associated site improvements including 17 surface parking spaces.
4. AKROS Development, LLC., whose address is 420 West Broadway, Unit 503, Boston MA, 02127, the petitioner, with written authorization from the owner.
5. The petitioner seeks to demolish the existing improvements and construct a ±90,000SF, ±9-story mixed use structure with ±105 dwelling units, ±1,000SF ground floor commercial space and associated garage parking (±72 spaces) and conduct related site improvements.
6. The petitioner seeks a special permit to modify the parking and loading requirements with respect to (a) loading as a single 10' x 27' loading space is proposed to be screened with fencing while two 12'x50' spaces are required and otherwise require landscape screening (b) the drive-aisle width which narrows to 20' while 24' aisle is required by the ordinance.

7. The petitioner seeks the following:

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

**Variance:** For relief from the minimum off-street parking requirements (Article IX, Section 7, Table 9.1)

**Findings of Fact – Special Permit:**

8. Per Article II, Section 6 (A)(2), the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations:

a. Social, economic or community needs that are served by the proposal:

*The Project will dramatically improve the aesthetic appeal, design and quality of the Property, which is currently vacant and underutilized, but will be highly visible to the public on the ground level and serve as a prominent gateway building as commuters traverse along the elevated stretch of I-290. The Project will improve the economic vitality of the neighborhood and surrounding areas by increasing the number of residents in the area who will patronize local businesses and economic centers in and around the neighborhood. The Project will create new construction jobs, sustain post construction jobs, and will generate additional tax revenues and fees for the City.*

*As discussed below, the proposed parking will adequately serve the occupants of the New Building, and will not have a material negative impact on the neighborhood with respect to parking. The proposed parking plan provides adequate ingress and egress to the parking within the New Building by means of a clearly defined driveway and garage door, and such access to the building for vehicular parking will be limited to one specific location along Grafton Street so as to provide the most safe, effective and efficient flow to and from the Property. The proposed improvements related to parking, loading, walkways, sidewalks, landscaping and common space areas are arranged for safe and convenient access for motorists and/or pedestrians. Proposed new lighting will be modern in design, and will not have a deleterious effect on or cause a nuisance to neighboring properties or abutting streets.*

*The Project is in conformance with the purposes and intent of the Zoning Ordinance and the CCOD, as it will provide much-needed and in-demand housing to support the City's critical housing stock, which will promote the economic vitality of the neighborhood and the City. The Project is a development of a compatible land use that provides urban densities, is a redevelopment of a corner lot infill site that is highly underutilized, offers a design that provides an aesthetically pleasing environment for pedestrians that is accessible, compact, safe and inviting. The Project promotes compact, environmentally-responsible (e.g., rooftop solar, all electric building systems, EV charging stations, bicycle storage, privately-managed ride sharing space for residents, proposed easy access / drop-off and other eco-friendly features), pedestrian friendly mixed-use development, eliminates the amount of land devoted to surface parking and utilizes parking areas more efficiently by virtue of a state-of-the-art semi-automated stacker parking system. Moreover, the Project will encourage the most appropriate use of the land in a manner that promotes the creation and preservation of housing of such type and size suitable for meeting the current and future needs of the City, 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.*

b. Traffic flow and safety, including access, parking and loading areas:

*The proposed structured parking within the New Building will provide a safe, adequate and efficient layout and design for vehicular and pedestrian traffic. The building design was developed such that the resident parking will be in close proximity of the lobby*



entrances of the building. The proposed parking and loading areas, 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. As discussed in the next section, a three-level semi-automated puzzle stacker parking system is proposed within the New Building. The proposed drive aisles within the parking area will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles. The ground level security garage door leading to the parking area within the New Building will be opened by proximity entry access RFID tag when a vehicle is within approximately 20 feet of the garage door. The garage door will be setback from the street in order to allow vehicles to safely and conveniently enter the New Building with minimal impact to Grafton Street. Emergency vehicles can access to the buildings from both Temple Street and Grafton Street. Safe, convenient and efficient pedestrian access to the New Building will be provided along new and existing accessible walkways and sidewalks. Loading for the New Building will occur in the off-street loading area on the westerly side of the Property at the Temple Street curb cut, and allow delivery and garbage trucks to safely enter the site by backing into the loading space. The proposed loading area will be in close proximity to the building and a safe distance from electric utility equipment and pedestrian walkways. In addition, and to the extent approved by the City, AKROS is considering the designation of one of the existing on-street spaces on the south side of Temple Street for potential time-restricted public parking (15-minute) for additional loading, delivery, parking, pick-up and drop-off operations. Availability of this additional space would further help reduce impacts to through traffic flow on Temple Street.

Proximity of the Property to public transit opportunities and a strong network of sidewalk and bicycle accommodations are expected to promote less reliance on automobiles as compared to other similar residential developments in less transit-friendly locations. AKROS is also considering dedicating a parking space within the garage for the implementation of a privately managed shared car service to provide residents with access to a vehicle and reduce the need for residents to have to maintain their own vehicle on the Property. Traffic generated and patterns of access and egress will not cause congestion, hazard or a substantial change to the neighborhood character, and the Project will not result in a substantial increase in trip generation levels to and from the Property. Traffic-volume increases on Grafton Street are expected to be in the range of 28 to 39 additional vehicles during peak hours. Peak hour traffic capacity analysis indicates that the estimated site generated traffic represents a very small percentage of the existing future traffic volumes in the area, and therefore, the development would have negligible impact of area traffic operations. See the separate traffic impact evaluation prepared by VHB.

**b. Parking and Stacker System; Loading.**

Table 9.1 of Article IX of the Zoning Ordinance provides minimum parking requirements for properties in the CCOD-C based on use. Based on the proposed 105 residential units and the commercial use, which will likely be a café, restaurant or retail use, the minimum parking requirement for the Project is 118 to 125 parking spaces. A total of 72 parking spaces will be provided for the Project, all within the New Building. The parking space to unit ratio is 0.68, which parking ratio is higher than the parking ratios of other similar high-rise multifamily projects that have been approved in the City.

The proposed parking will adequately serve the occupants of the New Building, and will not have a material negative impact on the neighborhood with respect to on or off street parking. A limited number of vehicles are anticipated to be utilized at the Property in this denser urban environment, with the majority of units to consist of smaller households, i.e., studios and 1-bedroom. There is ample third party off street parking garages and lots in the area for both residential and commercial

*parking. The neighborhood is transit-oriented nature (i.e., Union Station within 500' feet, two WRTA bus stations within a block) and facilities at the Property will accommodate alternate means of transportation (e.g., bicycle storage, privately managed ride sharing space for residents, proposed easy access / drop-off for Uber, Lyft, Via van service, etc.). There exist amenities in close proximity to the Property and there is a nearby downtown employer hub. As discussed above, AKROS is also considering dedicating a parking space within the garage for the implementation of a privately-managed shared car service to provide residents with access to a vehicle and reduce the need for residents to have to maintain their own vehicle on the Property.*

*Based on information from the Institute of Transportation Engineers (ITE) Parking Generation manual, mid-rise multifamily use (Land Use Code 221, "dense multi-use urban, less than ½ mile from rail transit" category for 128 bedrooms) indicates an estimated parking demand of approximately 64 spaces on weekdays. The proposed parking will be sufficient for the proposed use and self-contained on the site, and the multifamily use will have sufficiently different peaking characteristics as compared to the commercial mix of other uses in the neighborhood.*

*A main objective of the CCOD is to reduce the amount of land devoted to parking and utilize parking areas more efficiently. The proposed parking areas and stacker parking system are designed to limit the overall surface area so as to maintain an urban look and feel by not overwhelming the site with surface parking. Such parking efficiency will be achieved by implementing a state-of-the-art semi-automated stacker parking system.*

*The stacker parking system will provide independent access by the user and mechanical maneuverability of vehicles, which will eliminate any need for valets or attendants. Users will be able to command the system via an LED module screen at a kiosk on the system and retrieve their own vehicle on any number of levels. The system will traverse one space left or right, then lift and lower. The quick maneuverability and ease of access will provide fast cycle times and a more efficient method to retrieve vehicles.*

*There will be fail and fail safe mechanisms in place, such as gravity locks, cable guards, sensors that will not allow the upper level vehicle to lower on the car below, overrun systems that will cease operation should the vehicle be too large, infrared that can detect movement and as security measures that will not allow the system to operate should a vehicle be misaligned or simply does not fit. As additional protective measures, gates will be installed across each module bay entry that will lift vertically when a vehicle or pallet is summoned. The system is chain/cable and motor driven which provides a higher level of efficiency and durability, faster retrieval times and easy maintenance as compared to other systems.*

*In order to retrieve a vehicle, the user commands the module from the LED screen on the module. This method activates the system to efficiently lift, lower and traverse, bringing vehicles to the ground level where a user can access their own vehicle. The system will be managed and monitored 24/7 by trained on-site property management personal. The system will also be remotely monitored by the vendor, which will allow real time monitoring and detection of any impacts to efficiency, and allow the vendor to remediate swiftly and accordingly well before a component failure. As noted above, the loading area will allow delivery and garbage trucks to safely enter the site by backing into the loading space from Temple Street, and AKROS is considering the designation of one of the existing on-street spaces on the south side of Temple Street for potential time-restricted public parking (15-minute) for additional loading, delivery, parking, pick-up and drop-off operations.*

**c. Adequacy of utilities and other public services:**

*The development does not anticipate any adverse effect on drainage patterns. The best management practices for stormwater are incorporated in the design of the Project, and will be adequate to manage stormwater runoff generated by the Project and to satisfy the requirements of the Zoning Ordinance, the Worcester Department of Public Works*

and Massachusetts Stormwater standards. Stormwater runoff collected on-site will be discharged to the City's existing drainage system in Temple Street via underground connections. New water and sewer connections, gas and electric service facilities and infrastructure will need to be provided for the New Building and the Project; provided, however, such utility lines and infrastructure currently exist within Temple Street and are readily available to be connected to any new utilities that are necessary for the Project. The proposed utilities to serve the Project are not intended to come from Grafton Street.

d. **Neighborhood character and social structure**

The Project will dramatically enhance and improve the surrounding context and will improve the safety and aesthetic appeal of the site. The Project is functionally and aesthetically compatible with the surrounding commercial and residential properties in the neighborhood, which include a mix of multifamily, restaurants, retail, cannabis, personal service, automotive service, office and industrial uses. The Property contains underutilized space, and the proposed New Building and improvements to the site will have no greater impact on, adversely affect or be detrimental to adjoining premises or zones or the neighborhood. The proposed New Building will improve the aesthetic appeal, design quality and economic vitality of 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 high rise multifamily use. The building façade references some of the nearby existing architecture, such as the Osgood Bradley Building, incorporating a contemporary approach to a framed/gridded overlay on a dynamic but efficient massing. The design will feature large windows and many of the apartments will be provided with balconies. Variations in exterior wall material depth and detailing will provide a rich texture and variation to the building façade, bringing in natural wood tones at the entries and balconies. The New Building will provide other architecturally appealing features and massing, changing façade height and angle to respond to the immediate context, with the taller portion of the building towards I-290 and the lower portion on Temple Street. The plaza area along Temple Street will help activate pedestrian foot traffic surrounding streets. The New Building will comply with yard setbacks and floor to area ratio requirements, and, except as otherwise provided herein, will comply with all other dimensional and parking requirements and the CCOD design requirements as set forth in the Zoning Ordinance.

The Project use 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, which includes building mounted lighting solutions on facades or within canopies, will be adequate for safe and secure access to and from the New Building, walkways, sidewalks and the loading area. 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. AKROS's wall, pylon and directional signage will be provided in compliance with the Zoning Ordinance.

e. **Impacts on the 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 Project 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 on the groundwater. The Project will accommodate, and encourage the use of, environmentally-

*responsible facilities and amenities (e.g., rooftop solar, EV charging stations, bicycle storage, ride sharing and other eco-friendly features).*

- f. **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. The Project will require new water and sewer connections.*

#### **Findings of Fact – Variance**

9. **Per Article II, Section 6 (A)(3), the ZBA, as Permit Granting Authority, may grant upon appeal or petition with respect to particular land or structures, a variance from the dimensional terms of the Zoning Ordinance. The ZBA may grant a variance only when all statutory requirements are met, including the following findings:**
- a. **Describe how a literal enforcement of the provisions of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:**  
*AKROS would suffer substantial hardship if literal enforcement of the minimum parking requirement of the Zoning Ordinance was to be enforced. Unlike other lots in the zoning district that are larger and more rectangular in shape, the Property is a unique pork chop-shaped corner lot that limits the building footprint and areas in which necessary parking can be located.*  
*AKROS is proposing a parking solution that provides sufficient on-site parking while minimizing the volume devoted to this use, and allows for more housing to be built. The proposed number of units for the New Building is critical to make the Project financially viable for AKROS and to obtain financing. A significant number of units would have to be removed from the Project in order to comply with the minimum parking requirement for the New Building, and any additional on-site parking would not be necessary given the transit-oriented nature of the neighborhood, thus resulting in unnecessary costs incurred and resources consumed for additional parking that would not benefit the Project, the neighborhood or the community.*  
*Alternatively, in order to comply with the required parking, AKROS would have to enlarge the building and parking area to allow for more internal parking while remaining in compliance with the height requirement, including a cost prohibitive subterranean garage, inefficient and costly above-grade structured parking levels where housing is currently programmed and/or acquire rights to an entirely new adjoining property in which to construct surface lot parking.*  
*There are no such alternative sites available in close proximity to the Property, and, even if a reasonable alternative site became available, it would be cost prohibitive to perform due diligence on, acquire rights to and design and construct facilities at such an alternative site. It would be an extreme hardship for AKROS to have to go through a very time-consuming permitting process for an additional, adjoining location, and deploying resources in that fashion to meet the required parking would result in an economically inviable project.*
- b. **Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:**  
*There exist circumstances relating to shape that especially affect the Property lot and structures, but do not affect generally properties in the BG-3.0 zoning district and CCOD-C. Unlike other neighboring properties in the district that are more rectangular in shape, the Property is constrained by the pork chop-shaped corner lot that abuts two streets, all of which limit the areas in which parking, structures, loading, buffers and other site improvements can be developed.*

- c. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:

*The requested variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance. The New Building and other Project improvements will be in the CCOD-C, which encourages mixed use developments, and will be compatible and in harmony with the neighborhood's character and abutting properties as described above. The Project will modernize and dramatically improve the aesthetic appeal, design and quality of the Property, and will be highly visible to the public both on the ground level and from I-290. The Project will promote economic vitality to the neighborhood and the City. The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will encourage the most 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.*

*Moreover, the relief being requested is an amount that aligns with AKROS' evaluation of market demand for parking for a project of this nature. The neighborhood and the New Building are transit-oriented, with multiple nearby alternative means of transit and is a walkable location given its proximity to downtown Worcester and multiple neighborhoods.*

*The requested relief would not be detrimental to the public good, but rather, allow for more sustainable housing production, with future residents patronizing local businesses and economic centers.*

- d. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:

*The variance for parking for the New Building as requested herein is no greater than the minimum necessary to provide relief from the statutory hardship, and in order to accommodate the number of units to make the Project financially viable. The on-site parking being provided is in line with the amount needed for a project of this nature and to sufficiently serve residents in an economically viable project, taking into consideration the urban, infill characteristics of the site and the proximity to transit options.*

## **DECISION**

At a meeting of the Board on September 12, 2022, and on motion duly made and seconded, it was voted 5-0 by Board members Russell Karlstad, George Cortes, Eric Torkomoo, Jordan Berg Powers, and Anthony Dell'Aera to approve the requested:

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

**Variance:** For relief of 53 spaces from the 125 minimum off-street parking requirements (Article IX, Section 7, Table 9.1)

With the following conditions of approval:

### Prior to & During Construction:

1. Prior to the issuance of a Building Permit provide one (1) to-scale, stamped/sealed original final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services showing the following changes:
  - a. The turn-around area within the parking garage shall be striped to indicate no-parking in order to facilitate only temporary use and maintain its convenience as a turn-around and queue area.
  - b. Reflect a rear-yard setback of 10 feet and the front-yard being Grafton Street, with a 0' setback.
2. The applicant shall complete a pre- (prior to commencement) and post- (upon completion of) construction inspection of all properties directly abutting the subject property lines to ensure construction period impacts do not detrimentally effect abutting property.
3. The applicant shall coordinate their proposed streetscape improvements with the Departments of Transportation & Mobility and Public Works & Parks.

### Perpetual:

4. The owner shall use a travel demand management (TDM) program consistent with the program described in the materials provided. If requested, the owner shall provide a brief summary of annual TDM activities to the city.
5. The parking stacker shall be continuously monitored remotely to ensure the system, and its 68 spaces, are fully functional. System updates and repairs shall be conducted with advance notice to users, coordinated in a manner to have the least impact on users to the maximum extent practical, in and expeditious manner and include the use electronic notifications and temporary signage to inform all users expeditiously.
6. Provided that the project is constructed in substantial accordance with the findings of fact and all final revised definitive site plan plans and operation and maintenance plans on file

The Board also voted unanimously to approve waivers of the following plan requirements:

1. Percentage of the lot covered by the principal and accessory building

The Special Permit and Variance shall not take effect until the petitioner records, at his or her own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to Massachusetts General Laws, Chapter 40A, Section 11, as amended. The rights authorized by the Special Permits must commence no later than one year from the grant hereof. If the requested Special Permits are litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A § 17 and shall be filed within twenty days after the filing of this decision in the office of the City Clerk.

It was **ORDERED** by the Board that persons notified of the hearing be notified of the foregoing decision.

The names typed below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9. Duly authorized by Ch. 110G and recorded at Worcester Registry of Deeds in Book 62537, Page 327.

**ADJOURNED**

\_\_\_\_\_  
**RUSSELL KARLSTAD**

DATE \_\_\_\_\_

\_\_\_\_\_  
**JORDAN BERG-POWERS**

DATE \_\_\_\_\_



\_\_\_\_\_  
**GEORGE CORTES**

DATE 10/3/22

\_\_\_\_\_  
**ANTHONY DELL'AERA**

DATE \_\_\_\_\_

  
\_\_\_\_\_  
**SHANNON CAMPANIELLO**

DATE 10/3/2022

**REMINDERS**

**Time Limitations:** If the activity authorized by a Special Permit granted by the ZBA is not initiated within one (1) year of the date of grant (one year from date Special Permit is received by the City Clerk) and/or the activity is not completed within two (2) years, then the Special Permit shall lapse unless the Director of Code Enforcement makes a determination that the failure to complete was for good cause. Per Article II, Section 9, D. 5. of the City of Worcester Zoning Ordinance.

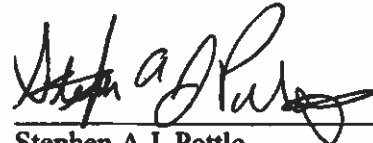
**Landscaping Requirements:** Required landscaping shall be maintained in a healthy growing condition, free of refuse and debris, and any plantings that do not survive shall be replaced in kind by the applicant or the property owner within a reasonable period of time. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking of vehicles or snow storage in areas used for screening and buffering. Per Article V, Section 5, C. iv of the City of Worcester Zoning Ordinance.

**Construction Noise:** No person shall operate any powered construction equipment or build, erect construct, demolish, alter, repair, excavate or engage in hoisting, grading, site work, including tree and brush removal, dredging or pneumatic hammering, or deliver construction equipment and/or supplies to the site on any building, road, tower, parking lot, machine, pipe, sewer, sidewalk, or any other construction project, except between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and Saturday, and between the hours of 9:00 a.m. and 7:00 p.m. on Sundays. Per Chapter 9 Section 1A (e) (9) of the City of Worcester's Ordinance Relative to Excessive and Unreasonable Noise.

City of Worcester, MA

**November 14, 2022**

**I certify that twenty days have elapsed after the attached Decision for 44 Grafton Street & 102 Temple Street has been filed with the City Clerk Department as of October 6, 2022 and that no appeal has been filed.**



**Stephen A.J. Pottle**  
Deputy City Clerk



# Worcester South District Registry of Deeds Electronically Recorded Document

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## Recording Information

Document Number	: 11244
Document Type	: DECN
Recorded Date	: February 14, 2024
Recorded Time	: 02:01:52 PM
Recorded Book and Page	: 70194 / 379
Number of Pages(including cover sheet)	: 11
Receipt Number	: 1560442
Recording Fee	: \$105.00

Worcester South District Registry of Deeds  
Kathryn A. Toomey, Register  
90 Front St  
Worcester, MA 01608  
(508) 368-7000



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

**SPECIAL PERMIT AMENDMENT & VARIANCE EXTENSION OF TIME – FINDINGS OF  
FACT AND DECISION**

**44 Grafton Street & 102 Temple Street (MBL 004-016-11+16 & -00015)  
(ZB-2023-080)**

The Zoning Board of Appeals scheduled a hybrid public hearing on October 16, 2023, at 5:30 PM in the Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, on the petition of 102 Temple Street, LLC, seeking a Special Permit Amendment & Variance Extension of Time for property located at 44 Grafton Street & 102 Temple Street, Worcester, Massachusetts.

Due notice of the public hearing to be held on October 16, 2023, was sent to the individuals listed on the City of Worcester Certified Abutter's list for the subject property.

On September 29 & October 6, 2023, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

On October 16, 2023, the hybrid meeting was called to order by Russell Karlstad, Chair. Board members physically present for the hearing at Worcester City Hall, 455 Main Street, Levi Lincoln Chamber were Russell Karlstad, George Cortes, Nathan Sabo, and Shannon Campaniello. Board members Jordan Berg Powers, Anthony Dell'Aera, and Eric Torkornoo participated remotely. Remote participation was facilitated for attendees via phone at call-in number, 844-621-3956 (Access Code: 2630 362 4924) and via WebEx link (<https://cityofworchester.webex.com/meet/zoningboardofappealswebex>)

**FINDINGS**

The Worcester Zoning Board of Appeals (ZBA), having conducted a public hearing and reviewed all the submitted evidence, finds that:

1. Jaffee Realty, whose address is 1 Mercantile Street, Suite 540, Worcester MA 01608, is the owner of certain land situated at 44 Grafton and 102 Temple Street in the City of Worcester, Massachusetts, and is more particularly described in a deed recorded with the Worcester District Registry of Deeds Book 22692; 61921, Page 199; 232.
2. Said land is located in a zoning district classified under the City of Worcester Zoning Ordinance as a BG-3.0 (Business, General) zoning district and within the CCOD-C (Commercial Corridors Overlay - Canal District Subarea), USOD (Union Station View Corridor Sign Overlay District) and DSOD (Downtown/Blackstone Canal Sign Overlay District) overlay districts)
3. Presently on the premises is a ±6,672 SF vacant commercial building (former Fairway Beef) and associated site improvements including 17 surface parking spaces.
4. 102 Temple Street, LLC, whose address is 20 Franklin Street, Suite 402, Worcester, MA 01608, is the petitioner with written authorization from the owner.
5. The petitioner was previously approved by the Zoning Board of Appeals, with final action on October 6, 2022, to demolish the existing site improvements and construct a ±90,000SF, ±9-story mixed use structure with ±105 dwelling units, ±1,000SF ground

City of Worcester Zoning Board of Appeals c/o Planning & Regulatory Services  
City Hall, 455 Main Street, Room 404 (4<sup>th</sup> floor), Worcester, MA 01608

P | 508-799-1400 x 31440 F | 508-799-1406 E | [planning@worcesterma.gov](mailto:planning@worcesterma.gov) W | [www.worcesterma.gov/planning-regulatory](http://www.worcesterma.gov/planning-regulatory)

floor commercial space and associated garage parking (±72 spaces). Said approval is recorded in the Worcester District Registry of Deeds Book 68602, Page 168.

6. The petitioner now seeks a Special Permit Amendment to extend the approval for a period of one year, and a Variance Extension of Time for a period of six months, due to financing and construction delays, for the following previously approved relief:

**Variance:** For relief of 53 spaces from the 125 space minimum off-street parking requirements in an BG-3.0 Zone (Article IX, Section 7, Table 9.1)

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

**Findings of Fact – Special Permit:**

*Per Article II, Section 6 (A)(2), the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations:*

- a. Social, economic or community needs that are served by the proposal:

*The Project will dramatically improve the aesthetic appeal, design and quality of the Property, which is currently vacant and underutilized, but will be highly visible to the public on the ground level and serve as a prominent gateway building as commuters traverse along the elevated stretch of 1-290. The Project will improve the economic vitality of the neighborhood and surrounding areas by increasing the number of residents in the area who will patronize local businesses and economic centers in and around the neighborhood. The Project will create new construction jobs, sustain post construction jobs, and will generate additional tax revenues and fees for the City.*

*As discussed below, the proposed parking will adequately serve the occupants of the New Building, and will not have a material negative impact on the neighborhood with respect to parking. The proposed parking plan provides adequate ingress and egress to the parking within the New Building by means of a clearly defined driveway and garage door, and such access to the building for vehicular parking will be limited to one specific location along Grafton Street so as to provide the most safe, effective and efficient flow to and from the Property. The proposed improvements related to parking, loading, walkways, sidewalks, landscaping and common space areas are arranged for safe and convenient access for motorists and/or pedestrians. Proposed new lighting will be modern in design, and will not have a deleterious effect on or cause a nuisance to neighboring properties or abutting streets.*

*The Project is in conformance with the purposes and intent of the Zoning Ordinance and the CCOD, as it will provide much-needed and in-demand housing to support the City's critical housing stock, which will promote the economic vitality of the neighborhood and the City. The Project is a development of a compatible land use that provides urban densities, is a redevelopment of a corner lot infill site that is highly underutilized, offers a design that provides an aesthetically pleasing environment for pedestrians that is accessible, compact, safe and inviting. The Project promotes compact, environmentally-responsible (e.g., rooftop solar, all electric building systems, EV charging stations, bicycle storage, privately-managed ride sharing space for residents, proposed easy access drop-off and other eco-friendly features), pedestrian friendly mixed-use development, eliminates the amount of land devoted to surface parking and utilizes parking areas more efficiently by virtue of a state-of-the-art semi-automated stacker parking system. Moreover, the Project will encourage the most appropriate use of the land in a manner that promotes the creation and preservation of housing of such type and size suitable for meeting the current and future needs of the City, 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.*

**b. Traffic flow and safety, including access, parking, and loading areas:**

*The proposed structured parking within the New Building will provide a safe, adequate and efficient layout and design for vehicular and pedestrian traffic. The building design was developed such that the resident parking will be in close proximity of the lobby entrances of the building. The proposed parking and loading areas, 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. As discussed in the next section, a three-level semi-automated puzzle stacker parking system is proposed within the New Building. The proposed drive aisles within the parking area will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles. The ground level security garage door leading to the parking area within the New Building will be opened by proximity entry access RFID tag when a vehicle is within approximately 20 feet of the garage door. The garage door will be setback from the street in order to allow vehicles to safely and conveniently enter the New Building with minimal impact to Grafton Street. Emergency vehicles can access to the buildings from both Temple Street and Grafton Street. Safe, convenient and efficient pedestrian access to the New Building will be provided along new and existing accessible walkways and sidewalks. Loading for the New Building will occur in the off-street loading area on the westerly side of the Property at the Temple Street curb cut, and allow delivery and garbage trucks to safely enter the site by backing into the loading space. The proposed loading area will be in close proximity to the building and a safe distance from electric utility equipment and pedestrian walkways. In addition, and to the extent approved by the City, AKROS is considering the designation of one of the existing on-street spaces on the south side of Temple Street for potential time-restricted public parking (15-minute) for additional loading, delivery, parking, pick-up and drop-off operations. Availability of this additional space would further help reduce impacts to through traffic flow on Temple Street.*

*Proximity of the Property to public transit opportunities and a strong network of sidewalk and bicycle accommodations are expected to promote less reliance on automobiles as compared to other similar residential developments in less transit-friendly locations. AKROS is also considering dedicating a parking space within the garage for the implementation of a privately managed shared car service to provide residents with access to a vehicle and reduce the need for residents to have to maintain their own vehicle on the Property. Traffic generated and patterns of access and egress will not cause congestion, hazard or a substantial change to the neighborhood character, and the Project will not result in a substantial increase in trip generation levels to and from the Property. Traffic-volume increases on Grafton Street are expected to be in the range of 28 to 39 additional vehicles during peak hours. Peak hour traffic capacity analysis indicates that the estimated site generated traffic represents a very small percentage of the existing future traffic volumes in the area, and therefore, the development would have negligible impact of area traffic operations. See the separate traffic impact evaluation prepared by VHS.*

**b. Parking and Stacker System; Loading.**

*Table 9. 1 of Article IX of the Zoning Ordinance provides minimum parking requirements for properties in the CCOD-C based on use. Based on the proposed 105 residential units and the commercial use, which will likely be a cafe, restaurant or retail use, the minimum parking requirement for the Project is 118 to 125 parking spaces. A total of 72 parking spaces will be provided for the Project, all within the New Building. The parking space to unit ratio is 0. 68, which parking ratio is higher than the parking ratios of other similar high-rise multifamily projects that have been approved in the City.*

*The proposed parking will adequately serve the occupants of the New Building, and will not have a material negative impact on the neighborhood with respect to on or off street parking. A limited number of vehicles are anticipated to be utilized at the Property in this denser urban environment, with the majority of units to consist of smaller households, i.e., studios and 1-bedroom. There is ample third party off street parking garages and lots in the area for both residential and commercial parking. The neighborhood is transit-oriented nature (i.e., Union Station within 500' feet, two WRTA bus stations within a block) and facilities at the Property will accommodate alternate means of transportation (e.g., bicycle storage, privately managed ride sharing space for residents, proposed easy access drop-off for Uber, Lyft, Via van service, etc.). There exist amenities in close proximity to the Property and there is a nearby downtown employer hub. As discussed above, AKROS is also considering dedicating a parking space within the garage for the implementation of a privately-managed shared car service to provide residents with access to a vehicle and reduce the need for residents to have to maintain their own vehicle on the Property.*

*Based on information from the Institute of Transportation Engineers (ITE) Parking Generation manual, mid-rise multifamily use (Land Use Code 221, "dense multi-use urban, less than ½ mile from rail transit" category for 128 bedrooms) indicates an estimated parking demand of approximately 64 spaces on weekdays. The proposed parking will be sufficient for the proposed use and self-contained on the site, and the multifamily use will have sufficiently different peaking characteristics as compared to the commercial mix of other uses in the neighborhood.*

*A main objective of the CCOD is to reduce the amount of land devoted to parking and utilize parking areas more efficiently. The proposed parking areas and stacker parking system are designed to limit the overall surface area so as to maintain an urban look and feel by not overwhelming the site with surface parking. Such parking efficiency will be achieved by implementing a state-of-the-art semi-automated stacker parking system.*

*The stacker parking system will provide independent access by the user and mechanical maneuverability of vehicles, which will eliminate any need for valets or attendants. Users will be able to command the system via an LED module screen at a kiosk on the system and retrieve their own vehicle on any number of levels. The system will traverse one space left or right, then lift and lower. The quick maneuverability and ease of access will provide fast cycle times and a more efficient method to retrieve vehicles.*

*There will be fail and fail safe mechanisms in place, such as gravity locks, cable guards, sensors that will not allow the upper level vehicle to lower on the car below, overrun systems that will cease operation should the vehicle be too large, infrared that can detect movement and as security measures that will not allow the system to operate should a vehicle be misaligned or simply does not fit. As additional protective measures, gates will be installed across each module bay entry that will lift vertically when a vehicle or pallet is summoned. The system is chain/cable and motor driven which provides a higher level of efficiency and durability, faster retrieval times and easy maintenance as compared to other systems.*

*In order to retrieve a vehicle, the user commands the module from the LED screen on the module. This method activates the system to efficiently lift, lower and traverse, bringing vehicles to the ground level where a user can access their own vehicle. The system will be managed and monitored 24/7 by trained on-site property management personal. The system will also be remotely monitored by the vendor, which will allow real time monitoring and detection of any Impacts to efficiency and allow the vendor to remediate swiftly and accordingly well before a component failure. As noted above, the loading area will allow delivery and garbage trucks to safely enter the site by backing into the loading space from Temple Street, and AKROS is considering the designation of one of the existing on-street*

spaces on the south side of Temple Street for potential time-restricted public parking (15-minute) for additional loading, delivery, parking, pick-up and drop-off operations.

**c. Adequacy of utilities and other public services:**

*The development does not anticipate any adverse effect on drainage patterns. The best management practices for stormwater are incorporated in the design of the Project, and will be adequate to manage stormwater runoff generated by the Project and to satisfy the requirements of the Zoning Ordinance, the Worcester Department of Public Works and Massachusetts Stormwater standards. Stormwater runoff collected on-site will be discharged to the City's existing drainage system in Temple Street via underground connections. New water and sewer connections, gas and electric service facilities and infrastructure will need to be provided for the New Building and the Project; provided, however, such utility lines and infrastructure currently exist within Temple Street and are readily available to be connected to any new utilities that are necessary for the Project. The proposed utilities to serve the Project are not intended to come from Grafton Street*

**d. Neighborhood character and social structure:**

*The Project will dramatically enhance and improve the surrounding context and will improve the safety and aesthetic appeal of the site. The Project is functionally and aesthetically compatible with the surrounding commercial and residential properties in the neighborhood, which include a mix of multifamily, restaurants, retail, cannabis, personal service, automotive service, office and industrial uses. The Property contains underutilized space, and the proposed New Building and improvements to the site will have no greater impact on, adversely affect or be detrimental to adjoining premises or zones or the neighborhood. The proposed New Building will improve the aesthetic appeal, design quality and economic vitality of 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 high rise multifamily use. The building facade references some of the nearby existing architecture, such as the Osgood Bradley Building, incorporating a contemporary approach to a framed/gridded overlay on a dynamic but efficient massing. The design will feature large windows and many of the apartments will be provided with balconies. Variations in exterior wall material depth and detailing will provide a rich texture and variation to the building facade, bringing in natural wood tones at the entries and balconies. The New Building will provide other architecturally appealing features and massing, changing facade height and angle to respond to the immediate context, with the taller portion of the building towards 1-290 and the lower portion on Temple Street. The plaza area along Temple Street will help activate pedestrian foot traffic surrounding streets. The New Building will comply with yard setbacks and floor to area ratio requirements, and, except as otherwise provided herein, will comply with all other dimensional and parking requirements and the CCOD design requirements as set forth in the Zoning Ordinance.*

*The Project use 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, which includes building mounted lighting solutions on facades or within canopies, will be adequate for safe and secure access to and from the New Building, walkways, sidewalks and the loading area. 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.*

*AKROS's wall, pylon and directional signage will be provided in compliance with the Zoning Ordinance.*

**e. 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 Project 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 on the groundwater. The Project will accommodate, and encourage the use of, environmentally responsible facilities and amenities (e.g., rooftop solar, EV charging stations, bicycle storage, ride sharing and other eco-friendly features).*

**f. 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. The Project will require new water and sewer connections*

**Findings of Fact – Variance:**

Per Article II, Section 6 (A)(3), the ZBA, as Permit Granting Authority, may grant upon appeal or petition with respect to particular land or structures, a variance from the dimensional terms of the Zoning Ordinance. The ZBA may grant a variance only when all statutory requirements are met, including the following findings:

**a. Describe how a literal enforcement of the provisions of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:**

*AKROS would suffer substantial hardship if literal enforcement of the minimum parking requirement of the Zoning Ordinance was to be enforced. Unlike other lots in the zoning district that are larger and more rectangular in shape, the Property is a unique pork chop-shaped corner lot that limits the building footprint and areas in which necessary parking can be located.*

*AKROS is proposing a parking solution that provides sufficient on-site parking while minimizing the volume devoted to this use, and allows for more housing to be built. The proposed number of units for the New Building is critical to make the Project financially viable for AKROS and to obtain financing. A significant number of units would have to be removed from the Project in order to comply with the minimum parking requirement for the New Building, and any additional on-site parking would not be necessary given the transit oriented nature of the neighborhood, thus resulting in unnecessary costs incurred and resources consumed for additional parking that would not benefit the Project, the neighborhood or the community.*

*Alternatively, in order to comply with the required parking, AKROS would have to enlarge the building and parking area to allow for more internal parking while remaining in compliance with the height requirement, including a cost prohibitive subterranean garage, inefficient and costly above-grade structured parking levels where housing is currently programmed and/or acquire rights to an entirely new adjoining property in which to construct surface lot parking.*

*There are no such alternative sites available in close proximity to the Property, and, even if a reasonable alternative site became available, it would be cost prohibitive to perform due diligence on, acquire rights to and design and construct facilities at such an alternative site. It would be an extreme hardship for AKROS to have to go through a very time-consuming permitting process for an additional, adjoining location, and deploying resources in that fashion to meet the required parking would result in an economically inviable project.*

- b. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:

*There exist circumstances relating to shape that especially affect the Property lot and structures, but do not affect generally properties in the BG-3.0 zoning district and CCOD-C. Unlike other neighboring properties in the district that are more rectangular in shape, the Property is constrained by the pork chop-shaped corner lot that abuts two streets, all of which limit the areas in which parking, structures, loading, buffers and other site improvements can be developed.*

- c. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:

*The requested variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance. The New Building and other Project improvements will be in the CCOD-C, which encourages mixed use developments, and will be compatible and in harmony with the neighborhood's character and abutting properties as described above. The Project will modernize and dramatically improve the aesthetic appeal, design and quality of the Property, and will be highly visible to the public both on the ground level and from 1-290. The Project will promote economic vitality to the neighborhood and the City. The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will encourage the most 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.*

*Moreover, the relief being requested is an amount that aligns with AKROS' evaluation of market demand for parking for a project of this nature. The neighborhood and the New Building are transit-oriented, with multiple nearby alternative means of transit and is a walkable location given its proximity to downtown Worcester and multiple neighborhoods.*

*The requested relief would not be detrimental to the public good, but rather, allow for more sustainable housing production, with future residents patronizing local businesses and economic centers.*

- d. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:

*The variance for parking for the New Building as requested herein is no greater than the minimum necessary to provide relief from the statutory hardship, and in order to accommodate the number of units to make the Project financially viable. The on-site parking being provided is in line with the amount needed for a project of this nature and to sufficiently serve residents in an economically viable project, taking into consideration the urban infill characteristics of the site and the proximity to transit options.*



## **DECISION**

At a meeting of the Board on October 16, 2023, and on motion duly made and seconded, it was voted 5-0 by Board members Russell Karistad, Jordan Berg-Powers, George Cortes, Eric Torkonoo, and Anthony Dell'Aera to approve an amendment to the following Special Permit for a one-year extension of time, with a new expiration date of October 8, 2024, and a six-month extension of time for the following Variance, with a new expiration date of April 8, 2024:

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

**Variance:** For relief of 53 spaces from the 125 space minimum off-street parking requirements in an BG-3.0 Zone (Article IX, Section 7, Table 9.1)

Affirming all waivers and retaining all conditions of approval from the original decision which follow:

### Prior to & During Construction:

1. Prior to the issuance of a Building Permit provide one (1) to-scale, stamped/sealed original final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services showing the following changes:
  - a. The turn-around area within the parking garage shall be striped to indicate no-parking in order to facilitate only temporary use and maintain its convenience as a turn-around and queue area.
  - b. Reflect a rear-yard setback of 10 feet and the front-yard being Grafton Street, with a 0' setback.
2. The applicant shall complete a pre- (prior to commencement) and post- (upon completion of) construction inspection of all properties directly abutting the subject property lines to ensure construction period impacts do not detrimentally effect abutting property.
3. The applicant shall coordinate their proposed streetscape improvements with the Departments of Transportation & Mobility and Public Works & Parks.

### Perpetual:

4. The owner shall use a travel demand management (TDM) program consistent with the program described in the materials provided. If requested, the owner shall provide a brief summary of annual TDM activities to the city.
5. The parking stacker shall be continuously monitored remotely to ensure the system, and its 68 spaces, are fully functional. System updates and repairs shall be conducted with advance notice to users, coordinated in a manner to have the least impact on users to the maximum extent practical, in an expeditious manner and include the use electronic notifications and temporary signage to inform all users expeditiously.
6. Provided that the project is constructed in substantial accordance with the findings of fact and all final revised definitive site plan plans and operation and maintenance plans on file

The Extension of Time for the Special Permits and Variances shall not take effect until the petitioner records, at his or her own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to Massachusetts General Laws, Chapter 40A, Section 11, as amended. The rights authorized by the Variances must commence no later than one year from the grant hereof. If the requested Variances are litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A § 17 and shall be filed within twenty days after the filing of this decision in the office of the City Clerk.

It was ORDERED by the Board that persons notified of the hearing be notified of the foregoing decision.

The names typed below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9. Duty authorized by Ch. 110G and recorded at Worcester Registry of Deeds in Book 62537, Page 327.

**ADJOURNED**

  
\_\_\_\_\_  
**RUSSELL KARLSTAD**

DATE 10/9/2023

\_\_\_\_\_  
**JORDAN BERG POWERS**

DATE \_\_\_\_\_

  
\_\_\_\_\_  
**GEORGE CORTES**

DATE 10/9/23

\_\_\_\_\_  
**NATHAN SABO**

DATE \_\_\_\_\_

\_\_\_\_\_  
**ERIC TORKORNOO**

DATE \_\_\_\_\_

**REMINDERS**

Time Limitations: Per Article II, Section 9.D.5. of the City of Worcester Zoning Ordinance If the rights authorized by a Variance are not exercised within one (1) year of the date of grant of such Variance they shall lapse. Per Article II, Section 9, D. 7. of the City of Worcester Zoning Ordinance.

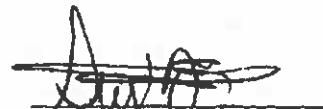
Landscaping Requirements: Required landscaping shall be maintained in a healthy growing condition, free of refuse and debris, and any plantings that do not survive shall be replaced in kind by the applicant or the property owner within a reasonable period of time. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking of vehicles or snow storage in areas used for screening and buffering. Per Article V, Section 5, C. iv of the City of Worcester Zoning Ordinance.

Construction Noise: No person shall operate any powered construction equipment or build, erect construct, demolish, alter, repair, excavate or engage in hoisting, grading, site work, including tree and brush removal, dredging or pneumatic hammering, or deliver construction equipment and/or supplies to the site on any building, road, tower, parking lot, machine, pipe, sewer, sidewalk, or any other construction project, except between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and Saturday, and between the hours of 9:00 a.m. and 7:00 p.m. on Sundays. Per Chapter 9 Section 1A (e) (9) of the City of Worcester's Ordinance Relative to Excessive and Unreasonable Noise.

City of Worcester, MA

January 29, 2024

I certify that twenty days have elapsed after the attached Decision for **44 Grafton Street & 102 Temple Street** has been filed with the City Clerk Department as of **November 8, 2023** and that no appeal has been filed.

A handwritten signature in black ink, appearing to read "Stephen AJ Pottle", written over a horizontal line.

Stephen AJ Pottle  
Deputy City Clerk I

ATTEST: WORC Kathryn A. Toomey, Register



The City of  
**WORCESTER**  
Zoning Board of Appeals

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

**VARIANCE EXTENSION OF TIME – FINDINGS OF FACT AND DECISION**

**44 Grafton Street & 102 Temple Street (MBL 004-016-11+16 & -00015)**

**(ZB-2024-018)**

The Zoning Board of Appeals scheduled a hybrid public hearing on March 25, 2024 at 5:30 PM in the Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, on the petition of 102 Temple Street, LLC seeking zoning relief for property located at 44 Grafton Street & 102 Temple Street, Worcester, Massachusetts.

Due notice of the public hearing to be held on March 25, 2024, was sent to the individuals listed on the City of Worcester Certified Abutter's list for the subject property.

On March 11 & 18, 2024, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

On March 25, 2024, the hybrid meeting was called to order by Russell Karlstad, Chair. Board members physically present for the hearing at Worcester City Hall, 455 Main Street, Levi Lincoln Chamber were Russell Karlstad, George Cortes, Nathan Sabo, and Shannon Campaniello. Board members Jordan Berg Powers, Anthony Dell'Aera, and Eric Torkornoo participated remotely. Remote participation was facilitated for attendees via phone at call-in number, 844-621-3956 (Access Code: 2630 362 4924) and via WebEx link (<https://cityofworchester.webex.com/meet/zoningboardofappealswebex>).

**FINDINGS**

The Worcester Zoning Board of Appeals (ZBA), having conducted a public hearing and reviewed all the submitted evidence, finds that:

1. Jaffee Realty, whose address is 1 Mercantile Street, Suite 540, Worcester MA 01608, is the owner of certain land situated at 44 Grafton and 102 Temple Street in the City of Worcester, Massachusetts, and is more particularly described in a deed recorded with the Worcester District Registry of Deeds Book 22692; 61921, Page 199; 232.
2. Said land is located in a zoning district classified under the City of Worcester Zoning Ordinance as a BG-3.0 (Business, General) zoning district and within the CCOD-C (Commercial Corridors Overlay - Canal District Subarea), USOD (Union Station View Corridor Sign Overlay District) and DSOD (Downtown/Blackstone Canal Sign Overlay District) overlay districts.
3. Presently on the premises is a ±6,672 SF vacant commercial building (former Fairway Beef) and associated site improvements including 17 surface parking spaces.
4. 102 Temple Street, LLC, whose address is 20 Franklin Street, Suite 402, Worcester, MA 01608, is the petitioner with written authorization from the owner.
5. The petitioner was previously approved by the Zoning Board of Appeals, with final action on October 6, 2022, to demolish the existing site improvements and construct a ±90,000SF, ±9-story mixed use structure with ±105 dwelling units, ±1,000SF ground floor commercial space and associated garage parking (±72 spaces). Said approval is recorded in the Worcester District Registry of Deeds Book 68602, Page 168 (ZB-2022-065).

6. The petitioner now seeks a Special Permit Amendment to extend the approval for a period of one year, and a Variance Extension of Time for a period of six months, due to financing and construction delays, for the following previously approved relief:

**Variance:** For relief of 53 spaces from the 125 space minimum off-street parking requirements in an BG-3.0 Zone (Article IX, Section 7, Table 9.1)

**Findings of Fact – Variance:**

Per Article II, Section 6 (A)(3), the ZBA, as Permit Granting Authority, may grant upon appeal or petition with respect to particular land or structures, a variance from the dimensional terms of the Zoning Ordinance. The ZBA may grant a variance only when all statutory requirements are met, including the following findings:

- a. Describe how a literal enforcement of the provisions of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:

*AKROS would suffer substantial hardship if literal enforcement of the minimum parking requirement of the Zoning Ordinance was to be enforced. Unlike other lots in the zoning district that are larger and more rectangular in shape, the Property is a unique pork chop-shaped corner lot that limits the building footprint and areas in which necessary parking can be located.*

*AKROS is proposing a parking solution that provides sufficient on-site parking while minimizing the volume devoted to this use, and allows for more housing to be built. The proposed number of units for the New Building is critical to make the Project financially viable for AKROS and to obtain financing. A significant number of units would have to be removed from the Project in order to comply with the minimum parking requirement for the New Building, and any additional on-site parking would not be necessary given the transit oriented nature of the neighborhood, thus resulting in unnecessary costs incurred and resources consumed for additional parking that would not benefit the Project, the neighborhood or the community.*

*Alternatively, in order to comply with the required parking, AKROS would have to enlarge the building and parking area to allow for more internal parking while remaining in compliance with the height requirement, including a cost prohibitive subterranean garage, inefficient and costly above-grade structured parking levels where housing is currently programmed and/or acquire rights to an entirely new adjoining property in which to construct surface lot parking.*

*There are no such alternative sites available in close proximity to the Property, and, even if a reasonable alternative site became available, it would be cost prohibitive to perform due diligence on, acquire rights to and design and construct facilities at such an alternative site. It would be an extreme hardship for AKROS to have to go through a very time-consuming permitting process for an additional, adjoining location, and deploying resources in that fashion to meet the required parking would result in an economically infeasible project.*

- b. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:

*There exist circumstances relating to shape that especially affect the Property lot and structures, but do not affect generally properties in the BG-3.0 zoning district and CCOD-C. Unlike other neighboring properties in the district that are more rectangular in shape, the Property is constrained by the pork chop-shaped corner lot that abuts two streets, all of which limit the areas in which parking, structures, loading, buffers and other site improvements can be developed.*

- c. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:

*The requested variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance. The New Building and other Project improvements will be in the CCOD-C, which encourages mixed use developments, and will be compatible and in harmony with the neighborhood's character and abutting properties as described above. The Project will modernize and*

*dramatically improve the aesthetic appeal, design and quality of the Property, and will be highly visible to the public both on the ground level and from 1-290. The Project will promote economic vitality to the neighborhood and the City. The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will encourage the most 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.*

*Moreover, the relief being requested is an amount that aligns with AKROS' evaluation of market demand for parking for a project of this nature. The neighborhood and the New Building are transit-oriented, with multiple nearby alternative means of transit and is a walkable location given its proximity to downtown Worcester and multiple neighborhoods.*

*The requested relief would not be detrimental to the public good, but rather, allow for more sustainable housing production, with future residents patronizing local businesses and economic centers.*

- d. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:**

*The variance for parking for the New Building as requested herein is no greater than the minimum necessary to provide relief from the statutory hardship, and in order to accommodate the number of units to make the Project financially viable. The on-site parking being provided is in line with the amount needed for a project of this nature and to sufficiently serve residents in an economically viable project, taking into consideration the urban, infill characteristics of the site and the proximity to transit options.*

## DECISION

At a meeting of the Board on March 25, 2024, and on motion duly made and seconded, it was voted 5-0 by Board members Russell Karlstad, Jordan Berg-Powers, George Cortes, Eric Torkonoo, and Shannon Campaniello to **approve** a six-month extension of time for the following Variance, with a new expiration date of October 6, 2024 :

**Variance:** For relief of 53 spaces from the 125-space minimum off-street parking requirements in an BG-3.0 Zone (Article IX, Section 7, Table 9.1)

Affirming all waivers and retaining all **conditions of approval** from the original decision which follow:

### Prior to & During Construction:

1. Prior to the issuance of a Building Permit provide one (1) to-scale, stamped/sealed original final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services showing the following changes:
  - a. The turn-around area within the parking garage shall be striped to indicate no-parking in order to facilitate only temporary use and maintain its convenience as a turn-around and queue area.
  - b. Reflect a rear-yard setback of 10 feet and the front-yard being Grafton Street, with a 0' setback.
2. The applicant shall complete a pre- (prior to commencement) and post- (upon completion of) construction inspection of all properties directly abutting the subject property lines to ensure construction period impacts do not detrimentally effect abutting property.
3. The applicant shall coordinate their proposed streetscape improvements with the Departments of Transportation & Mobility and Public Works & Parks.

### Perpetual:

4. The owner shall use a travel demand management (TDM) program consistent with the program described in the materials provided. If requested, the owner shall provide a brief summary of annual TDM activities to the city.
5. The parking stacker shall be continuously monitored remotely to ensure the system, and its 68 spaces, are fully functional. System updates and repairs shall be conducted with advance notice to users, coordinated in a manner to have the least impact on users to the maximum extent practical, in an expeditious manner and include the use electronic notifications and temporary signage to inform all users expeditiously.
6. Provided that the project is constructed in substantial accordance with the findings of fact and all final revised definitive site plan plans and operation and maintenance plans on file



The Variance Extension of Time shall not take effect until the petitioner records, at his or her own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to Massachusetts General Laws, Chapter 40A, Section 11, as amended. The rights authorized by the Special Permit and Variance must commence no later than one year from the grant hereof. If the requested Special Permit and Variance is litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A § 17 and shall be filed within twenty days after the filing of this decision in the office of the City Clerk.

It was **ORDERED** by the Board that persons notified of the hearing be notified of the foregoing decision.

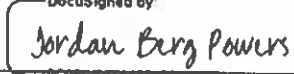
The names typed below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9. Duly authorized by Ch. 110G and recorded at Worcester Registry of Deeds in Book 62537, Page 327.

**ADJOURNED**

DocuSigned by:  
  
8C72ECL86EF64E3

**RUSSELL KARLSTAD**

DATE 04/20/2024


DocuSigned by:  
  
9C08CPA7445840A

**JORDAN BERG POWERS**

DATE 04/19/2024

\_\_\_\_\_  
**GEORGE CORTES**

DATE \_\_\_\_\_

DocuSigned by:  
  
C4D99270173F418

**SHANNON CAMPANIELLO**

DATE 04/20/2024

\_\_\_\_\_  
**ERIC TORKORNOO**

DATE \_\_\_\_\_

**REMINDERS**

Special Permit Time Limitations: If the activity authorized by a Special Permit granted by the ZBA is not initiated within one (1) year of the date of grant (one year from date Special Permit is received by the City Clerk) and/or the activity is not completed within two (2) years, then the Special Permit shall lapse unless the Director of Code Enforcement makes a determination that the failure to complete was for good cause. City of Worcester Zoning Ordinance, Article II, Section 9.D.5.

Variance Time Limitations: If the rights authorized by a Variance are not exercised within one (1) year of the date of grant of such Variance they shall lapse. City of Worcester Zoning Ordinance, Article II, Section 9 D.7.

Landscaping Requirements: Required landscaping shall be maintained in a healthy growing condition, free of refuse and debris, and any plantings that do not survive shall be replaced in kind by the applicant or the property owner within a reasonable period of time. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking

of vehicles or snow storage in areas used for screening and buffering. Per Article V, Section 5, C. iv of the City of Worcester Zoning Ordinance.

Construction Noise: No person shall operate any powered construction equipment or build, erect construct, demolish, alter, repair, excavate or engage in hoisting, grading, site work, including tree and brush removal, dredging or pneumatic hammering, or deliver construction equipment and/or supplies to the site on any building, road, tower, parking lot, machine, pipe, sewer, sidewalk, or any other construction project, except between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and Saturday, and between the hours of 9:00 a.m. and 7:00 p.m. on Sundays. Per Chapter 9 Section 1A (e) (9) of the City of Worcester's Ordinance Relative to Excessive and Unreasonable Noise.









**CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION**

**\*Note: This form must be completed and signed by both the applicant(s) and owner(s) of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.**

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

**(1) If a Proprietorship or Single Owner of residential property:**

Name of Owner \_\_\_\_\_

Business Address \_\_\_\_\_

Home Address \_\_\_\_\_

Business Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature of owner (certifying payment of all municipal charges):

\_\_\_\_\_ Date: \_\_\_\_\_

**(2) If a Partnership or Multiple Owners of residential property:**

Full names and address of all partners

Printed Names

Addresses

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Business Address \_\_\_\_\_

Business Phone \_\_\_\_\_

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

\_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

**(3) If a Corporation:**

Full Legal Name 102 Temple Street, LLC  
State of Incorporation DE  
Principal Places of Business 20 Franklin Street, Suite 401, Worcester, MA 01608  
Place of Business in Massachusetts \_\_\_\_\_

Printed Names of Officers of Corporation: \_\_\_\_\_ Title \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Owners of Corporation:  
Printed Names \_\_\_\_\_ Address \_\_\_\_\_ % of stock \_\_\_\_\_  
102 Temple Street Manager, LLC 20 Franklin Street, Suite 401, 100%  
Worcester, MA 01608

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary) 102 Temple Street, LLC  
By: Zachary A. Kirjsey Date: 8/22/2024  
Zachary A. Kirjsey, Its Authorized Signatory Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

**(4) If a Trust:**

Name of Trust \_\_\_\_\_  
Business Address \_\_\_\_\_  
Printed Names of Trustees: \_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Printed Names of Beneficiaries: \_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of trustees of property (certifying payment of all municipal charges -attach multiple pages if necessary)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

**(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):**

Printed Name of Applicant: 102 Temple Street, LLC  
102 Temple Street, LLC  
Signature of Applicant: By: Zachary A. Kirjsey Date: 8/22/2024  
Zachary A. Kirjsey, Its Authorized Signatory



CITY OF WORCESTER, MASSACHUSETTS

Edward M. Augustus, Jr.  
City Manager



Samuel Konieczny, MAA  
City Assessor

Administration and Finance  
Division of Assessing

**REQUEST FOR MAPS AND/OR ABUTTERS' LISTS:**

Please be advised that requested lists will typically be completed within ten (10) business days. Lists will be provided for a fee of \$20.00 paid at the time of request. Please state the reason for the abutters' list and indicate if the subject parcel has shared ownership with an adjoining parcel, this will ensure the provided list meets the appropriate regulations. Two sets of mailing labels will be included when required.

Our email address is: [Assessing@worcestermass.gov](mailto:Assessing@worcestermass.gov) and our fax number is (508) 799-1021.

Please contact our office with any questions.

ABUTTER'S LIST      LABELS       Yes      No      1 SET       2 SETS  
 MAP(S)

PROPERTY ADDRESS      44 Grafton Street; and  
102 Temple Street

Worcester, MA

MBL No.      04-016-11+16 : 04-016-00015

REASON:       PLANNING  
 ZONING  
 LIQUOR LICENSE  
 CONSERVATION COMMISSION  
 HISTORICAL COMMISSION  
 OTHER- \_\_\_\_\_

Footage for radius      300

CONTACT:      NAME:      Stephanie Fleming  
ADDRESS:      311 Main Street, Worcester  
TELEPHONE:      MA, 01608, 508-926-3346



BOWDITCH

Bowditch & Dewey, LLP  
311 Main Street PO Box 15156 Worcester, MA 01615  
508-791-3511 | bowditch.com

**Stephanie Fleming**  
Direct telephone: 508-926-3346  
Direct facsimile: 508-929-3099  
Email: [sfleming@bowditch.com](mailto:sfleming@bowditch.com)

August 22, 2024

**VIA EMAIL AND HAND DELIVERY** - [Assessing@worcesterma.gov](mailto:Assessing@worcesterma.gov)

Assessor's Office  
Worcester City Hall  
455 Main Street  
Worcester, MA 01608

**Re: Abutter's List Request for 44 Grafton Street & 102 Temple Street, Worcester, MA  
MBL: 04-016-11+16 and 04-016-00015**

To Whom it May Concern:

Enclosed, please find a Request for an Abutter's List for the above-referenced properties and our check for payment of the same in the amount of \$20.00.

Please note that we are requesting a 300-foot radius search.

Kindly email the abutter's list and label sheets to me at [sfleming@bowditch.com](mailto:sfleming@bowditch.com).

Thank you in advance for your assistance.

Sincerely,



Stephanie Fleming

Enclosures

Edward M. Augustus, Jr.  
CITY MANAGER



Timothy J. McGourthy  
CHIEF FINANCIAL OFFICER

Samuel E. Konieczny  
CITY ASSESSOR

CITY OF WORCESTER

ADMINISTRATION & FINANCE

### Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count: 45

Parcel Address: 44 GRAFTON ST & 102 TEMPLE ST  
WORCESTER, MA  
Assessor's Map-Block-Lot(s): 04-016-11+16 & 04-016-00015

Owner: 102 TEMPLE STREET LLC  
20 FRANKLIN ST SUITE 402  
WORCESTER, MA 01608

Owner Mailing: \_\_\_\_\_  
\_\_\_\_\_

Petitioner (if other than owner): STEPHANIE FLEMING  
Petitioner Mailing Address: 311 MAIN STREET  
WORCESTER, MA 01608  
508-926-3346

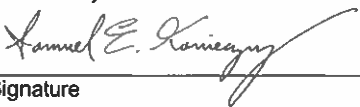
Planning: X                      Zoning: \_\_\_\_\_                      Liquor License: \_\_\_\_\_                      ConComm: \_\_\_\_\_  
Historical: \_\_\_\_\_                      Cannabis: \_\_\_\_\_                      Other: \_\_\_\_\_

YANTSIDES,JAMES	04-015-1A+2A	0020 OAK KNOLL RD	WORCESTER, MA 01609
SELECT BUILDING MANAGEMENT LLC	04-016-05+06	0232 RESERVOIR ST	HOLDEN, MA 01520
102 TEMPLE STREET LLC	04-016-11+16	0020 FRANKLIN ST SUITE 402	WORCESTER, MA 01608
C + S HARDING STREET LLC	04-018-05+48	0900 CUMMINGS CENTER UNIT 226U	BEVERLY, MA 01915
CSX TRANSPORTATION INC	04-001-00014	500 WATER ST C115	JACKSONVILLE, FL 32202
CITY OF WORC OSPB	02-014-0011A	CITY HALL RM 309	WORCESTER, MA 01608
HANCOCK HILL LLC	04-017-00001	0007 PENOBSCOT ST	MEDFIELD, MA 02052
CITY OF WORCESTER FIRE DEPT	04-015-0002A	455 MAIN ST ROOM 301	WORCESTER, MA 01608
LAM,LIEM T + NGUYEN,LINH M	04-016-0010A	14 CORINTH DR	WORCESTER, MA 01606
ZAKARIAN,SIMON	04-016-00009	3 SHENENDOAH HILL RD	WEST BOYLSTON, MA 01583
CIBIS CO	04-016-00008	0007 GREBERT LN	WORCESTER, MA 01602
ROMAN CATHOLIC BISHOP OF WORCESTER	04-017-00003	0044 TEMPLE ST	WORCESTER, MA 01604
ALLIASHI LLC	04-016-0010C	0005 COMMONWEALTH RD 4TH FLOOR	NATICK, MA 01760
102 TEMPLE STREET LLC	04-016-00015	0020 FRANKLIN ST SUITE 402	WORCESTER, MA 01608
SANCLIFF INC	04-016-00014	0097 TEMPLE ST	WORCESTER, MA 01608
NATIONAL GRID	04-015-00018	0040 SYLVAN RD.	WALTHAM,, MA 02451
26 ARCTIC STREET LLC	04-015-0002B	C/O COSMO LAND INC	WELLESLEY, MA 02482

CAHILL MEADOWS,LLC	04-016-00027	0007 PENOBSCOT ST	MEDFIELD, MA 02052
SANCLIFF INC	04-016-00018	0097 TEMPLE ST	WORCESTER, MA 01608
SPOKIS,RALPH J	04-016-21-24	0224 SYCAMORE DR	HOLDEN, MA 01520
GIANGREGORIO,JOHN G TRUSTEE	04-016-00034	21 ILLINOIS ST #508	WORCESTER, MA 01610
LAHOUD,SELIM TRUSTEE	04-016-00032	0244 BELMONT ST	WORCESTER, MA 01604
W LOFTS CONDO ASSOCIATION LLC	04-016-85-1A	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-3A	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-2B	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-2A	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-1B	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-3B	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-4A	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-4B	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
W LOFTS CONDO ASSOCIATION LLC	04-016-85-80	0171 PHILLIPS AVE	SWAMPSCOTT, MA 01907
BOCADO REALTY LLC	04-016-00029	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
SHERIDAAN,KATIE A	04-016-82881	0082 WINTER ST	WORCESTER, MA 01604
166 SHREWSBURY STREET REALTY LLC	04-016-82882	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
166 SHREWSBURY STREET REALTY LLC	04-016-82886	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
166 SHREWSBURY STREET REALTY LLC	04-016-82884	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
166 SHREWSBURY STREET REALTY LLC	04-016-82883	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
166 SHREWSBURY STREET REALTY LLC	04-016-82885	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
166 SHREWSBURY STREET REALTY LLC	04-016-82887	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
166 SHREWSBURY STREET REALTY LLC	04-016-82888	0030 MAJOR TAYLOR BLVD	WORCESTER, MA 01608
BOCADO REALTY LLC	04-016-8288A	ONE EXCHANGE PLACE	WORCESTER, MA 01608
HFB LLC	04-015-00007	0011 THORNTON RD	WORCESTER, MA 01606
59 HARDING STREET LLC	04-016-00012	0059 HARDING ST	WORCESTER, MA 01604
WILLISTON DEVELOPMENT LLC	04-016-00003	0092 GARDNER ST	WORCESTER, MA 01601
GRAFTON ACQUISITIONS LLC	02-014-00011	0401 EAST ELM ST STE 150	CONSHOHOCKEN, PA 19428

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot's 04-016-11+16 & 04-016-00015 as cited above.

Certified by:

  
 \_\_\_\_\_  
 Signature

08/23/2024  
 Date

Edward M. Augustus, Jr.  
CITY MANAGER



Timothy J. McGourthy  
CHIEF FINANCIAL OFFICER

Samuel E. Konieczny  
CITY ASSESSOR

CITY OF WORCESTER  
ADMINISTRATION & FINANCE

### Abutters Map

