

### **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



Revised: January 11, 2012

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

Lot Area	Front Yard	Setback	Rear Yard Set	back
Square footage	Setback			15 ft.
required:	required:		Setback required:	13 11.
Square footage	Setback			
provided:	provided:		Setback provided:	2 ft.
Dell'ef es estat	Relief			13 ft.
Relief requested:	requested:		Relief requested:	13 11.
Frontage	Side Yard	Setback	Exterior Side Yard Setback	
	Setback			10 ft.
Frontage required:	required:		Setback required:	10 11.
_ = .	Setback		1	2 ft.
Frontage provided:	provided:		Setback provided:	2 11.
Deliaf requested:	Relief		Delief	8 ft.
Relief requested:	requested:		Relief requested:	0 11.
Off-street Parking/Loading	Heigi	ht	Accessory Stru 5-foot Setba	
	Height		_	
Parking required:	permitted:		Type of structure:	
	Height		Square footage of	
Parking provided:	provided:		structure:	
	Relief			
Relief requested:	requested:	<u> </u>	Relief requested:	
Loading required:		Oth	er Variances	W(
Loading provided:	Relief requested:			) 14
Relief requested:	Zoning Ordinano Article & Section:			WORCESTI 2024 NOV 2
Signs	Requirement:			20 f
Area permitted:	Provided:			RA
Area provided:	T TOTAGO.			The Photo
Relief requested:	1			<u>с</u>
Height permitted:	-			53
Tieight permitted.	1			12/6
			requested for more than	
	or more than one		mplete the sections which	pertain to the
Height provided:	-	variances (s	) you are applying for.	
Relief requested:	_			
Setback permitted:				
Setback provided:	_			
Relief requested:				

Daniel - Facility ID #0#00004 4000 4055 0005 DE5054554000
Docusign Envelope ID: 3B52B9D1-1308-425F-930E-BEF2E455423C  13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):
The Property is a vacant lot.
14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):
The applicant seeks to construct four (4) single family attached dwellings (3 BRs) and conduct associated site work at 60 Wall Street and to improve the Montreal Street frontage from Wall Street to Oakham Street.
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, Section 2, Table 4.1 - Residential Use (12) - Permitted by right
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):
Definitive Site Plan Approval, dated May 26, 2021 (File # PB-2021-021) Special Permit Decision, dated September 14, 2020 (File # ZB-2020-014)
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):
Please see Statement in Support.

Revised: January 11, 2012

### **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:
	Please see Statement in Support.
2.	Traffic flow and safety, including access, parking and loading areas:
	Please see Statement in Support.
3.	Adequacy of utilities and other public services:
	Please see Statement in Support.
1	Neighborhood character and social structure:
⊶.	Neighborhood character and social structure.
	Please see Statement in Support.
5.	Impacts on the natural environment:
	Please see Statement in Support.
6.	Potential fiscal impact, including city services needed, tax base, and employment:
	Please see Statement in Support.

Docusign Envelope ID: 3E	B52B9D1-1308-425F-930E-BEF2E4554230
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- 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.

Revised: January 11, 20128

7. Explain how the use as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing use:

Page 11 of 18

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-Ac	Ces	sory	Sig	jη
(Article	IV,	Secti	on	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):

Revised: January 11, 2012

4. Which dimensional requirements/setbacks are you seeking relief by the Special Permit?

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

\*Note: This form must be completed and signed by both the <u>applicant(s)</u> and <u>owner(s)</u> 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.)

If a Proprietorship or Single Owner	r of residential property:
Name of Owner	
Home Address	
Business Phone	Home Phone
Signature of owner (certifying pay	ment of all municipal charges):
	Date:
f a Partnership or Multiple Owners	
Full names and address of all par	tners
Printed Names	Addresses
Business Address	
Business Phone	
Signature of all owners of property necessary)	y (certifying payment of all municipal charges -attach multiple page
	Date:
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Page 15 of 18

### Statement in Support of Polar Views LLC's Application to City of Worcester Zoning Board of Appeals for Grant of Special Permits and Variance from Exterior Side and Rear Yard Setbacks for Single Family Attached Development Project at 60 Wall Street, Worcester, Massachusetts

### I. Background and Project Scope.

Polar Views LLC ("Polar Views") is the owner of the property known and numbered as 60 Wall Street, Worcester, Massachusetts, which contains approximately 7,000 square feet of land located at the corners of Wall Street, Montreal Street and Oakham Street (the "Property").

The Property is currently an underutilized and vacant lot located entirely within the Residence, General ("RG-5") zoning district and no overlay districts. The Property is bounded by Wall Street to the west, Montreal Street to the south, Oakham Street (paper street) to the east and various single-family and multifamily residences to the west, north and south.

Polar Views seeks to construct 4 single family attached dwelling units, each unit to contain 3 bedrooms (the "New Building"), and to perform associated site work and improve Montreal Street from Wall Street to Oakham Street (the "Project"). The Project will include a total of 8 parking spaces, including a two-car garage and a paved driveway for each unit. The Project will also include the construction of a retaining wall in the northern and eastern portion of the site which will be approximately 5 feet tall at its highest point, and a 6-foot stockade fence on top of the retaining wall.

### II. Requirement for Special Permits and Variances.

Special permits are required to be granted by the Board<sup>2</sup> for the Project with respect to the following: (i) to allow for 61% of the front yard to consist of impervious surface, requiring relief of 11% pursuant to Article IV, Section 7, Table 4.4, Note 5.b.iii.c. of the Zoning Ordinance; and (ii) to allow four driveways where only one is allowed, requiring relief of 3 driveways pursuant to Article IV, Section 7, Table 4.4, Note 5.b.ii. Please note that on September 14, 2020, the Board unanimously granted special permits for the above items (i) and (ii); provided, however, the special permits lapsed.

A variance is required to be granted by the Board<sup>3</sup> for noncompliance with the exterior side and rear yard setback as set forth in Article IV, Table 4.2, which requires a minimum of 10

<sup>&</sup>lt;sup>1</sup> 60 Wall Street has a parcel identification of 04-011-09+10.

<sup>&</sup>lt;sup>2</sup> The Board is the permit granting authority for special permits for modifications to the parking dimensional and layout requirements as specified in Table 4.4 Notes 2(b), 3 and 5, pursuant to Article IV, Section 7.A.2 of the Zoning Ordinance.

<sup>&</sup>lt;sup>3</sup> The Board is the permit granting authority for issuance of variances pursuant to Article II, Section 6.A.3 of the Zoning Ordinance.

Based on the limited number of units, the Applicant does not anticipate that the Project will result in a substantial increase in trip generation levels to and from the Property. Accordingly, the proposed use will not cause a serious hazard to vehicular or pedestrian traffic on or off the Property. Traffic generated, and patterns of access and egress will not cause congestion, hazard or a substantial change to the neighborhood character.

The proposed parking areas will provide a safe and efficient means of access to and from the New Building, and will be in close proximity of the entrances of such building. The proposed parking layout is compatible with the proposed use of the New Building. Article IV, Section 7.A of the Zoning Ordinance provides minimum parking requirements based on use, including 2 parking spaces per dwelling unit. The New Building will contain a total of 4 units, and, therefore, require a minimum of 8 parking spaces. The Project proposes 8 parking spaces, (including the two-car garages located within each unit) in compliance with the minimum parking requirement.

The proposed parking will adequately serve the Property and all occupants of the New Building. In addition, and to the extent necessary, there is also ample on-street parking in the neighborhood. Residents may also utilize alternate means of transportation, including, but not limited to, buses, bicycles and ride sharing (e.g., Uber, Zipcar, Via van service). There is a main bus line that frequently runs along Grafton Street with stops in close proximity of the Property (approximately a 5-minute walk). Based on the compliant off-street parking, the availability of on-street parking and alternate means of transportation, the proposed parking will adequately serve the Property and all occupants of the New Building.

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

The Applicant will be installing adequate utilities for the Project improvements with respect to sewerage, water, gas, electricity and other utilities. The development does not anticipate any adverse effect on current drainage patterns.

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

The Project is functionally and aesthetically compatible with the surrounding properties in the neighborhood, which include a mix of multifamily and single-family dwellings, a playground and state agency office. The Property contains underutilized space where the New Building is proposed. The proposed Project will improve the aesthetic appeal, design quality and economic vitality of the neighborhood. Based on the foregoing, the Project 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.

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.

The Applicant would suffer substantial hardship if literal enforcement of the exterior side and rear yard setback requirements of the Zoning Ordinance were to be enforced. Compliance with the setbacks would require the Applicant to (1) acquire title to a portion of land from the neighbor to the north, (2) extinguish the paper street known as Oakham Street, or (3) be forced to reduce the height and size of the retaining wall and/or stockade fence, all of which are impractical and would pose a significant financial hardship.

Denial of the requested variances would result in the Applicant being unable to develop the Property, thereby depriving the Applicant of the beneficial use of the land, which land is primarily unimproved surface and provides a significant developable area.

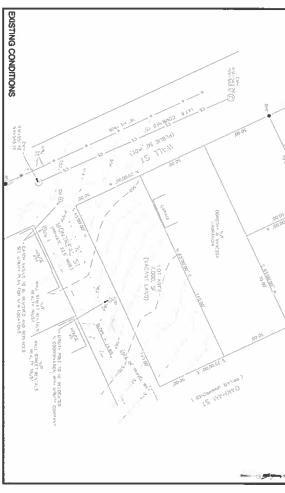
2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

There exist circumstances relating to shape and size of the lot that especially affect the Property, but do not affect generally properties in the RG-5 zoning district. Unlike many other neighboring properties, the Property is a corner lot and contains a significant slope whereby the portion of the Property along Wall Street is approximately 20 feet lower than the portion of the Property along Oakham Street. The site is further constrained by the fact that a retaining wall is required to be located along the neighbor's property to the north and east in order to develop the Property. The abutting property also has a pre-existing nonconforming garage structure located within its own minimum side yard setback, which limits any ability to acquire a small portion of land from the neighbor.

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.

The requested variances may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance. Granting this relief will promote the highest and best use of the Property, which is presently vacant and surrounded by other residential properties, and will, therefore, be more compatible with the neighborhood. The Project will provide much needed housing and will promote economic vitality by creating construction-related jobs and generating new tax revenues and fees for 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





## PROPOSED LOT LAYOUT PLAN (ac.) Property of 100 of the Action of the A PAMPIN (THE) ADSORD DYNA CT.

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### CONSTRUCTION **NOT FOR**



H. S. & T. GROUP, INC.

DEFINITIVE SITE PLAN

8064

FRONT YARD IMPERVIOUS CALCULATIONS (LOT. 1) (EXPIRED)

WAIVER (EXPRED):

THE FOLLOWING RELIEF, APPROVED ON 08-24-2020 (EXPIRED):

CONNO TABLE PROPOSED SINGLE FAMILY ATTACHED DWELLING

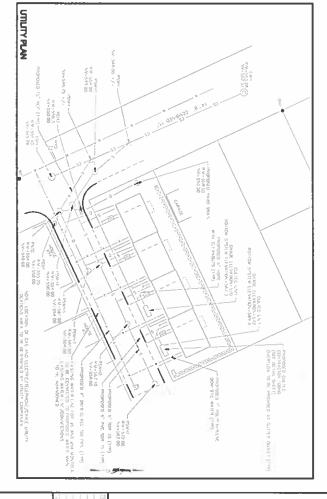
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### CONSTRUCTION NOT FOR



H. S. & T. GROUP, INC.

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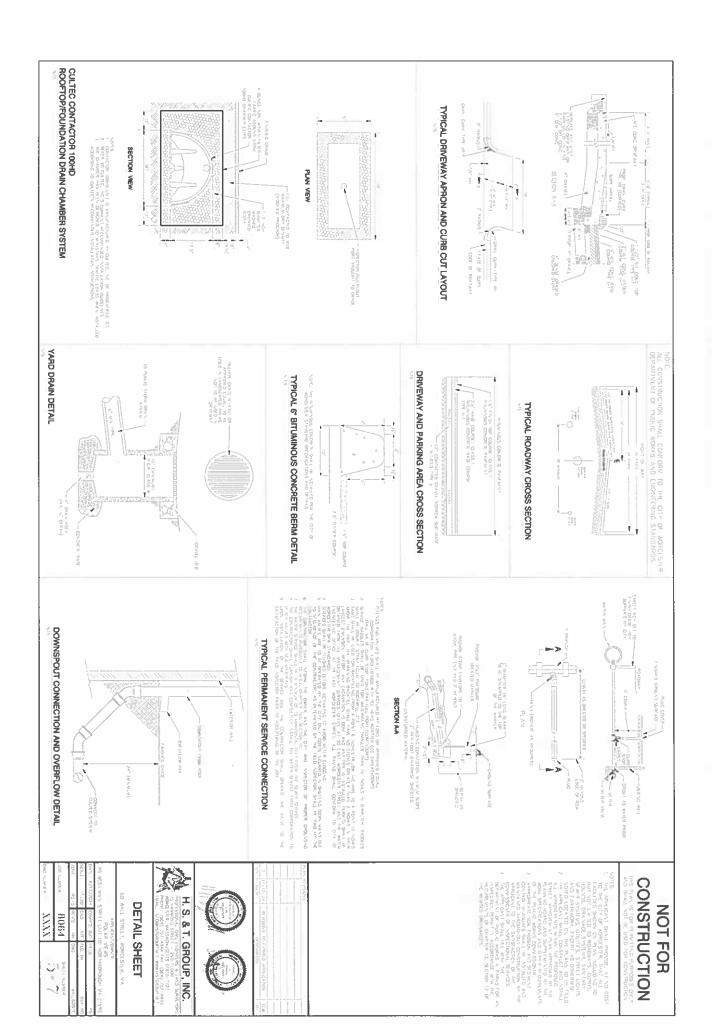
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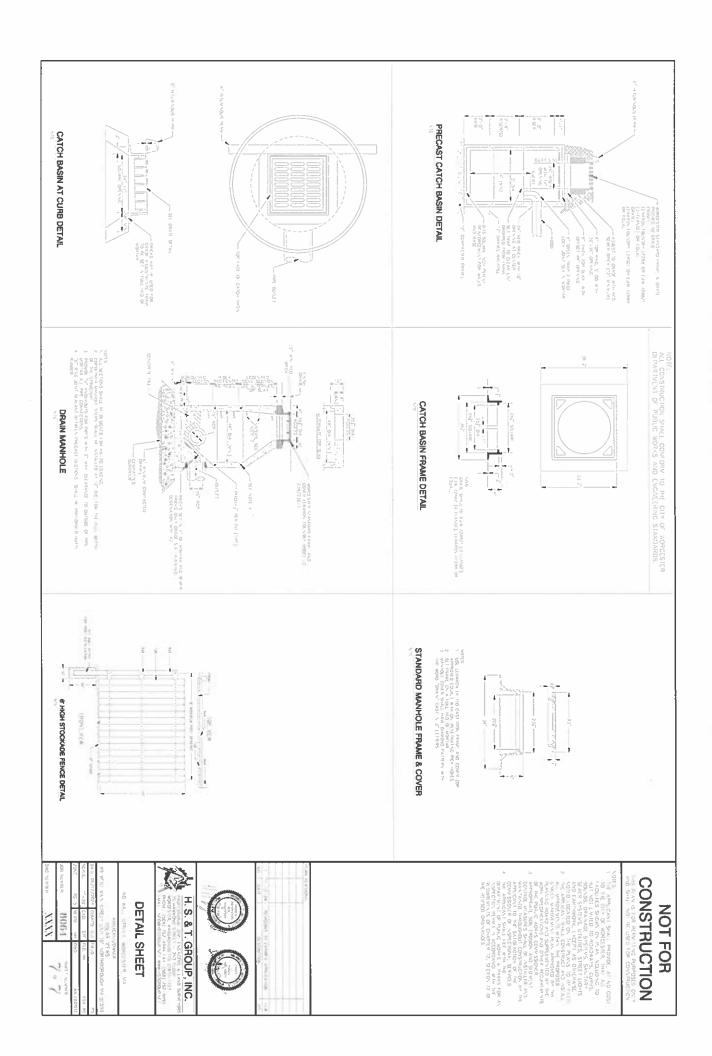
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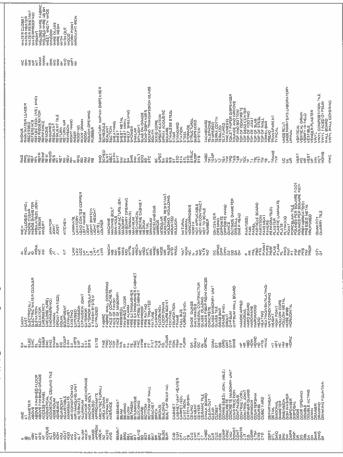
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# ARCHITECTURAL ABBREVIATIONS



CENETAL BUILDING REQUIREMENTS - INTERNATIONAL BUILDING CODE (18C) Building use group: Residential R.2, Apartment howers of more

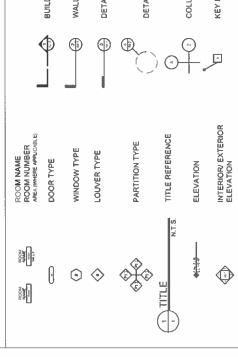
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194.503

BC-304

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CODE REVIEW
280 Woll Street
Warrener, MA
August 27, 2021



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BC-1015

IK-1030

BC 1601 (Not

C-1011.11 Hondraft re 34" obove : IC-1011,5:2 1:2 acou K-1010.1.2 Doors

IC-1011.2 Width of state

IC.1010.1.1 Das

IC-708.4

# **60 WALL STREET**

**NOVEMBER 19, 2024** 

PERMIT SET

60 WALL STREET, WORCESTER, MA



# INDEX OF DRAWINGS

### STRUCTURM

## COVER AND CODE SHEE

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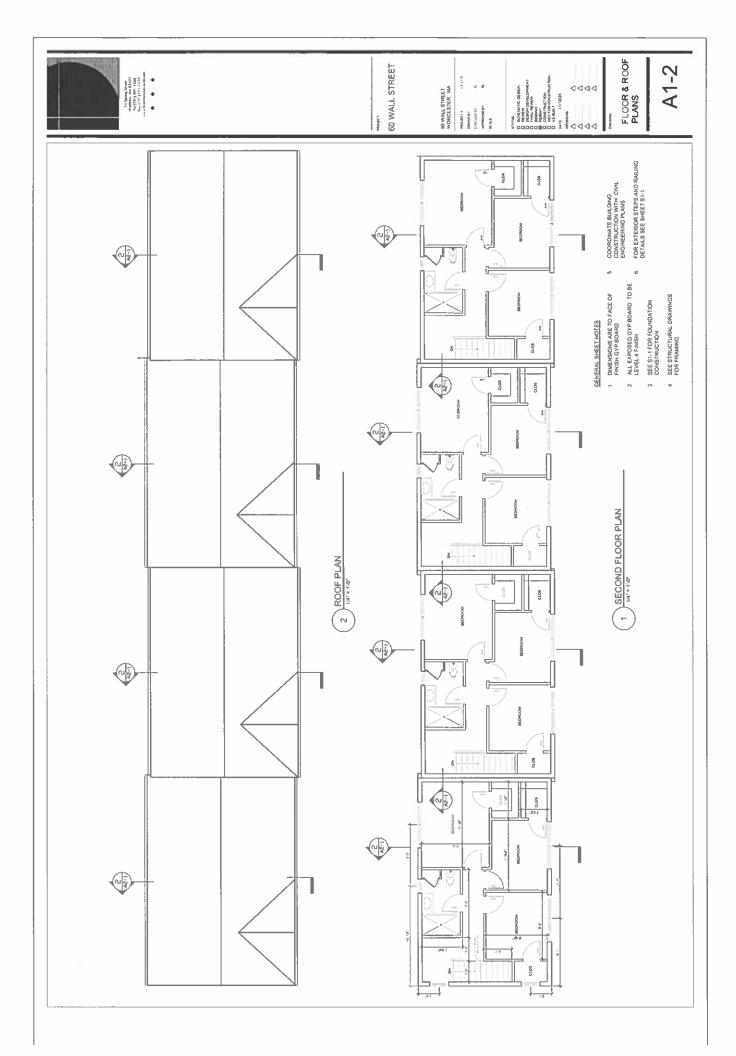
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# ARCHITECTURAL SYMBOLS

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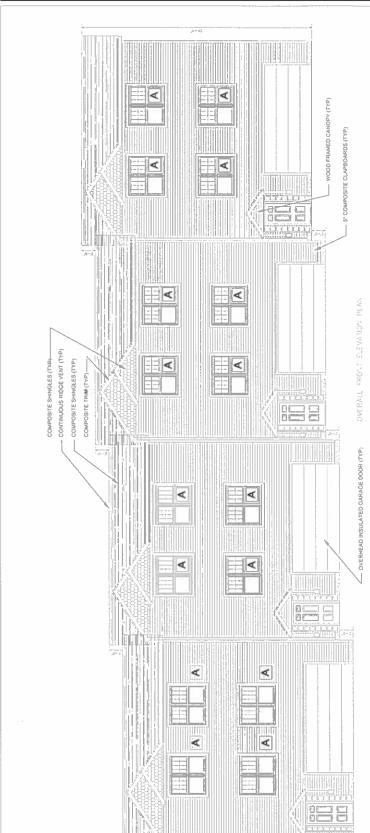
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	BUILDING SECTION	WALL SECTION	DETAIL SECTION	DETAIL REFERENCE		COLUMN CENTER LINE	KEY NOTE
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ELEVATION & WINDOW SCHEDULE

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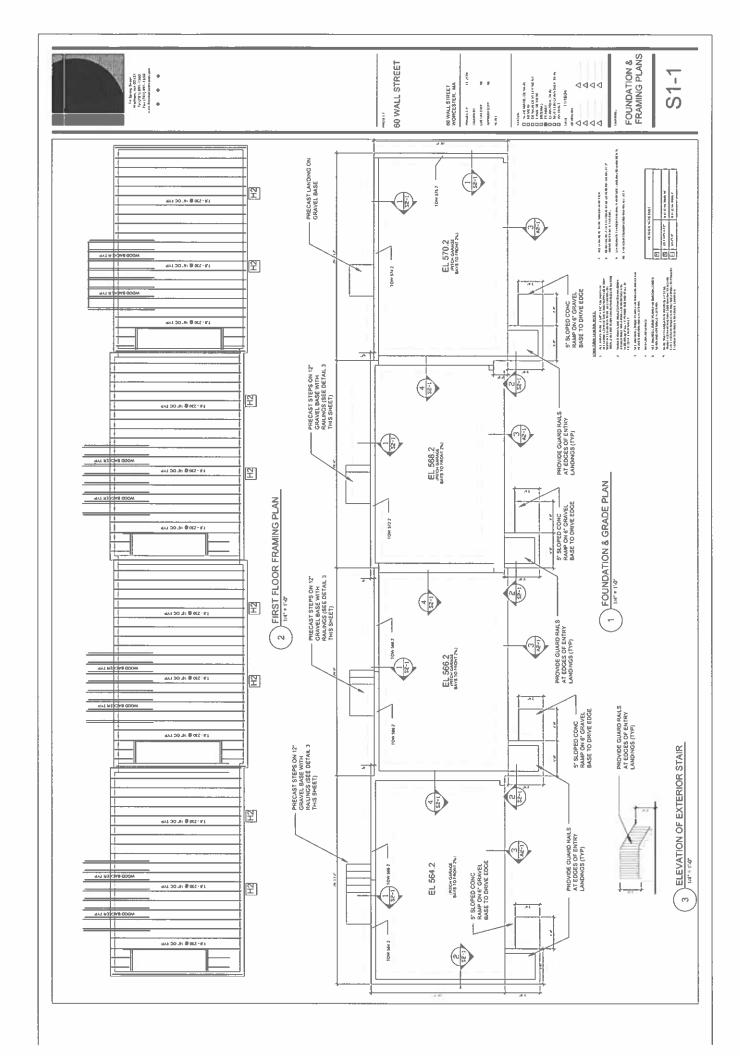
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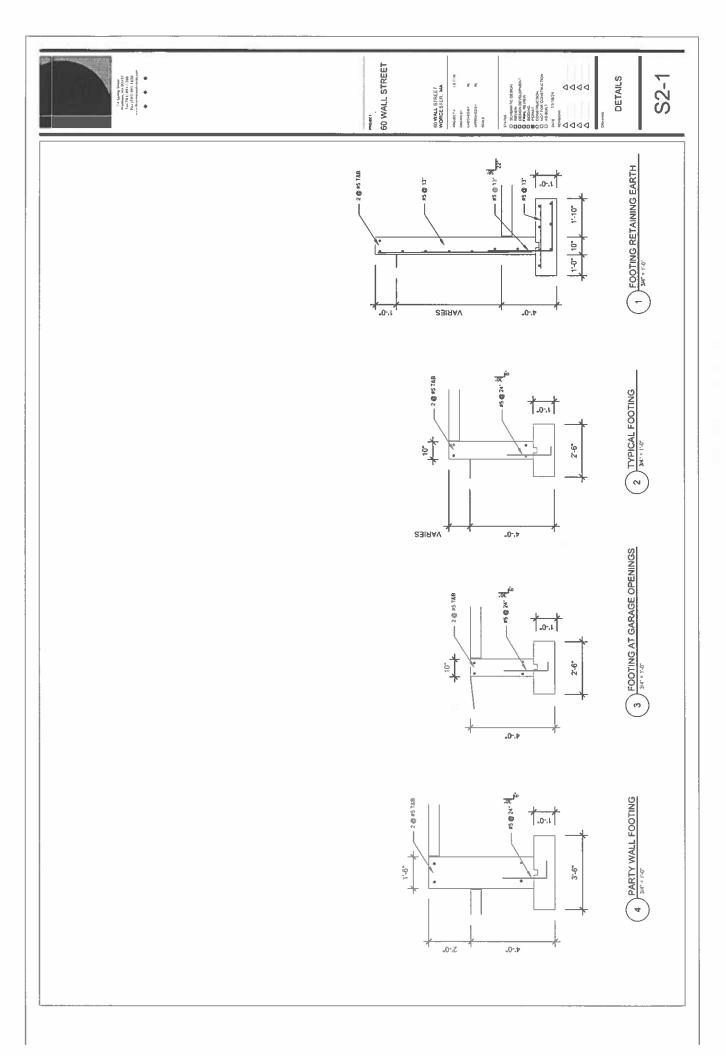


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### **REQUEST FOR MAPS AND/OR ABUTTERS' LISTS:**

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 per list, 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@worcesterma.gov and our fax number is (508) 799-1021.

Ple	ease contact our office with any questions.	
ABUTTEF	R'S LIST LABELS ✓ Yes No	1 SET ✓ 2 SETS
MAP(S)		
PROPERTY ADDRESS	60 Wall Street	
	Worcester, MA	
MBL No.	04-011-09+10	
REASON:	PLANNING ZONING LICENSE COMMISSION CONSERVATION COMMISSION HISTORICAL COMMISSION OTHER- Footage for radius	
	NAME: Stephanie Fleming ADDRESS: 311 Main St, Worcester MA (	
	TELEPHONE: 508-926-3346	

### The City of Worcester Administration & Finance

CORMIERE, MICHAEL	04-011-007+8	0062 WALL ST	WORCESTER, MA 01604
FARLEY, BERNARD A + CECILE J TRUSTEE	04-011-29+50	0041 ORIENT ST	WORCESTER, MA 01604
WALL STREET RENTALS REALTY TRUST	04-011-09+10	0097 EAST MOUNTAIN AVE	REVERE, MA 02151
REMEIKA, DANIEL JR	04-011-00002	0006 FOREST DR	MILLBURY, MA 01527
GENCARELLI, VINCENT	04-006-00034	0059 ORIENT ST	WORCESTER, MA 01604-2948
ABECASSIS, MAYARA B	04-012-00019	0015 GROTON PL	WORCESTER, MA 01604
VIOLALLC	04-012-00026	6280 W 3RD ST #408	LOS ANGELES, CA 90036
RMBS REO HOLDINGS LLC	04-002-00006	0875 THIRD AVE	NEW YORK, NY 10022
RITACCO, MICHAEL NICKOLAS +	04-006-00036	13 SHALE ST	WORCESTER, MA 01604
PORCARO, CHRISTOPHER M	04-002-00005	0010 ROSEMARY ST	WORCESTER, MA 01604
AUGUSTIN, SAMIL	04-012-00016	0140 COOLIDGE RD	WORCESTER, MA 01602
DONALD,GEORGE + SUSAN	04-012-00017	0012 NORFOLK ST	WORCESTER, MA 01604-2911
72-74 WALL STREET LLC	04-006-00018	0013 RAINBOW DR	WORCESTER, MA 01605
MONTIVERDI, ANTONEL LA TRUSTEE	04-006-00037	0269 PUTNAM HILL RD	SUTTON, MA 01590
O + R LEGACY INVESTMENT GROUP LLC	04-012-00027	0649B LINCOLN ST	WORCESTER, MA 01605
REMEIKA, DANIEL JR	04-011-00001	6 FOREST DRIVE	MILLBURY, MA 01527
CITY OF WORCESTER	04-011-00053	455 MAIN ST, PARKS DEPT	WORCESTER, MA 01608
REMEIKA, DANIEL JR	04-011-00003	0006 FOREST DR	MILLBURY, MA 01527
JANO, PERRY	04-012-00021	0099 DANA RD	OXFORD, MA 01540
ORTIZ,ISAAC +	04-006-00035	0057 ORIENT ST	WORCESTER, MA 01604-2948
BONILLA, HENRY L SANTOS	04-012-00029	0055 WALL ST	WORCESTER, MA 01604
CICERO, LEO J + ROSEMARIE	04-012-00020	0017 SUFFOLK ST	WORCESTER, MA 01604-3718
PETTIPAS, ALBERT AMBROSE	04-011-00005	0064 WALL ST	WORCESTER, MA 01604
55 ORIENT LLC	04-011-00045	PO BOX 377	WESTBOROUGH, MA 01581
KANTOROVICH, DAN + ILANA	04-012-0023A	0011 GROTON PL	WORCESTER, MA 01604
ALSWAIMIL, DEEMA F +	04-012-00031	0051 WALL ST	WORCESTER, MA 01604
WORCESTER DEVELOPMENT PROJECT	04-012-00023	0075 ARLINGTON ST	BOSTON, MA 02116
WORCESTER DEVELOPMENT PROJECT	04-012-00022	0075 ARLINGTON ST 5TH FLOOR	BOSTON, MA 02116
WINSHMAN, DEREK	04-011-00046	0051 ORIENT ST	WORCESTER, MA 01610
KARRAS, BILL	04-012-00004	0007 SCARLET CT	EASTON, MA 02334
UNION HILL APARTMENTS LLC	04-012-00033	0049 WALL ST	WORCESTER, MA 01604
DCCINC	04-012-00035	00360 FRANKLIN ST	WORCESTER, MA 01604
WALL STREET RENTALS REALTY TRUST	04-011-00011	0097 EAST MOUNTAIN AVE	REVERE, MA 02151
NGO8E,NOAH + NDUNGU,TERESIAH	04-011-00012	0005 MONTREAL ST	WORCESTER, MA 01604
MELE, PANDUSH + AVRAMI, ELVANA	04-012-00036	0007 PINEWOOD LN	WORCESTER, MA 01609
CITY OF WORCESTER UNITY PARK	04-011-0000B	00455 MAIN ST	WORCESTER, MA 01608
WOLDETATYOS, TEAMANIT + FITSUM, JOSEF	04-011-00013	0052 WALL ST	WORCESTER, MA 01604
43 ORIENT REALTY LLC	04-011-00049	126A PLEASANT VALLEY ST UNIT 11	METHUEN, MA 01844
FRIENDLY HOUSE INC	04-011-00015	00036 WALL ST	WORCESTER, MA 01604
TUTU,JOYCE O	04-012-01-0A	0035 WALL ST UNIT A BUILDING 1	WORCESTER, MA 01604
OILE, EUGENE	04-012-01-0B	035B WALL ST	WORCESTER, MA 01604
RIE, VICTOR W + GLADYS N	04-012-01-0C	0035 WALL STUNIT C	WORCESTER, MA 01604
BAEZ,ANGELA	04-012-01-0D	0035 WALL ST UNIT D	WORCESTER, MA 01604

### Assessing Division Samuel E. Konieczny, MAA, City Assessor

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