

WORCESTER ZONING BOARD OF APPEALS
MINUTES OF MEETING
December 19, 2005

Board Members Present: Leonard Ciuffredo
Jerry Horton
John Reynolds
Matthew Armendo
Thomas Hannigan
Morris Bergman
David George

Staff Present:
Dave Holden, Department of Code Enforcement
Lara Bold, Division of Planning and Regulatory Services
Edgar Luna, Division of Planning and Regulatory Services

Regular Meeting (5:30 PM) – Saxe Room, Worcester Public Library

Call to Order: Leonard Ciuffredo called the meeting to order at 5:30 P.M.

- 1) **251-261 Plantation Street** – (Z05-163) **Special Permit:** Upon a motion by Jerry Horton and seconded by John Reynolds, the Board voted 5-0 to continue the hearing until January 9, 2006, relative to a Special Permit to allow duplexes in an RS-7 zone.
- 2) **435-450 Shrewsbury Street** (Z05-222) **Variance:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to grant the petitioner's request for Leave to Withdraw without Prejudice relative to a Variance request for 43 feet of relief from the 180-foot drive thru lane requirement.
- 3) **175 Lovell Street** (Z05-186) **Special Permit:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to continue the hearing until January 9, 2006, to allow the engineer more time to complete the soil testing, relative to a Special Permit for placement of fill.
- 4) **17 Barclay Street** (Z05-220) **Variances:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to grant the petitioner's request for Leave to Withdraw Without Prejudice relative to a requested Variance for 1,025 square feet of relief from the gross dimensional requirement for Lot A and relief of 1,000 square feet of relief from the gross dimensional requirement for Lot B.

- 5) **11 Benedict Road (Z05-214) Special Permit/Variance:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the hearing until January 23, 2006 to allow the petitioner time to talk with abutters.
- 6) **35 Bristol Street (Z05-174) Special Permit:** Upon a motion by Matthew Armendo and seconded by John Reynolds the Board voted 1-4 to approve the Special Permit petition, so the petition for a Special Permit to allow duplexes in an RS-7 zone was denied.
- 7) **30 Pullman Street (Z05-195) Special Permits:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 1-4 to continue the hearing until January 9, 2006; therefore the continuance was not approved. Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to deny the requested Special Permit for expansion or change of a pre-existing, non-conforming use and the requested Special Permit to allow a refuse transfer station (for recycling operations) in an MG-0.5 zone. * See below for vote on reconsideration
- 8) **155 Millbury Street (Z05-209) Special Permit/Variance:** Upon a motion by John Reynolds and seconded by Thomas Hannigan, the Board voted 5-0 to approve the petitioner's requested Special Permit for expansion of a pre-existing non-conforming use and the requested Variance for relief of one space from the off-street parking requirement.
- 9) **50 Murray Avenue (Z05-213) Special Permit:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the Special Permit to allow a personal service wireless facility.
- 10) **10 Pineland Road, Rear (Z05-215) Variance:** Upon a motion by Matthew Armendo and seconded by John Reynolds, the Board voted 5-0 to grant the petitioner's request for Leave to Withdraw Without Prejudice relative to a Variance request for relief of 34.59 feet of relief from the frontage requirement.
- 11) **12 Brussels Street (Z05-216) Special Permit/Variance:** Upon a motion by Thomas Hannigan and seconded by Matthew Armendo, the Board voted 4-1 (Matthew Armendo opposed) to approve the petitioner's requested Special Permit to allow non-accessory signs and the requested Variance for relief of 40 feet from the height requirement.
- 12) **18 Seattle Street (Z05-218) Special Permit/Variance:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to grant the petitioner's request for Leave to Withdraw Without Prejudice relative to a Variance request for relief of 3 feet, 5 inches from the frontage requirement and a Special Permit request to allow duplexes in an RS-7 zone.
- 13) **20 Seattle Street (Z05-217) Special Permit/Variance:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to grant the petitioner's request for Leave to Withdraw Without Prejudice relative to a Variance request for relief of 3 feet, 4 inches from the frontage requirement and a Special Permit request to allow duplexes in an RS-7 zone.

14) **76A Tory Fort Lane (Z05-218) Special Permit:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to grant the petitioner's request for Leave to Withdraw without Prejudice relative to a requested Special Permit to allow a duplex in an RS-7 zone.

15) **189 Dominion Road (Z05-221) Special Permit:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Special Permit to allow single family attached dwelling units (townhouses) in an RL-7 zone provided it is in accordance with the original conditions set by the Zoning Board of Appeals at the February 23, 2004 meeting.

16) **150 Eastern Avenue (Z05-223) Variances:** Upon a motion by Thomas Hannigan and seconded by John Reynolds, the Board voted 4-1 (Matthew Armendo opposed) to approve the requested Variance for 1,089 square feet of relief from the gross dimensional requirement and the requested Variance for 10 feet of relief from the frontage requirement for a proposed duplex.

* **Reconsideration:** Upon a motion by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to reconsider the vote to deny the petition relative to 30 Pullman Street. The Board then tabled a motion made by John Reynolds to allow the petitioner Leave to Withdraw without Prejudice. The vote to reconsider and the tabled motion will be taken up at the January 9, 2006 meeting.

Approval of 2006 Revised Meeting Schedule: Upon a motion by Thomas Hannigan and seconded by Matthew Armendo, the Board voted 5-0 to approve the revised meeting schedule.

Approval of Minutes: Upon a motion by Jerry Horton and seconded by David George the Board voted 5-0 (John Reynolds did not vote, David George voted) to approve the amended minutes for the November 14, 2005 meeting. Upon a motion by Thomas Hannigan and seconded by Matthew Armendo, the Board voted 5-0 to approve the November 28, 2005 minutes.

The meeting adjourned at 7:45 P.M.