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**VARIANCE 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.

Address: **28 Boyden Street**

Parcel ID or MBL: **26-011-00019**

If more than one structure on the lot, identify relevant structure requiring relief:

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:	<b>70.00</b>	Setback required:		Setback required:	
Frontage provided:	<b>63.49</b>	Setback provided:		Setback provided:	
Relief requested:	<b>6.51</b>	Relief requested:		Relief requested:	
Off-street Parking		Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Loading		Other Variances			
Loading required:		Relief requested:			
Loading provided:		Zoning Ordinance Article & Section:			
Relief requested:		Requirement:			
		Provided:			

**If you are requesting Variances for more than one structure or lot, provide this sheet for each structure/lot. Only complete the sections pertaining to the Variances (s) you are applying for.**

1. Property Information

a. 28 Boyden Street

Address(es) – please list all addresses the subject property is known by

b. 26-011-00019

Parcel ID or Map-Block-Lot (MBL) Number

c. Worcester District Registry of Deeds, Book 69819

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Current Owner(s) Recorded Deed/Title Reference(s)

d. RL-7

Zoning District and all Zoning Overlay Districts (if any)

e. Existing single family detached dwelling.

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

f. Applicant seeks approval to add a second dwelling unit to the existing single family dwelling located on the property.

If residential, describe how many bedrooms are pre-existing and proposed

2. Applicant Information

a. Southbridge Street Properties, LLC

Name(s)

b. 31 Grove Street, Winchester, MA 01890

Mailing Address(es)

c. c/o djo@oneilbarrister.com; (508) 755-5655

Email and Phone Number(s)

d. Owner

Interest in Property (e.g., Lessee, Purchaser, etc.)

I certify that I am requesting the Worcester Zoning Board of Appeals to grant the Variance as described below

 (Signature)

Attorney for  
Southbridge Street Properties, LLC

3. Owner of Record Information (if different from Applicant)

a. \_\_\_\_\_  
Name(s)

b. \_\_\_\_\_  
Mailing Address(es)

c. \_\_\_\_\_  
Email and Phone Number

4. Representative Information

a. Donald J. O'Neil

Name(s)

b.

Signature(s)

c. 688 Pleasant Street, Worcester, MA 01602

Mailing Address(es)

d. djo@oneilbarrister.com; (508) 755-5655

Email and Phone Number

e. Lawyer

Relation to Project (Architect/Attorney/Engineer/Contractor, etc.)

5. Owner Authorization

Authorization I, Neft Properties, LLC 688 Pleasant Street, Owner of Record of the property listed with the Assessing Division of the City of Worcester, Massachusetts as Map 26 Block 011 Lot(s) 00019, do hereby authorize Donald J. O'Neil to file this application with the Division of Planning & Regulatory Services of the City of Worcester on this the 12th day of November, 2024.

6. Proposal Description

a. Construct an addition and convert the existing single family dwelling to a two family dwelling.

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

b. Unknown.

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)

d. No.

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)?

e. The property has ample lot area to accomodate the proposed use and abutts wooded City park land at the rear

List any additional information relevant to the Variance (s)

### VARIANCE - FINDINGS OF FACT

**In the spaces below, please 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)(3) of the Zoning Ordinance. Attach additional supporting documentation as necessary.**

1. 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:

A literal application of the provisions of the Zoning Ordinance would entail a financial hardship for the Applicant by denying the Applicant the right to make full and productive use of the property by adding an additional dwelling unit to utilize the area available for this purpose which is twice the required minimum.

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:

The lot in question, which has twice the required lot area for a two family dwelling in an RL-7 Zone, was created on an old plan predating the adoption of current zoning requirements. The lot's area in relation to the lot's frontage is atypical and does not affect generally other lots with the RL-7 Zoning District where the lot area and frontage match up more closely with the minimum requirements of the Zoning Ordinance, for the structure located thereon, to allow for full use of the land area available for residential use in full compliance with current zoning minimums.

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:

Relief may be granted without detriment to the public good nor derogation from the intent of the Zoning Ordinance given the minimal relief requested, the ample size of the lot, and the fact that the Applicant is able to demonstrate compliance with almost all of the other applicable dimensional requirements set forth in the Zoning Ordinance including those related to required off street parking.

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:

The requested frontage relief is the minimum required for the proposed two family use of the premises.

**TAX CERTIFICATION**

This certification must be completed by all applicants and owners of the property, certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a completed certification shall result in the application being deemed incomplete.

**If a Single Owner or Proprietorship:**

- a. \_\_\_\_\_  
Name
- b. \_\_\_\_\_  
Signature certifying payment of all municipal charges
- c. \_\_\_\_\_  
Mailing Address
- d. \_\_\_\_\_  
Email and Phone Number

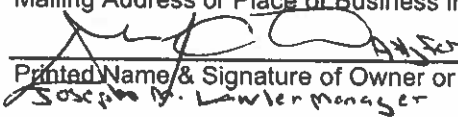
**If a Partnership or Multiple Owners:**

- e. \_\_\_\_\_  
Names
- f. \_\_\_\_\_  
Signatures certifying payment of all municipal charges
- g. \_\_\_\_\_  
Mailing Address
- h. \_\_\_\_\_  
Email and Phone Number

**Applicant, if different from owner:**

- i. \_\_\_\_\_  
Printed Name & Signature of Applicant, certifying payment of all municipal charges

**If a Corporation or Trust:**

- j. Southbridge Street Properties, LLC  
Full Legal Name
- k. Massachusetts Worcester, MA  
State of Incorporation Principal Place of Business
- l. 31 Grove Street, Winchester, MA 01890  
Mailing Address or Place of Business in Massachusetts
- m.   
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges  
*Joseph M. Lawler Manager*
- n. \_\_\_\_\_  
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- o. \_\_\_\_\_  
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- p. \_\_\_\_\_  
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges

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: 36

Parcel Address: 28 BOYDEN ST

Assessor's Map-Block-Lot(s): 26-011-00019

Owner: SOUTHBRIDGE STREET PROPERTIES LLC  
31 GROVE ST  
WINCHESTER, MA 01890

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

Petitioner (if other than owner): DONALD J ONEIL

Petitioner Mailing Address: 688 PLEASANT ST  
WORCESTER, MA 01602  
508-755-5655

Planning: \_\_\_\_\_ Zoning: X Liquor License: \_\_\_\_\_ ConComm: \_\_\_\_\_

Historical: \_\_\_\_\_ Cannabis: \_\_\_\_\_ Other: \_\_\_\_\_

CARO CLAY LLC	26-009-10+20	PO BOX 590-097	NEWTON, MA 02459
CITY OF WORCESTER COOKSON FLD	26-013-02+32	455 MAIN ST, PARKS DEPT	WORCESTER, MA 01608
HICKS, LARRY E + CAROLYN A TRUSTEES	26-014-12+13	0179 PUTNAM HILL RD	SUTTON, MA 01590
MJ RENTALS LLC	26-010-00038	0073 LIBERTY CIR	HOLDEN, MA 01520
COLLEGE OF THE HOLY CROSS	26-009-00013	ONE COLLEGE STREET	WORCESTER, MA 01610-2395
CITY OF WORC TAX TITLE CUSTODIAN	26-010-0039A	455 MAIN ST	WORCESTER, MA 01608
E + L ENTERPRISES LLC	26-008-00024	0034 BRIARCLIFF DR	AUBURN, MA 01501
COLLEGE OF THE HOLY CROSS TR	26-009-00021	ONE COLLEGE STREET	WORCESTER, MA 01610-2395
MARLBOROUGH, FRANCES A (LIFE ESTATE)	26-011-00015	0031 STEBBINS ST	WORCESTER, MA 01607
CARO CLAY LLC	26-009-00011	P.O. BOX 590097	NEWTON CENTRE, MA 02459
SOUTHBRIDGE STREET PROPERTIES LLC	26-009-00014	0031 GROVE ST	WINCHESTER, MA 01890
TRUSTEES COLLEGE HOLY CROSS	26-009-00018	0001 COLLEGE ST	WORCESTER, MA 01610
BAEZ, MELVIN J +	26-009-00016	0023 BOYDEN ST	WORCESTER, MA 01610
COLLEGE OF THE HOLY CROSS TR	26-009-00022	ONE COLLEGE STREET	WORCESTER, MA 01610-2395
TRUSTEES OF COLLEGE OF THE HOLY CRO	26-009-0013A	ONE COLLEGE STREET	WORCESTER, MA 01610-2395
SHEAHAN, FRED T	26-009-00015	0021 BOYDEN ST	WORCESTER, MA 01610

MCCARTHY,EDWARD J + KAREN N	26-010-00041	0014 BOYDEN ST	WORCESTER, MA 01610-2933
WALTERS,HERSHEL	26-010-00037	0020 CLAY ST	WORCESTER, MA 01610
MJ RENTALS LLC	26-011-017-1	0073 LIBERTY CIR	HOLDEN, MA 01520
RUDOLPH,DEYANDRE L	26-011-00017	0024 BOYDEN ST	WORCESTER, MA 01610
PROSTAK,THERESA J (TRUSTEE OF)	26-011-00018	0026 BOYDEN ST	WORCESTER, MA 01610
COLLEGE OF THE HOLY CROSS	26-011-00024	ONE COLLEGE STREET	WORCESTER, MA 01610-2395
JIANG,MIN	26-010-00035	0035 HOWARTH DR	UPTON, MA 01568
SOUTHBRIDGE STREET PROPERTIES LLC	26-011-00019	0031 GROVE ST	WINCHESTER, MA 01890
FITZPATRICK,FRANCES J(LIFE ESTATE)	26-011-00021	0036 BOYDEN ST	WORCESTER, MA 01610
SHEA,ROBERT + CAROLA	26-011-00025	0034 BOYDEN ST	WORCESTER, MA 01610
MACFARLANE,IAN W + DIANE L	26-011-00020	30 BOYDEN STREET	WORCESTER, MA 01610-2932
KARPOWICH,PHILIP A TRUSTEE	26-011-00026	0092 COLLEGE ST	WORCESTER, MA 01610
NYANTAKYI,VIVIAN +	26-010-00033	0005 ATTLEBORO ST	WORCESTER, MA 01610
DILEO PROPERTIES LLC	26-010-00031	P O BOX 314	SHREWSBURY, MA 01545
HOLY CHESTNUT LLC	26-011-00023	PO BOX 590-097	NEWTON CENTRE, MA 02459
HOLY CHESTNUT LLC	26-011-00022	PO BOX 590-097	NEWTON CENTRE, MA 02459
EWINGS,MARC M + SOPHIE M	26-011-00014	0079 KENDIG ST	WORCESTER, MA 01610
FITCH,NATHAN	26-013-00001	0015 WAKEFIELD ST	WORCESTER, MA 01605
BOYDEN STREET PROPERTIES LLC	26-008-00023	0016 THORNY LEA RD	HOLDEN, MA 01520
SPITAELS,ANN T TRUSTEE +	26-009-00019	0005 GRIST MILL CIRCLE	SHREWSBURY, MA 01545

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot's 26-011-00019 as cited above.  
Certified by:

  
\_\_\_\_\_  
Signature

10/31/2024  
Date

Edward M. Augustus, Jr.  
CITY MANAGER



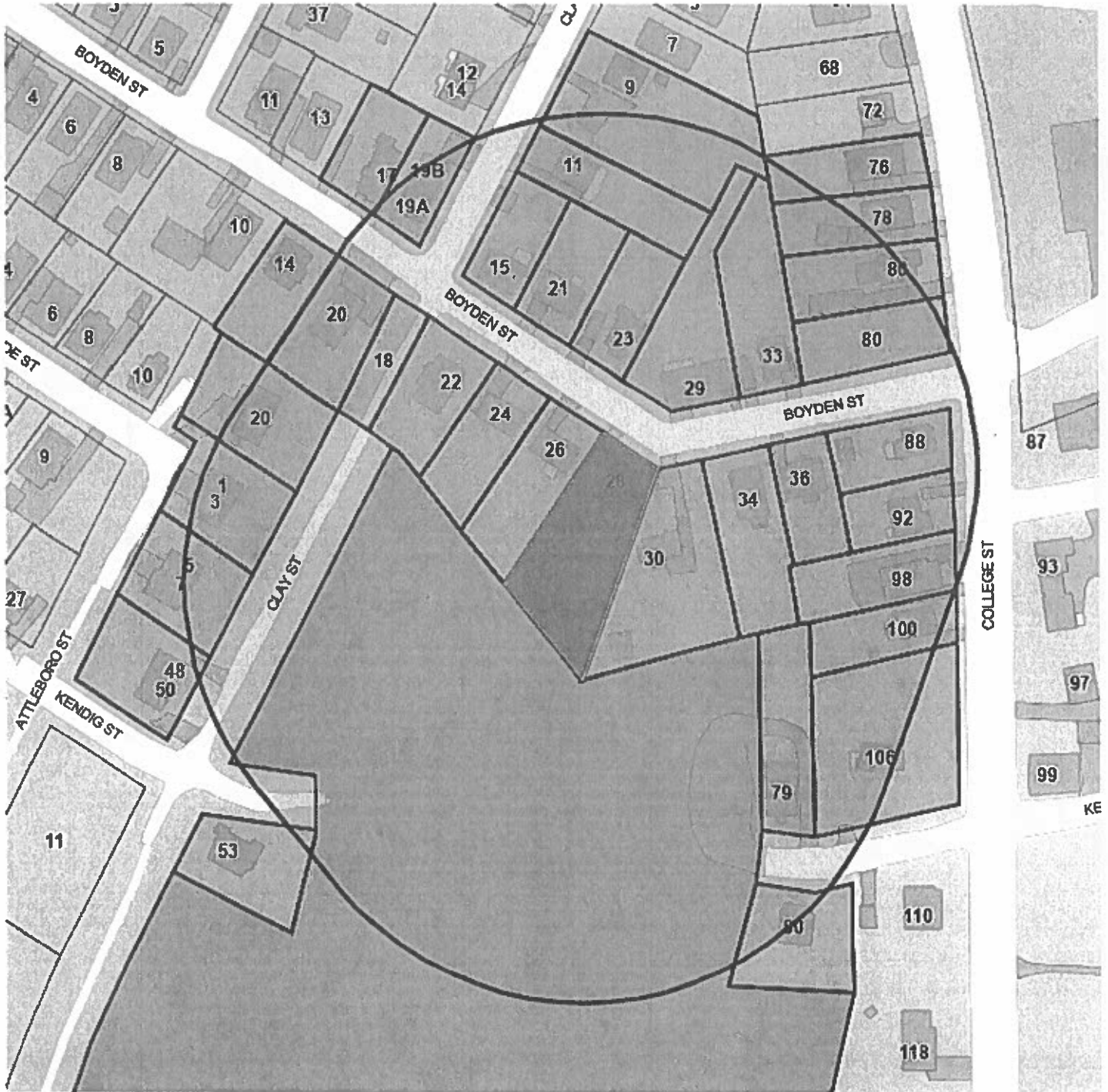
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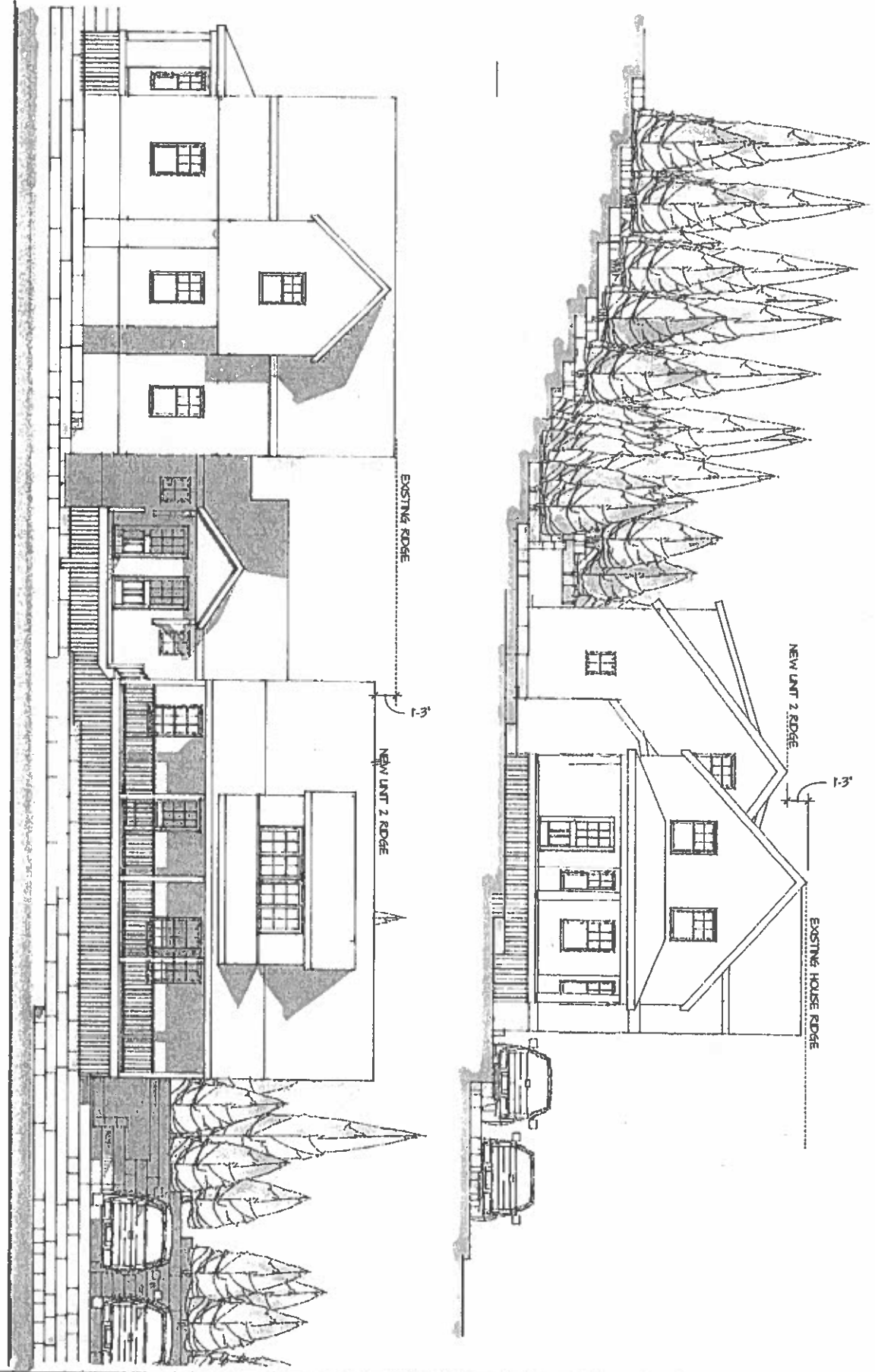
### Abutters Map







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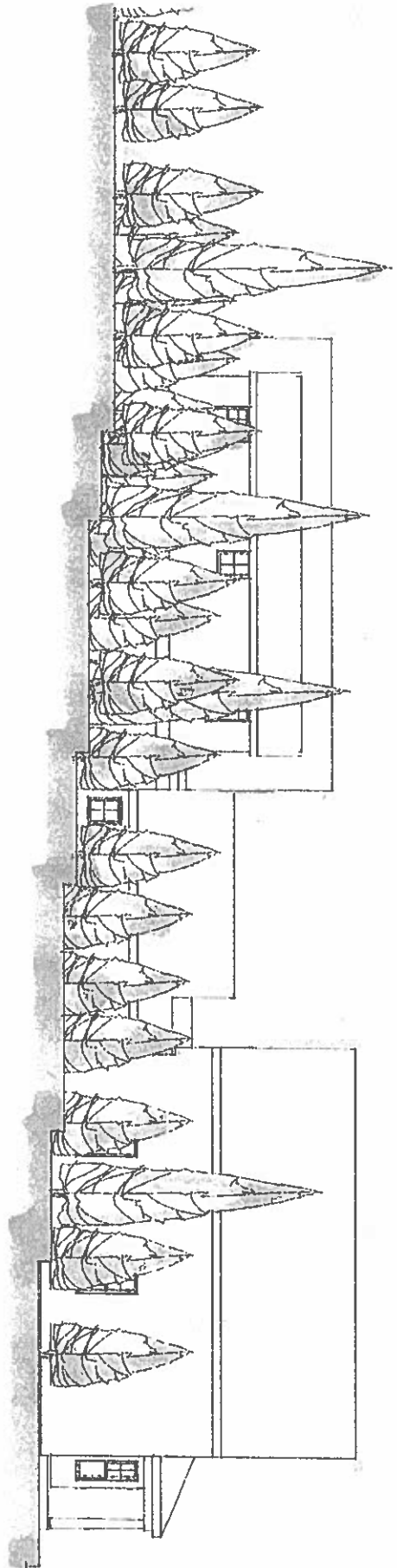
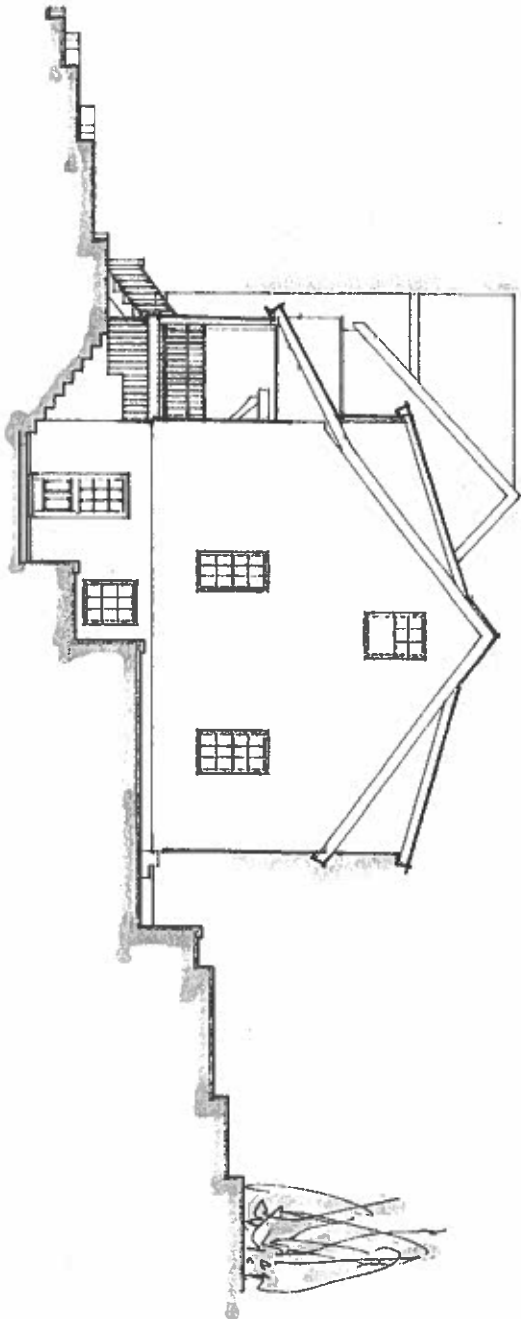
A-2.1

FRONT ELEVATION

Southbridge St. Properties LLC.  
 28 Boyden Street  
 Worcester, MA 01610

GUY DIXON, AIA  
 RESIDENTIAL ARCHITECTURE  
 781-218-9489  
 guydixonarchitect@gmail.com

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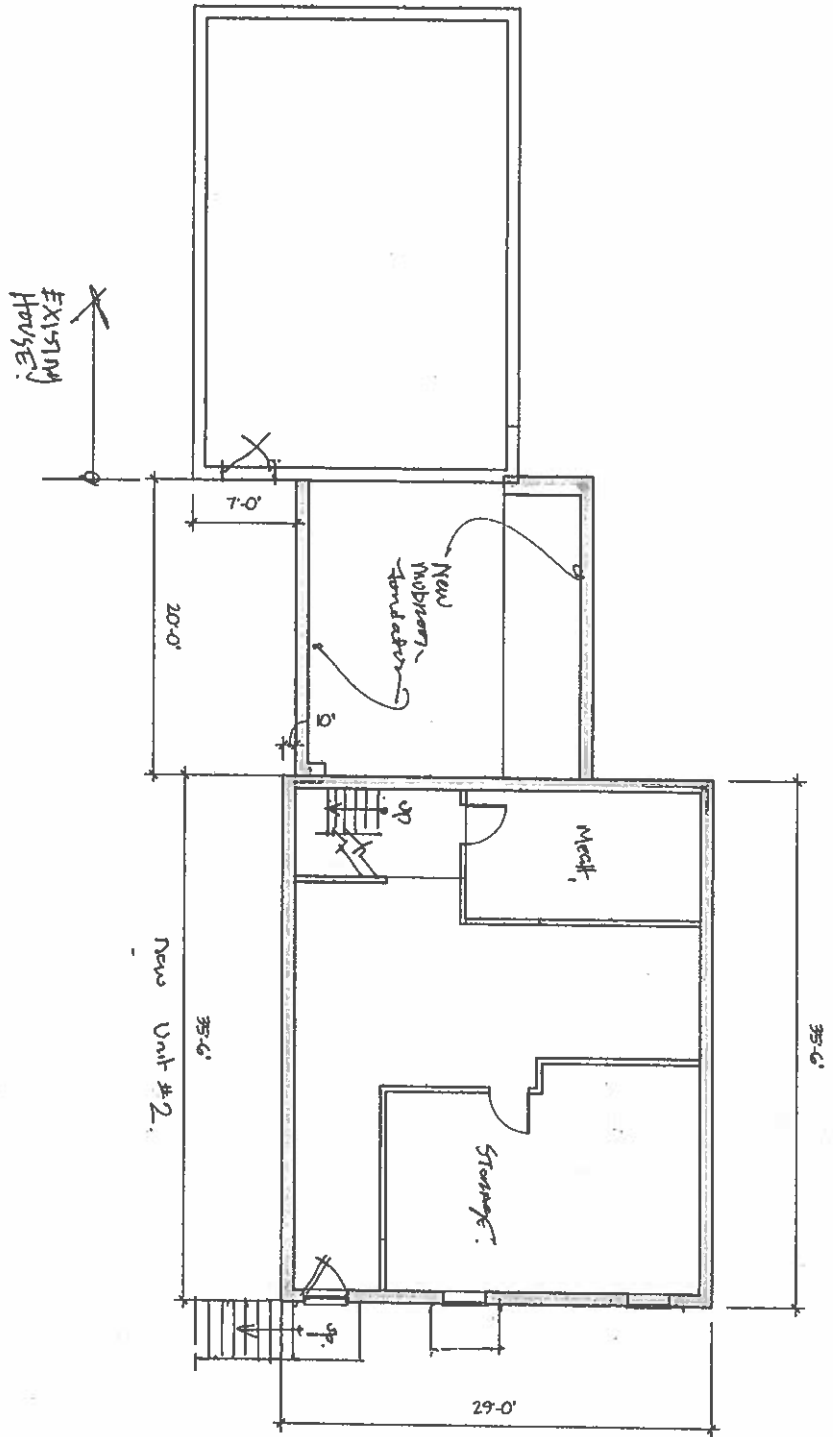
A-2.2

SIDE ELEVATION

Southbridge St. Properties LLC.  
28 Boyden Street  
Worcester, MA 01610

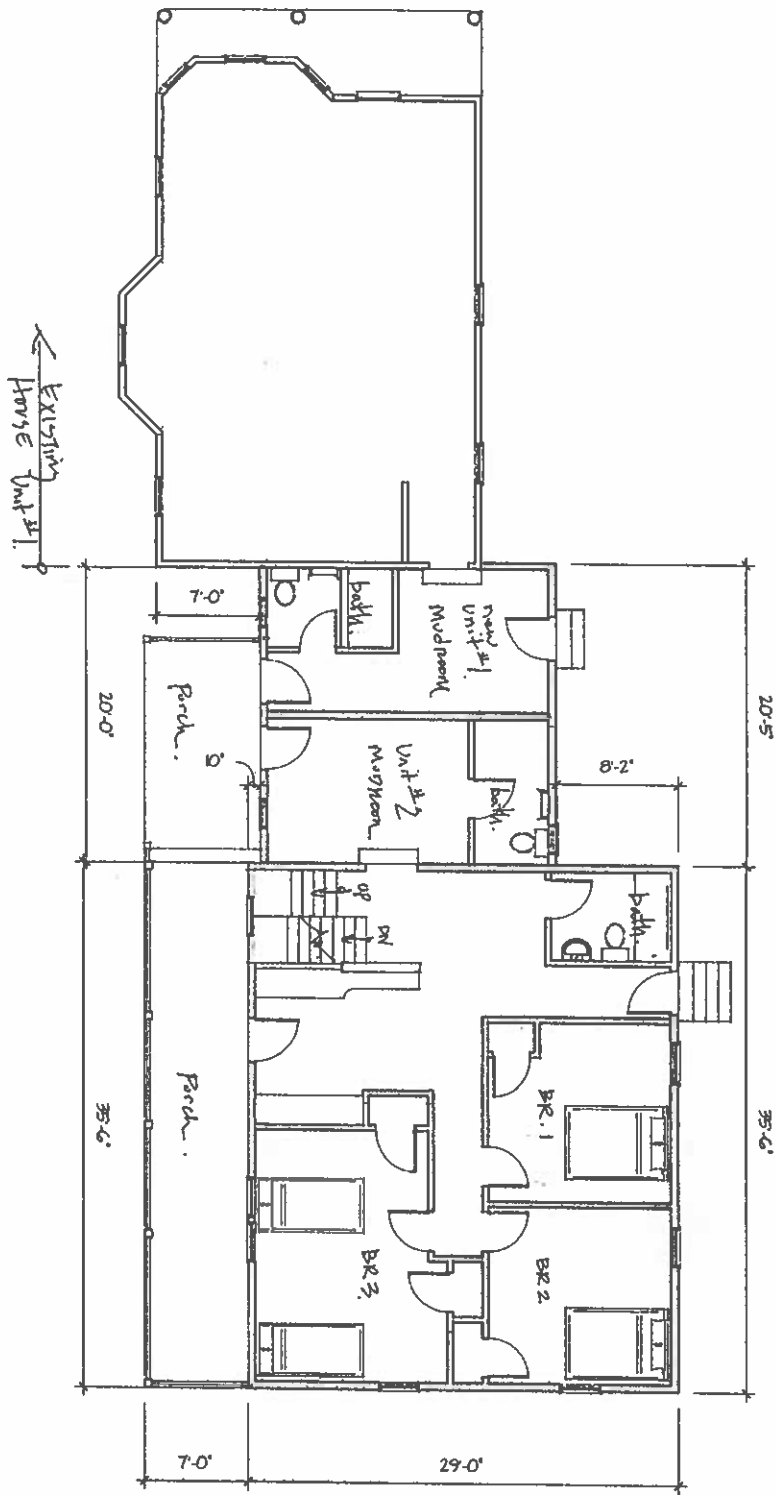
GUY DIXON, AIA  
RESIDENTIAL ARCHITECTURE  
781-218-9489  
guydixonarchitect@gmail.com

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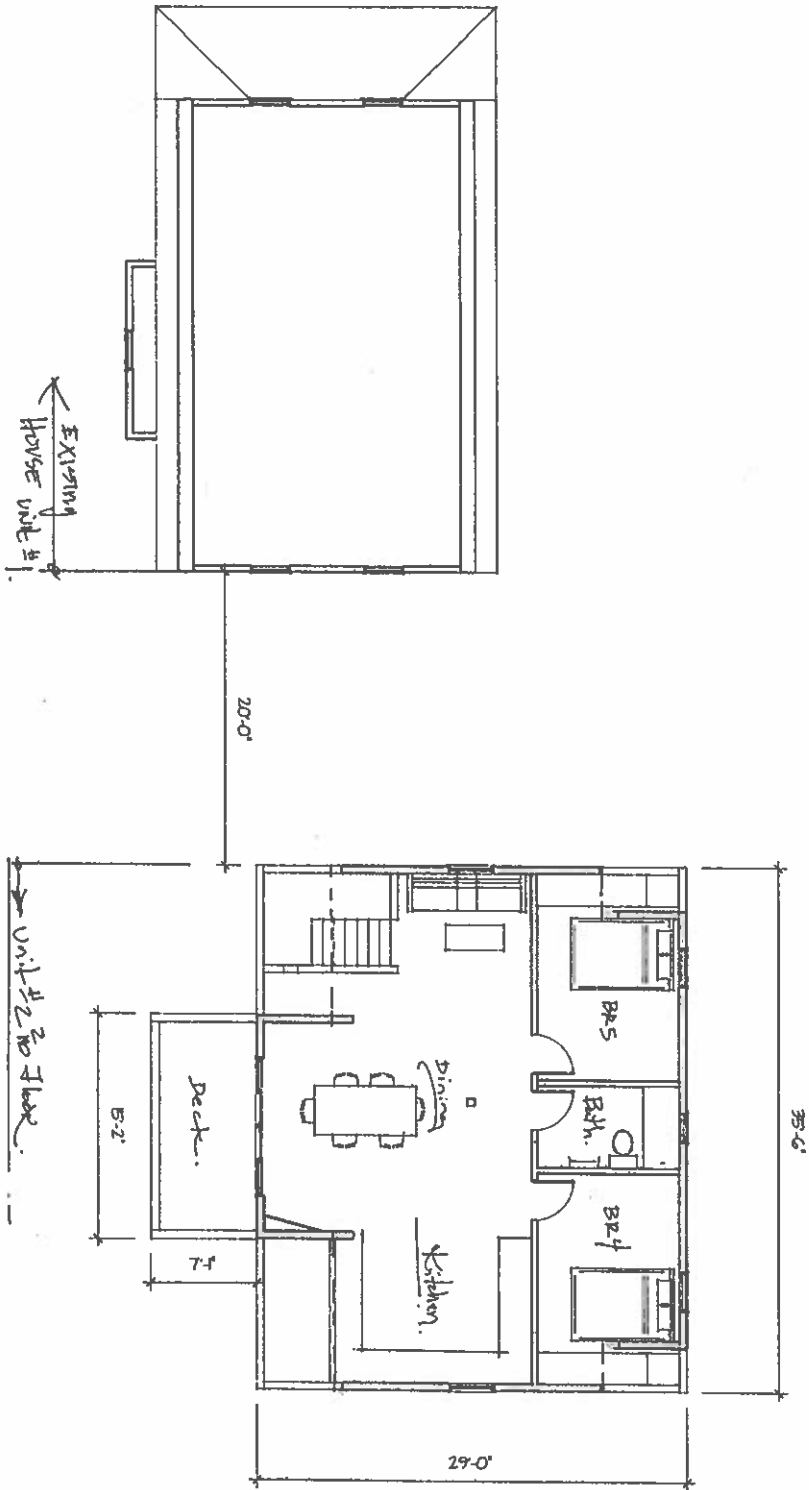
<p>A-10</p>	<p>000/2024          BASEMENT PLAN</p>	<p>Southbridge St. Properties LLC.          28 Boyden Street          Worcester, MA 01610</p>	<p>GUY DIXON, AIA          RESIDENTIAL ARCHITECTURE          781-218-9489          guydixonarchitect@gmail.com</p>
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<p>A-11</p>	<p>4/08/2014</p> <p>FIRST FLOOR</p>	<p>Southbridge St. Properties LLC. 28 Boyden Street Worcester, MA 01610</p>	<p>GUY DIXON, AIA RESIDENTIAL ARCHITECTURE 781-218-9489 guydixonarchitect@gmail.com</p>
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<p>A-12</p>	<p>1/08/2024 SECOND FLOOR</p>	<p>Southbridge St. Properties LLC. 28 Boyden Street Worcester, MA 01610</p>	<p>GUY DIXON, AIA RESIDENTIAL ARCHITECTURE 781-218-9489 guydixonarchitect@gmail.com</p>
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