

**ZONING BOARD OF APPEALS  
MINUTES OF MEETING  
June 14, 2004**

**Board Members Attending:** John Barbale  
Thomas Hannigan  
John Reynolds  
Jerry R. Horton  
Matthew Armendo  
Lenny Ciuffredo  
Morris Bergman

**Staff Attending:** Joanne Valade, Division of Land Use  
David F. Holden, Code Enforcement

John Barbale, Chairman, opened the meeting at 5:30 P.M. The following actions were taken:

**114 Lincoln Street – Variance:** Upon a motion by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Variance for: relief of 10 feet from Rear Yard setback *to construct single-family semi-detached dwelling*).

**1 Henschman Street – Special Permit & Variance:** Upon a motion by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Special Permit for: new residential construction and Variance for: relief of 1,318 square feet from Gross Dimensional requirement. *To construct single-family attached dwellings -- triplex*).

**319 & 321 Cambridge Street and 2 Hacker Street – Special Permit & Variances:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to continue the requested hearing to June 28, 2004 for Special Permit & Variances (*to construct twelve low-rise multi-family dwelling units in a single three-story*) as listed below:

Special Permit:

1. relief of 4 feet from Parking Lot Access Lane requirement.

Variances:

1. relief of 213 square feet from Gross Dimensional requirement;
2. relief of 12 feet from Side Yard setback requirement;
3. relief of 270 feet from Frontage requirement;
4. relief of 5 feet from Front Yard setback requirement;
5. relief of 1 story from Height requirement;
6. relief of Recreational Area requirement: no recreational area.

**157 Worcester Center Boulevard – Variance:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Variance for: relief of 10 feet from Rear Property Line setback requirement. *To construct eight-story hotel w/restaurant located on first floor*).

**127 Dorchester Street (Refile)– Variances:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Variances for: relief of 1,227 square feet from Gross Dimensional requirement; relief of 2 feet 5 inches from Rear Yard setback requirement; and relief of 8 feet from Front Yard setback requirement *to construct a single-family semi-detached dwelling – duplex*).

**120 June Street – Variance & Special Permit:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Variance and Special Permit *to add more indoor seating and seasonal outdoor seating* with the following conditions listed below:

Variance:

1. relief of 13 off-street parking spaces.

Special Permit:

1. to allow food service with sale of alcoholic beverage in BL-1.0 district.

Conditions:

1. No outside tables/Serving;
2. No bar;
3. Signs directing parking.

**43 Stafford Street – Special Permit:** Upon a motion by John Reynolds and seconded by Thomas Hannigan, the Board voted 5-0 to approve the requested Special Permit as listed below.

Special Permit:

1. to allow a personal service shop (barber shop) in a RG-5 district.

**14 Jewett Terrace – Variance:** Upon a motion duly made and seconded it was voted by the Board 5-0 to continue the requested hearing to August 16, 2004 for Variance (*to construct a single-family dwelling*) as follows:

Variance:

1. relief of 15 feet from Frontage requirement.

**15 Tahanto Road – Special Permit:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to deny the requested Special Permit (*to convert two-family dwelling to three-family dwelling*) as listed below:

Special Permit:

1. to allow a three-family dwelling in a RS-7 district.

**745-747 Main Street – Variance:** Upon a motion by John Reynolds and seconded by Thomas Hannigan, the Board voted 5-0 to approve requested Variance (*to demolish existing structures and construct a supermarket*) as listed below:

Variance:

1. relief of signage requirement to allow sign location within the five-foot setback;
2. relief of three parking spaces from off-street parking requirement;
3. relief of five foot buffer requirement at the side yard for parking;
4. to allow parking within front yard setback.

**15 Caprera Road – Special Permit & Variance:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested Special Permit & Variance (*to convert single-family dwelling to two-family dwelling*) as follows:

Variance:

1. relief of 5 feet from Frontage requirement.

Special Permit:

1. conversion to additional dwelling unit.

**30 Montclair Drive – Variance Amendment:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to deny the requested Variance (*to complete construction of storage garage*) as listed below:

Variance Amendment:

1. relief of additional 7 feet 6 inches from Article IV, Section 8 (II)(J) requirement. Existing variance (granted 12/15/03) allowed for height of 31 feet.

**180 Grove Street – Special Permit:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Special Permit (*to construct a 1,300 square foot addition onto existing crematorium*) as listed below:

Special Permit:

1. expansion or change of a non-conforming use.

**169 Plantation Street – Variance:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant (Variance for: relief forty-five feet from Frontage requirement. *To divide lot into two parcels in order to construct a single-family dwelling on Lot 2*).

**57 Cedar Street – Variances:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Variances (*to add a steel fire escape as a second means of egress from the third floor*) as listed below:

Variances:

1. relief of 19 feet from Side Yard setback requirement;
2. relief of 4 feet from Rear Yard setback requirement.

**9 Forkey Avenue – Variance:** Upon a motion by John Reynolds and seconded by Thomas Hannigan, the Board voted 4-1 (Jerry Horton voted no) to approve the requested Variance (*to divide parcel in order to construct single-family dwelling on Lot 2*) as listed below:

Variance:

1. relief of 14.34 feet from Frontage requirement (Lot 2).

**101 Malvern Road – Special Permit & Variance:** Upon a motion by John Reynolds and seconded by Thomas Hannigan, the Board voted 5-0 to approve the requested Special permit and Variance (*to finish deck on front of dwelling*) as listed below:

Special Permit:

1. expansion or change of a non-conforming use.

Variance:

1. relief of 20 feet from Front Yard setback requirement.

**Onset Street – Variance:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the requested hearing to July 12, 2004 for Variance (*to construct single-family semi-detached dwelling – duplex*) as listed below:

Variance:

1. relief of 35 feet from Frontage requirement (Lot 3).

**19 Glennie Street – Special Permit:** Upon a motion by Jerry Horton and seconded by John Reynolds, the Board voted 5-0 to approve the requested Special permit (*to convert portion of existing building to use as a dialysis clinic*) as listed below:

Special Permit:

1. to allow operation of a dialysis clinic in an MG-2.0 district.

**210 Southwest Cutoff – Special Permit:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Special permit (*to excavate/remove earth/grading and crush stone to enhance boat dealership*) with the following conditions as listed below:

Special Permit:

1. to allow stone crushing operation in connection with earth removal in an MG-2.0 district. (Special Permit for earth excavation previously granted on 11/22/99 and Special Permit for stone crushing previously granted on 10/15/01).

Conditions:

1. Operations are restricted to Monday through Saturday (no Sunday rock crushing); and
2. Hours of operation to be no earlier than 7:00 a.m. or later than 6:00 p.m.

**257 Pleasant Street – Special Permits & Variances:** Upon a motion by Thomas Hannigan and seconded by John Reynolds, the Board voted 5-0 to approve the requested Special Permits and Variances (*to construct a sixteen-unit residential structure with one lower level commercial space – rental office*) as listed below:

Special Permit:

1. conversion to additional dwelling units;
2. new construction, reconstruction or conversion to non-residential use;
3. expansion or change of a non-conforming use.

Variance:

1. relief of 155 feet from Frontage requirement;
2. relief from off-street parking requirements (12 spaces).

**OTHER BUSINESS:**

**373 Bridle Path – Extension of Time:** Upon a motion duly made and seconded it was voted by the Board to approve a six-month extension of time for construction commencement to begin.

**Approval of Minutes:** Upon a motion duly made and seconded it was voted to approve the minutes of the May 24, 2004 meeting.

The meeting adjourned at 8:30 p.m.