



SPECIAL PERMIT APPLICATION

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WORCESTER CITY CLERK

2024 DEC 16 PM 3:28

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

TYPE OF SPECIAL PERMIT (check the Special Permit you are requesting and answer only the associated supplementary questions on page 8-12)

- 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-Residential Use allowed only by Special Permit – Self Storage Facility (Article IV, Section 2, Table 4.1)
- 5. Residential Conversion (Article IV, Section 9)
- 6. Placement of Fill/Earth Excavation (Article IV, Section 5)
- 7. Modification of Parking/Loading Requirements and/or Landscaping and Layout Requirements for Parking/Loading (Article IV, Section 7)
- 8. Other Special Permit (Describe Special Permit sought):

1. Property Information

a. **18 Birch Street**

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

b. **08-006-00009**

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

c. **Worcester District Registry of Deeds, Book 69136 Page 95**

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

d. **RG-5**

Zoning District and all Zoning Overlay Districts (if any)

Existing wood frame single family dwelling constructed in 1890 with an accessory two car garage.

e. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use; attached separate narrative if necessary):

f. Existing dwelling currently has four bedrooms.

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

2. Applicant Information

a. Mindy T. Nguyen

Name(s)

b. 1 Woodland Parkway, Worcester, MA 01610

Mailing Address(es)

c. (508) 493-5449

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 Special Permit as described below

Mindy Nguyen
(Signature)

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

a. Name(s)

b. Mailing Address(es)

d. 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, Mindy Nguyen, Owner of Record of the property listed with the Assessing Division of the City of Worcester, Massachusetts as Map 08 Block 006 Lot(s) 00009, 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 _____ day of December, 2024.

6. Proposal (attach a separate narrative if necessary)

Applicant seeks to convert existing single family dwelling to a two family dwelling with no changes to the exterior other than the addition of doors, widows and stairways required for access to the second unit.

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

Article IV, Section 9

b. _____
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.

Unknown.

c. _____
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)

No.

d. _____
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)?

The property is considered a historic structure and as such will required Historical Commission approval for any exterior changes to the structure.

e. _____
List any additional information relevant to the Special Permit (s)

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:

The proposal will create an additional apartment within the existing building footprint and will help meet the pressing need for same. Proposal will also support the renovation of the existing structure which will improve the appearance of the property generally and in so doing will benefit the entire neighborhood.

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

Property has existing off-street parking which with minor modification will be able to accommodate up to six vehicles. No traffic flow or safety issues are anticipated given the scale of the Applicant's proposal.

3. Adequacy of utilities and other public services:

Existing utilities and other public services on site are adequate in all respects for the proposed use of the property.

4. Neighborhood character and social structure:

The surrounding neighborhood is zoned RG-5 which allows multifamily use by right for conforming lots. Proposed use is consistent with other properties situated nearby.

5. Impacts on the natural environment:

The proposal seeks to add an additional dwelling unit within the existing structure with no expansion of the building footprint. No adverse impacts on the environment are anticipated.

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

The proposal will add an additional dwelling unit to the City's housing stock, generate additional real estate tax revenue, and provide construction employment for the building trades with no significant demand on City services.

3. Can adequate access can be provided without adversely affecting neighboring uses or the public realm?

4. Will structures with architectural or historical integrity will be appropriately preserved or improved, and that no such structures have been demolished within the past five (5) years to prepare the site for redevelopment?

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

1. Total number of existing units/Total number of proposed units:

One unit presently with an additional unit proposed for a total of two.

2. Will the external appearance of the structure remain unchanged except for new doors, windows, fire escapes, and stairways?

Yes.

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):

Applicant proposes six off-street parking spaces which is two more than the four spaces required for a two family dwelling.

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

Applicant seeks relief of 4.7 feet from the frontage requirement which stands at 55 feet for a two family dwelling in an RG-5 Zone. Property has 50.30 feet of frontage on Birch Street which is a public way.

**6. 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.

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: 48

Parcel Address: 18 BIRCH ST
 Assessor's Map-Block-Lot(s): 08-006-00009

Owner: NGUYEN, MINDY T

Owner Mailing: 1 WOODLAND PRKWY
WORCESTER, MA 01610

Petitioner (if other than owner): GLEN F. MATHESON, ESQ
 Petitioner Mailing Address: 900 MAIN ST SUITE A
WORCESTER, MA 01610

Petitioner Phone: 5087930080/6178385852

Planning: _____ Zoning: X License Commission: _____ Conservation Commission: _____

Historical: _____ Cannabis: _____ Other: X

JAEN, YARY	08-006-00020	0012 SHIRLEY ST	WORCESTER, MA 01610
VRUSHO, BEVERLY M	14-009-00015	98 BLAKES HILL RD	NORTHWOOD, NH 03261
MERCADO, OSVALDO +	08-005-00018	0003 SHIRLEY ST	WORCESTER, MA 01603

The City of Worcester
Administration & Finance

NGUYEN,NGA +	08-005-00021	004A MAPLEWOOD RD	WORCESTER, MA C1602
GJINKO REALTY LLC	08-006-0004A	0487 PARK AVE	WORCESTER, MA C1610
HENRY,DORA A	08-005-00011	11 SHIRLEY ST	WORCESTER, MA C1610
IGWENAGU,PATRICK C TRUSTEE	08-006-00012	PO BOX 7354	WORCESTER, MA C1605
YI,MIN + ZHONG,LU	08-010-00029	0084 NELSON ST	WINCHESTER, MA 01890
GAVAL,JOSHUA J +STEVE NADER	14-009-00014	PO BOX 35454	CHARLOTTE, NC 28235
FREEDOM ALLIANCES LLC	14-009-00013	0009 GLEENHIL RD	SHARON, MA 02067
USRP FUNDING 2001-A LP	14-010-005-7	ONE DAVE THOMAS BLVD	DUBLIN, OH 43017
MERCADO,OSVALDO + YVETTE	08-005-00017	0005 SHIRLEY ST	WORCESTER, MA 01610-1205
SANN,NUN + YIM,HEAM	08-005-00015	0007 SHIRLEY ST	WORCESTER, MA 01610-1205
CHEN,SEN GUAN +	08-006-0006A	77 WRENTER	QUINCY, MA 02169
RICHARDSON,TEJU S	08-005-00013	0009 SHIRLEY ST	WORCESTER, MA 01610
DIAZ,MIGUEL	08-006-0013A	0006 BIRCH ST	WORCESTER, MA 01610
MATTHEW 25 INC	08-006-00011	52 QUEEN STREET	WORCESTER, MA 01610-1437
MONROE MANAGEMENT LLC TRUSTEE	08-006-00017	0717 PLEASANT ST	WORCESTER, MA 01602
DJAFARI WEST LLC	08-006-00013	0226 DEWEY ST	WORCESTER, MA 01605
CLARK UNIVERSITY TRUSTEES OF	08-006-00001	0950 MAIN ST	WORCESTER, MA 01610-1221
BARBERA,MICHAEL R	08-005-00009	2 TERRACE DR	WORCESTER, MA 01609-1416
GAVAL,ADAM +	08-006-00010	PO BOX 35454	CHARLOTTE, NC 28235
RICHARDSON,RICHARD K + LINDA M	08-006-00019	10 SHIRLEY ST	WORCESTER, MA 01610
ZHAO,ZUO	08-010-00002	0071 MAYWOOD ST	WORCESTER, MA 01603
ELLIS,LORNA + SAMUEL	08-006-00014	0066 MAYWOOD ST	WORCESTER, MA 01603
VU,DAT TIEN	08-010-00006	0001 GREENSIDE LN	WORCESTER, MA 01609
VU,DAT TIEN	08-010-00006	0001 GREENSIDE LN	WORCESTER, MA 01609
GRIFFIN,THOMAS M + LUCILLE Y	08-006-00022	0014 SHIRLEY ST	WORCESTER, MA 01610
GENERAL REALTY CORP	08-010-00001	00677 MAIN STREET	WORCESTER, MA 01608
CLARK UNIVERSITY TRUSTEES OF	08-006-00008	0910 MAIN ST	WORCESTER, MA 01610
NGUYEN,MINDY T	08-006-00009	0001 WOODLAND PRKWY	WORCESTER, MA 01610
SZEKELY,KATELYN + SACKETT,ANSLEY	08-006-00018	0001 BIRCH ST	WORCESTER, MA 01610
ELK REAL ESTATE LLC	08-010-00004	0070 IROQUOIS ST	WORCESTER, MA 01602
LAROCHELLE,SERGE + LUCINDA	08-006-00028	16 SHIRLEY ST	WORCESTER, MA 01610
NGUYEN,HAN ANNIE	08-006-00016	0017 BIRCH ST	WORCESTER, MA 01610
NGUYEN,MAITHY	08-006-00021	0060 MAYWOOD ST	WORCESTER, MA 01608
KALLANG DUA LLC	08-010-00027	0018 FOX HOLLOW RD	WORCESTER, MA 01605
ESAN,OLUSOLA	08-010-00003	0006 RICHARDS ST	WORCESTER, MA 01603
LY,DUY V + HUUY	08-006-00015	0010 AGAWAM ST #3	WORCESTER, MA 01603
TRAINOR,THERESA	08-006-00027	0064 FLORENCE ST	WORCESTER, MA 01610
JOLLY CHIMP LLC	08-006-00023	0314 OAKRIDGE RD	DEERFIELD BEACH, FL 33442
ANDRADE,ADERITO B	08-010-00005	0507 W MAIN ST	AVON, MA 02322
BUI,THAP T + HOA,TRAN	08-010-0007A	65 RIDGEWOOD ROAD	WORCESTER, MA 01606
PRADHAN,SHEELA	08-006-0023A	18 MONUMENT DR	OXFORD, MA 01540
HERNANDEZ,GILBERTO R + SANTA	08-010-00028	0061 MAYWOOD ST	WORCESTER, MA 01603-2725
AREVALO,KEVIN + ALFREDO + RUTH	08-010-00030	0055 MAYWOOD ST	WORCESTER, MA 01603

GAVAL, ADAM +
TRUSTEES CLARK UNIVERSITY

08-006-010-2 PO BOX 35454
14-023-00004 0950 MAIN ST

CHARLOTTE, NC 28235
WORCESTER, MA 01610

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot's 08-006-0009 as cited above.

Certified by:



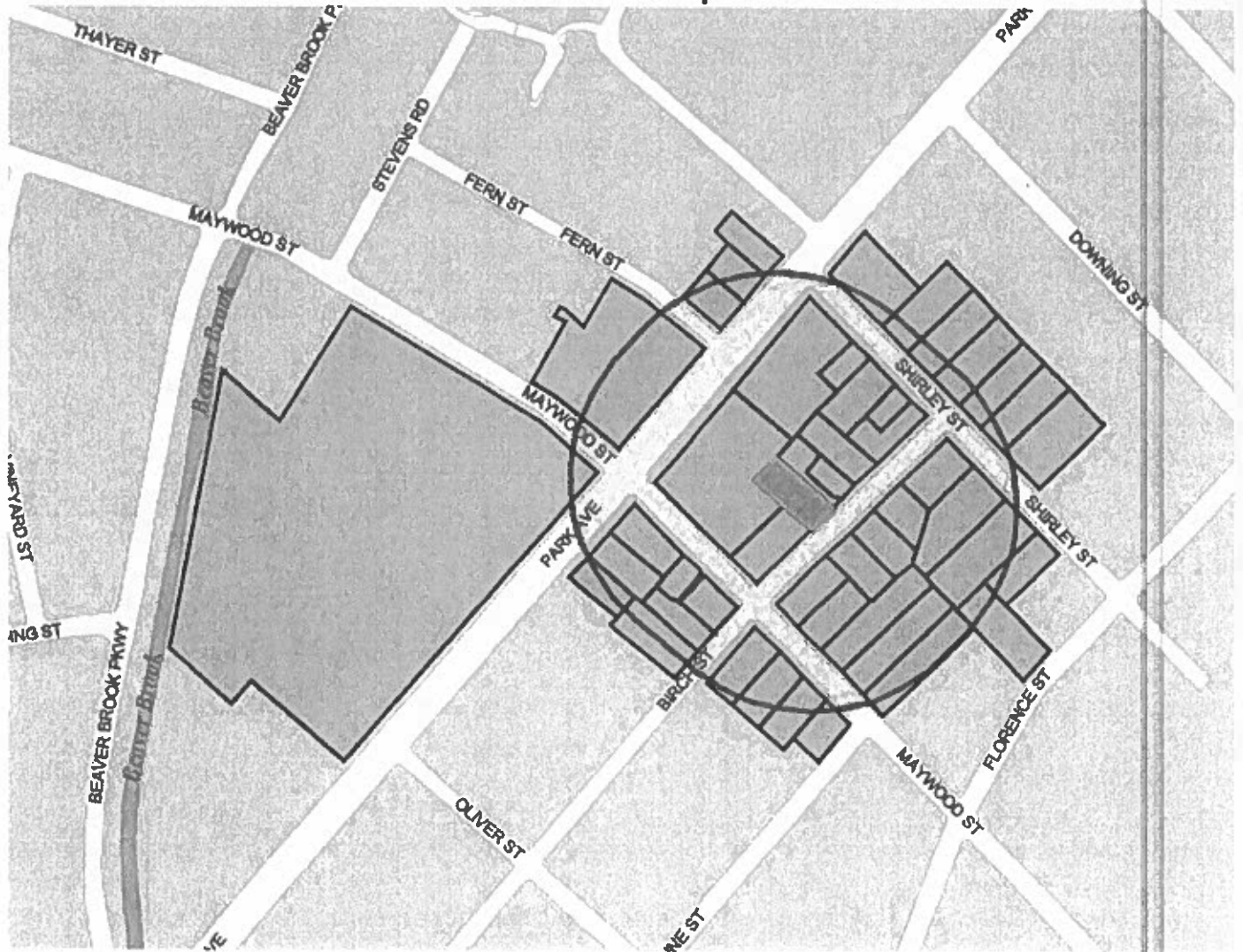
10/1/2024

Signature

Date



Abutters Map



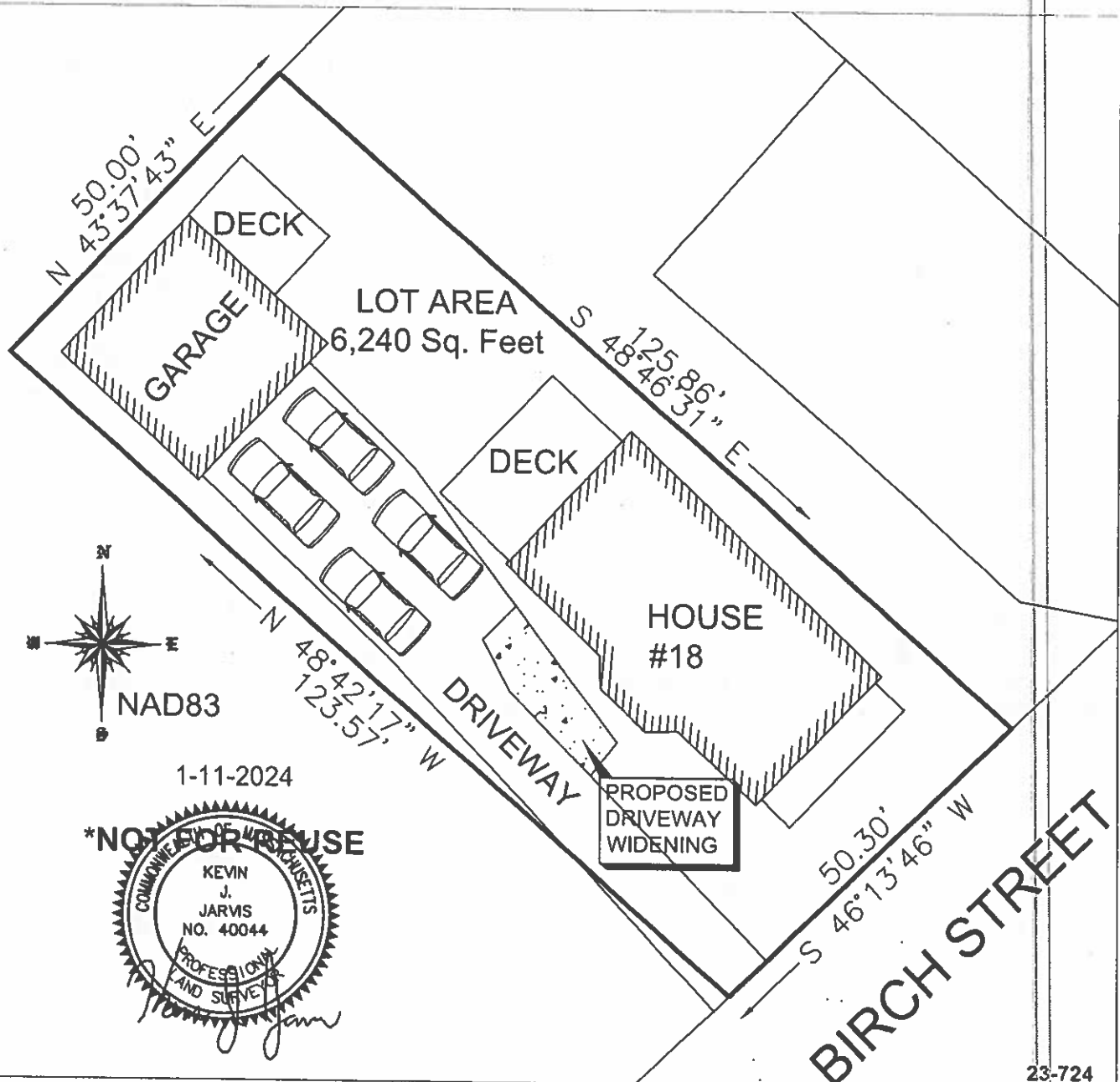
PLAN SHOWING EXISTING LOT
 PREPARED FOR
 JOHN LE
 18 BIRCH STREET
 WORCESTER, MASSACHUSETTS
 JANUARY 11, 2024
 SCALE: 1 INCH = 20 FEET

JARVIS LAND SURVEY, INC
 29 GRAFTON CIRCLE
 SHREWSBURY, MA 01545
 TEL. (508) 842-8087
 FAX. (508) 842-0661
 KEVIN@JARVISLANDSURVEY.COM

* THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR.

1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS SUCH A REPORT MIGHT DISCLOSE.
 2. THIS PLAN HAS NOT BEEN PREPARED FOR RECORDING PURPOSES.
 3. THE LICENSED MATERIAL CONTAINS VALUABLE PROPRIETARY INFORMATION BELONGING EXCLUSIVELY TO JARVIS LAND SURVEY, INC. THE LICENSED MATERIAL AND THE INFORMATION CONTAINED THEREON ARE COPYRIGHTED INSTRUMENTS OF PROFESSIONAL SERVICES AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PROJECT OTHER THAN THAT FOR WHICH THEY WERE CREATED, WITHOUT THE EXPRESS WRITTEN CONSENT OF JARVIS LAND SURVEY, INC. YOU AGREE NEVER TO REMOVE ANY NOTICES OF COPYRIGHT, NOR TO REPRODUCE OR MODIFY THE LICENSED MATERIAL.

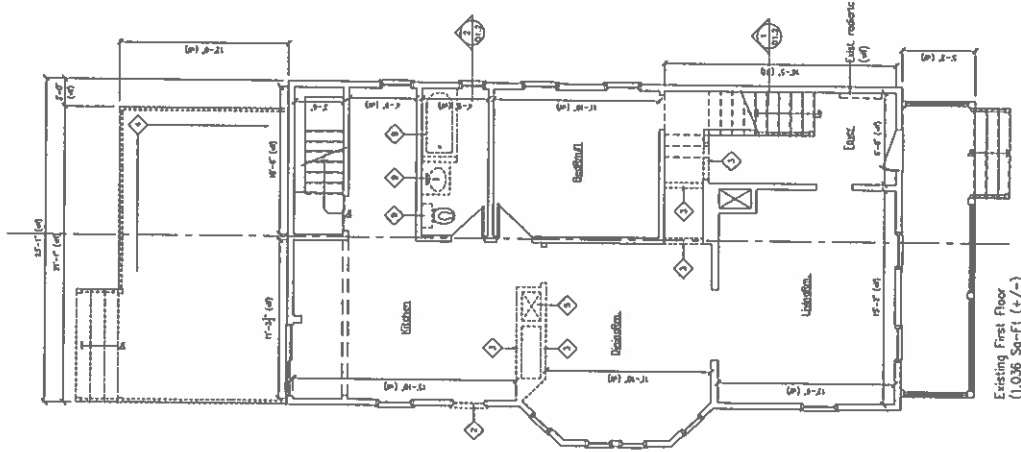
ASSESSORS MAP 8
 BLOCK 6 LOT 9



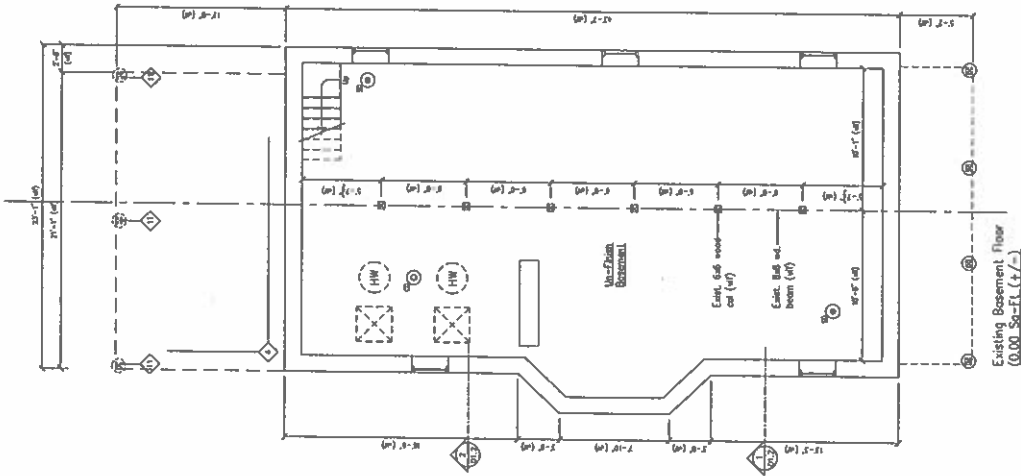
Revision	Date

AS NOTED	DATE

Sheet	of	Total



EXISTING/DEMOLITION
2
D-1 SCALE: 1/4" = 1'-0"



EXISTING/DEMOLITION
1
D-1 SCALE: 1/4" = 1'-0"

GENERAL DEMOLITION/REMOVAL NOTES (CONT.)

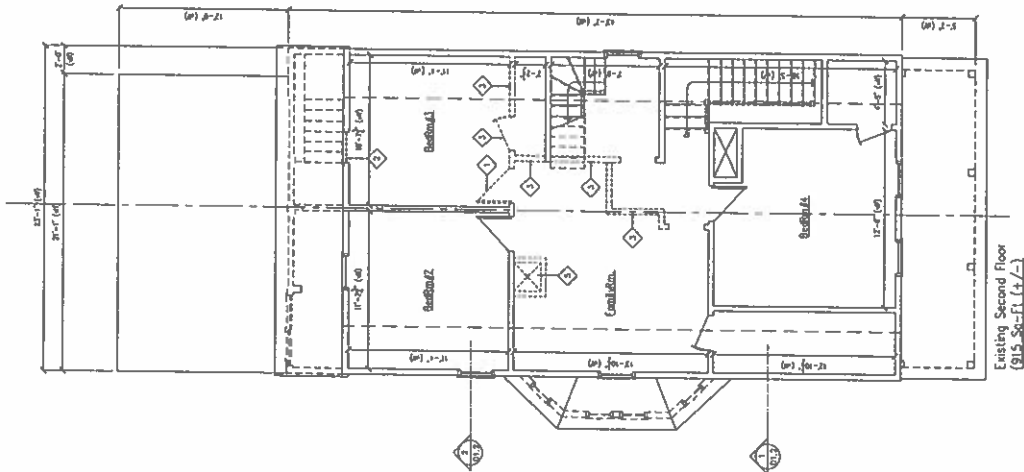
- 1- Contractor shall provide temporary shoring/bracing during demolition of walls, floors, and ceilings.
- 2- Contractor shall comply with MSDS/MSHA and local codes regarding removal and disposal of hazardous materials.
- 3- Contractor to patch and make work areas clean.

LEGEND:

- 1- Existing wall, partition and areas designated for removal and disposal.
- 2- Existing wall, partition to remain.
- 3- Remove and dispose: floor, brick, masonry and related materials.
- 4- Remove and dispose: ceiling, beam, trusswork and related materials.
- 5- Remove and dispose: partition, provide temporary support as needed.
- 6- Remove and dispose: wall, ceiling, support, support or related materials.
- 7- Remove and dispose: masonry, concrete, foundation, brick, and related materials.
- 8- Remove and dispose: masonry, brick, masonry, and related materials.
- 9- Remove and dispose: partition, provide temporary support as needed.
- 10- Remove and dispose: masonry, brick, masonry, and related materials.
- 11- Remove and dispose: masonry, brick, masonry, and related materials.
- 12- Remove and dispose: masonry, brick, masonry, and related materials.

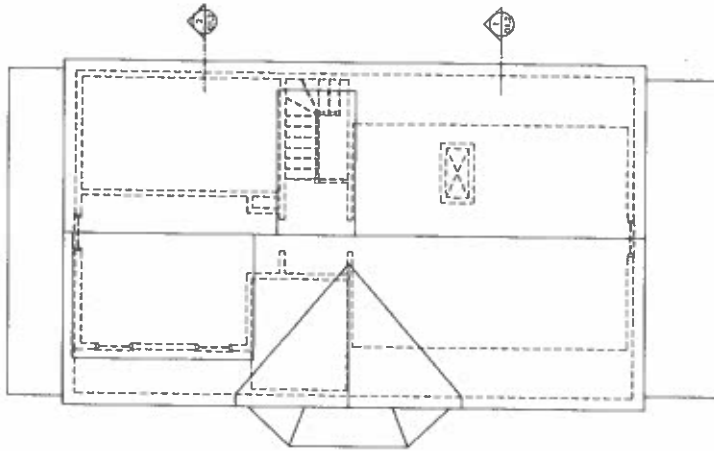
Revisions	Date

Name	AS NOTED
Sheet/Sheet By	ALB/ML
Date	01/22/11
Job No.	20



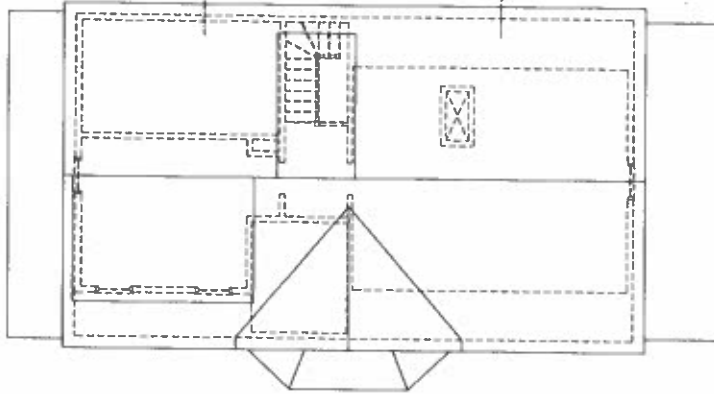
Existing Second Floor
(915 Sq-Ft.)

EXISTING/ DEMOLITION
1 Second Floor Plan
0-1/1 SCALE 1/4" = 1'-0"



Existing Attic Floor
(350 Sq-Ft.)

EXISTING/ DEMOLITION
2 Attic Floor Plan
0-1/1 SCALE 1/4" = 1'-0"



EXISTING/ DEMOLITION
3 Roof Plan
0-1/1 SCALE 1/4" = 1'-0"

GENERAL DEMOLITION / REMOVAL NOTES:

- A- Contractor shall provide temporary structural bracing
- B- Demolition shall comply with local, state and federal safety regulations and OSHA 1926.1053
- C- Contractor is to follow all local, state and federal safety regulations

LEGEND:

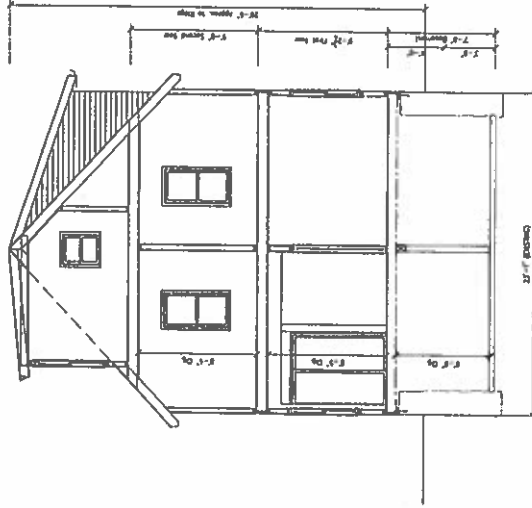
- Existing walls and doors to remain for removal and reuse
- Existing walls to remain
- Existing walls, doors, windows, and stairs to remain
- Existing walls, doors, windows, and stairs to be removed
- Existing walls, doors, windows, and stairs to be removed and replaced with new
- Existing walls, doors, windows, and stairs to be removed and replaced with new (spec. materials)
- Existing walls, doors, windows, and stairs to be removed and replaced with new (spec. materials) (spec. materials)
- Existing walls, doors, windows, and stairs to be removed and replaced with new (spec. materials) (spec. materials) (spec. materials)
- Existing walls, doors, windows, and stairs to be removed and replaced with new (spec. materials) (spec. materials) (spec. materials) (spec. materials)

Existing Demolition Building
Sections

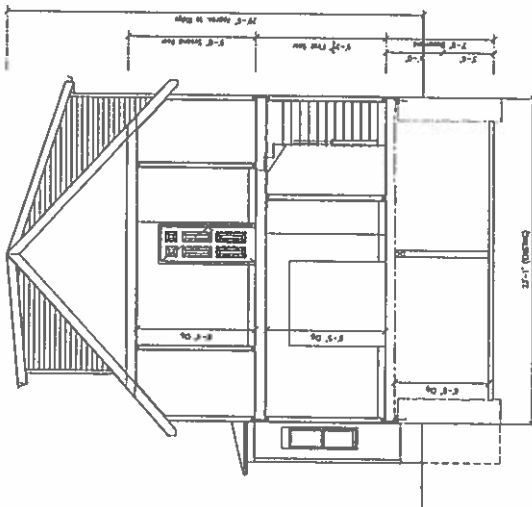
Revisions	Date

Scale	AS NOTED
Drawn / Check By	JAB/AM
Date	07/10/22
Job No.	00

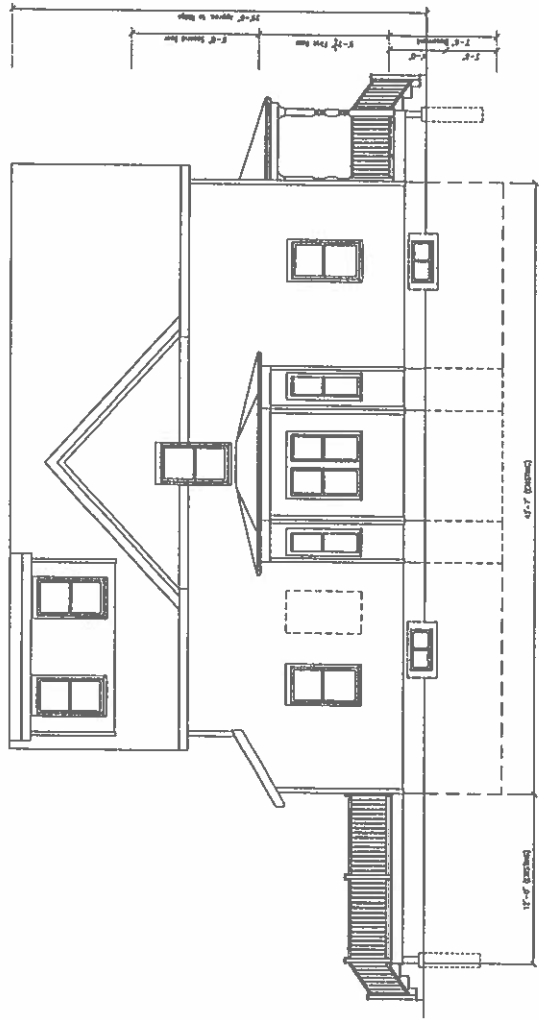
D-1:2



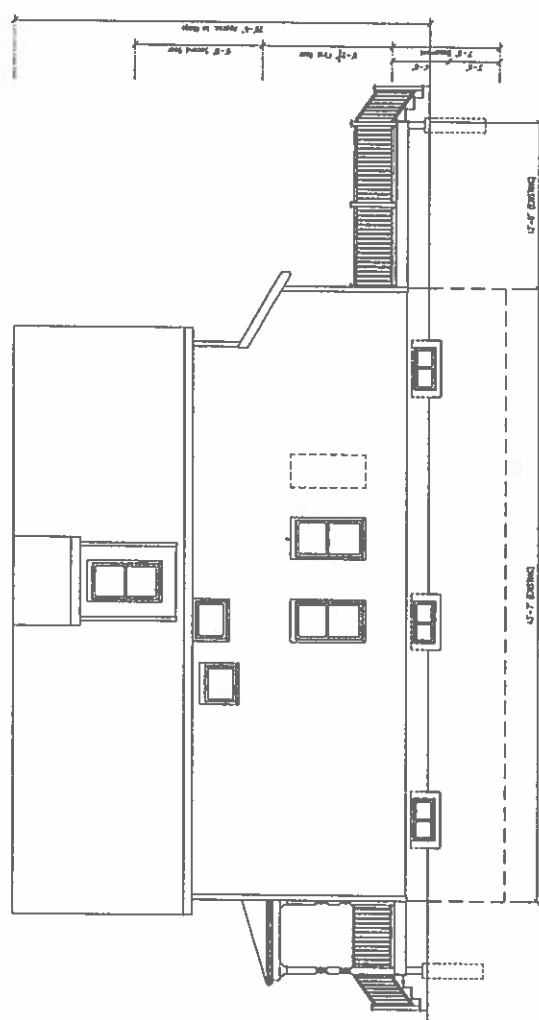
Living Room Building Cross Section
1
D-1 SCALE: 1/4" = 1'-0"



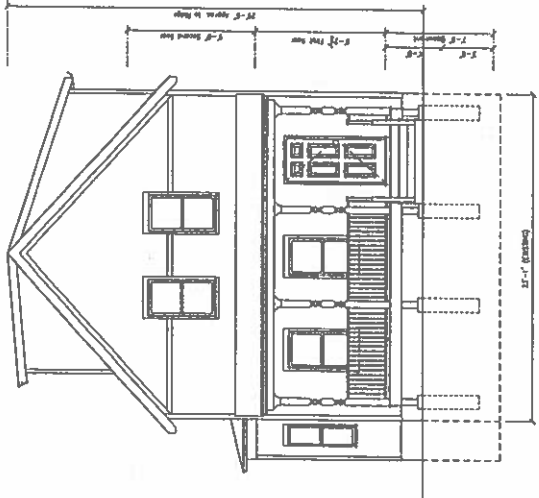
Kitchen Area Building Cross Section
2
D-1 SCALE: 1/4" = 1'-0"



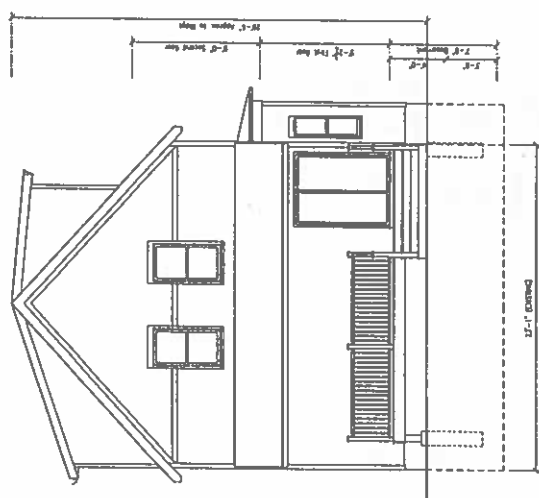
2 Exterior Elevation (LEFT)
A-2 SCALE 1/4" = 1'-0"



2 Exterior Elevation (LEFT)
A-2 SCALE 1/4" = 1'-0"



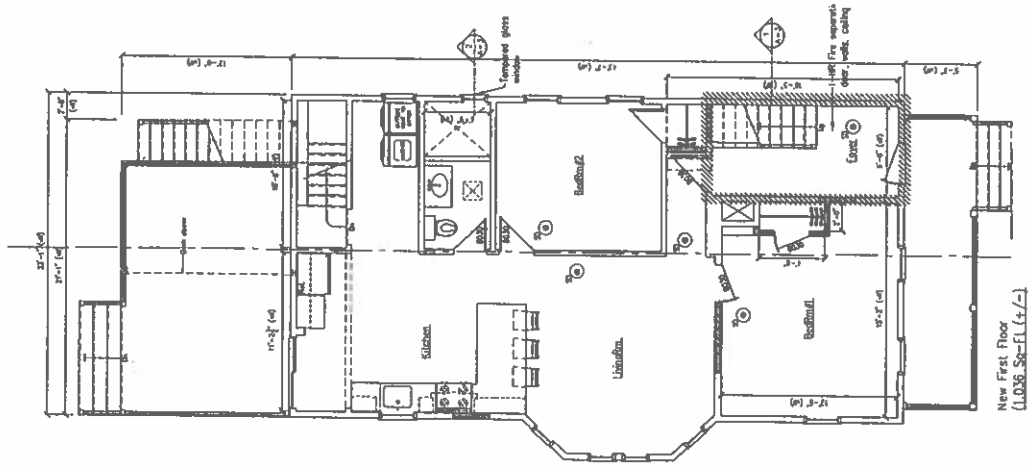
1 Exterior Elevation (FRONT)
A-2 SCALE 1/4" = 1'-0"



1 Exterior Elevation (FRONT)
A-2 SCALE 1/4" = 1'-0"

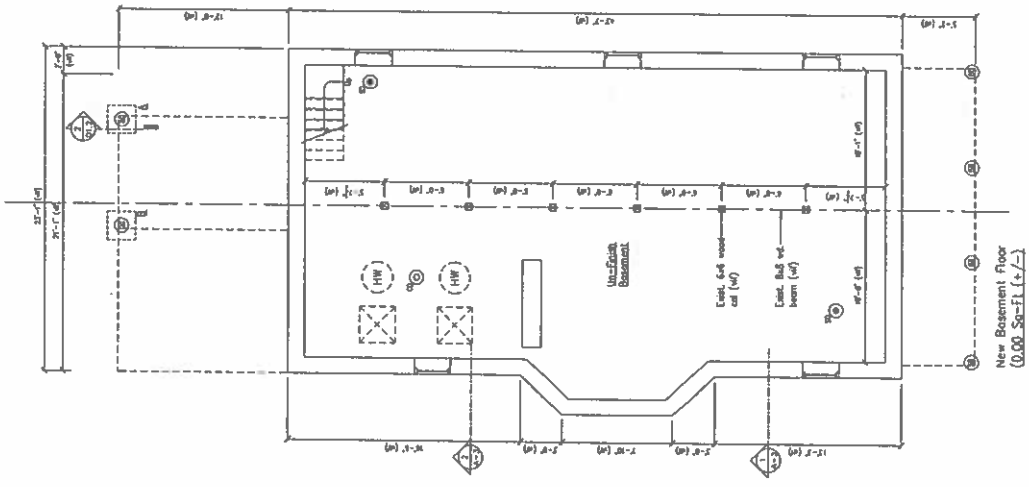
Revisions	Date

AS NOTED	
Drawn / Checked by	AJBM
Date	07/20/10
Job No.	101



New First Floor
(LOOR 50-FL (+/-))

2 First Floor Plan
SCALE: 1/4" = 1'-0"



New Basement Floor
(LOOR 50-BL (+/-))

1 Existing Plan to Remain
Basement Floor Plan
SCALE: 1/4" = 1'-0"

LEGEND / NOTES:

---	Existing
---	Proposed
---	Demolition
---	Structural
---	MEP
---	Other

Floor Plans, and
Door Schedule

Room No.	Room Name	Door No.

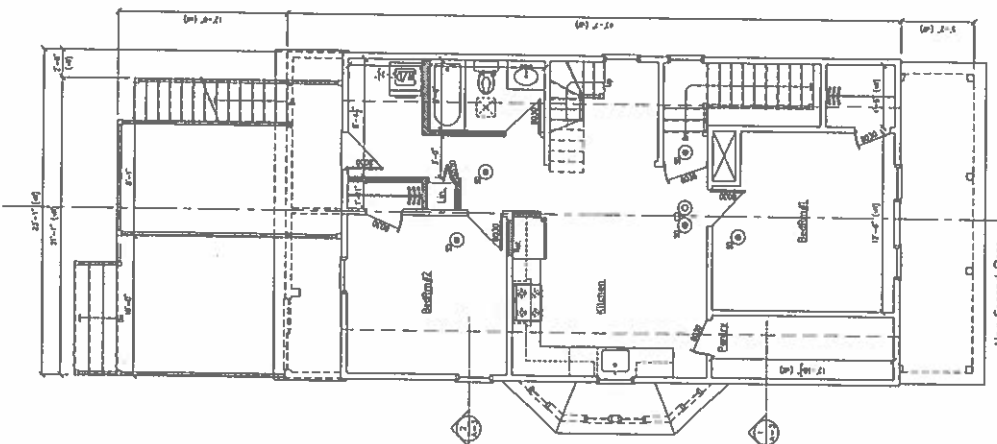
AS NOTED

Date	By

DATE

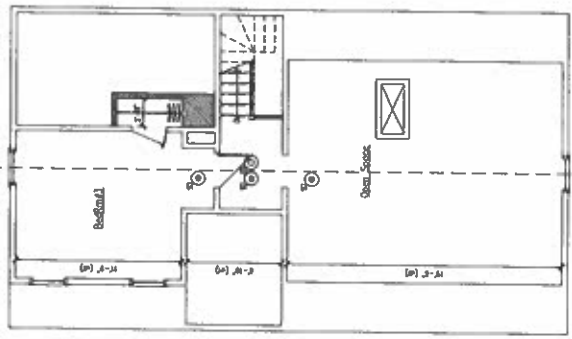
DATE	BY

A-1.1



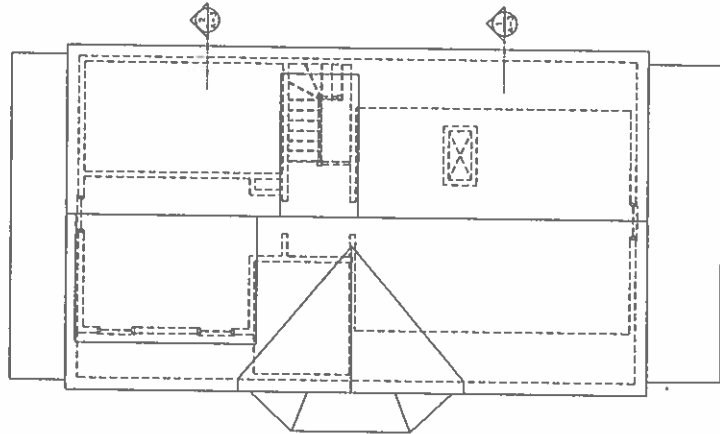
New Second Floor
(315 Sq-Ft (+/-))

1 Second Floor Plan
A-1.1 SCALE: 1/4" = 1'-0"



New Attic Floor
(190 Sq-Ft (+/-))

2 Attic Floor Plan
A-1.1 SCALE: 1/4" = 1'-0"



3 Roof Plan (TO REMAIN)
A-1.1 SCALE: 1/4" = 1'-0"

LEGEND / NOTES

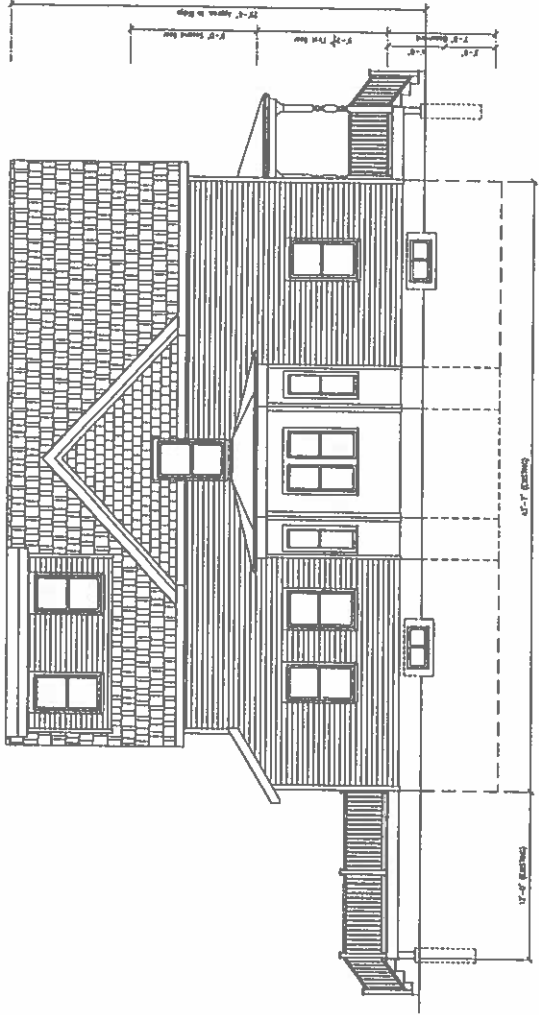
	Existing
	Removal
	New Construction
	Structural
	MEP

Existing Demolition Plans,
and Drawings, Notes

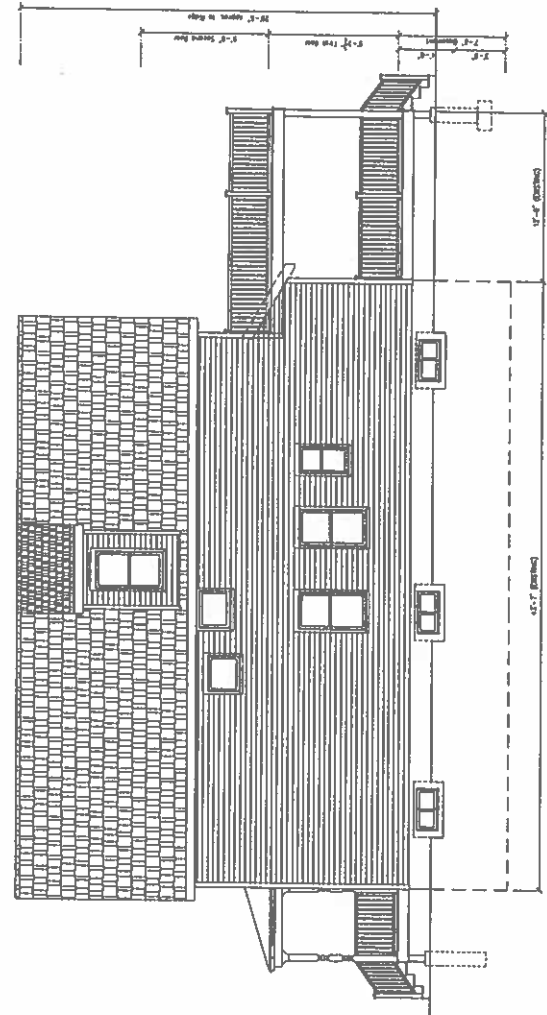
Revisions	Date

Issue	ALL NOTED
Drawn / Check by	ALBION
Date	07/10/12
Arch No.	102

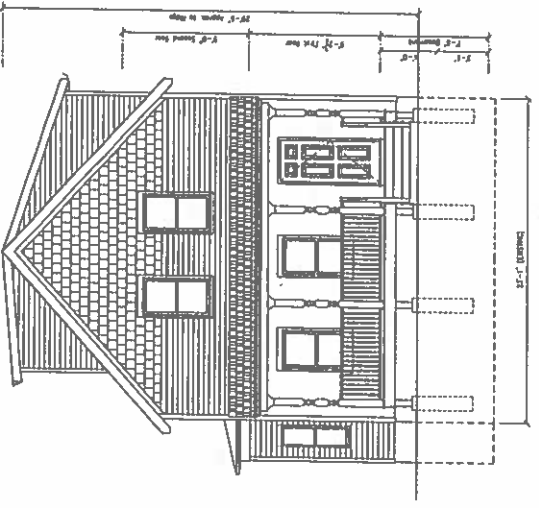
A-2



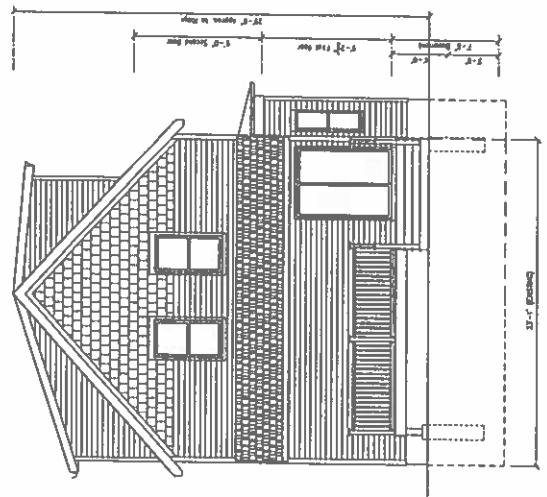
2 Exterior Elevation (LEFT)
A-2 SCALE: 1/4" = 1'-0"



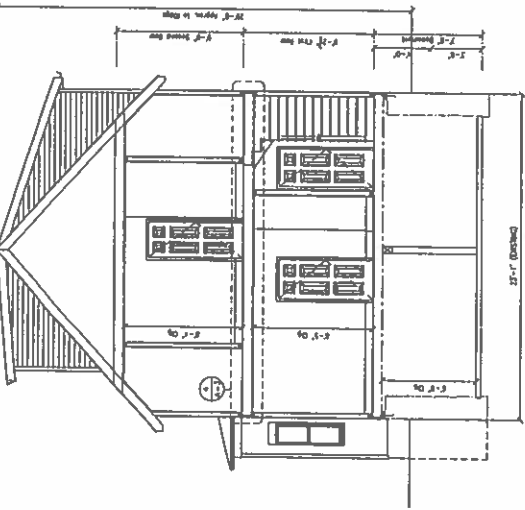
2 Exterior Elevation (LEFT)
A-2 SCALE: 1/4" = 1'-0"



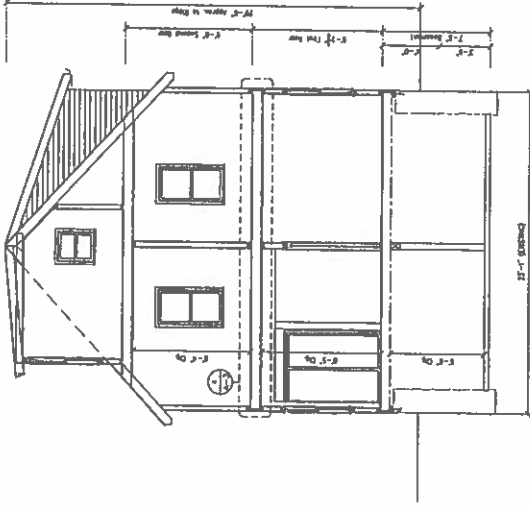
1 Exterior Elevation (FRONT)
A-2 SCALE: 1/4" = 1'-0"



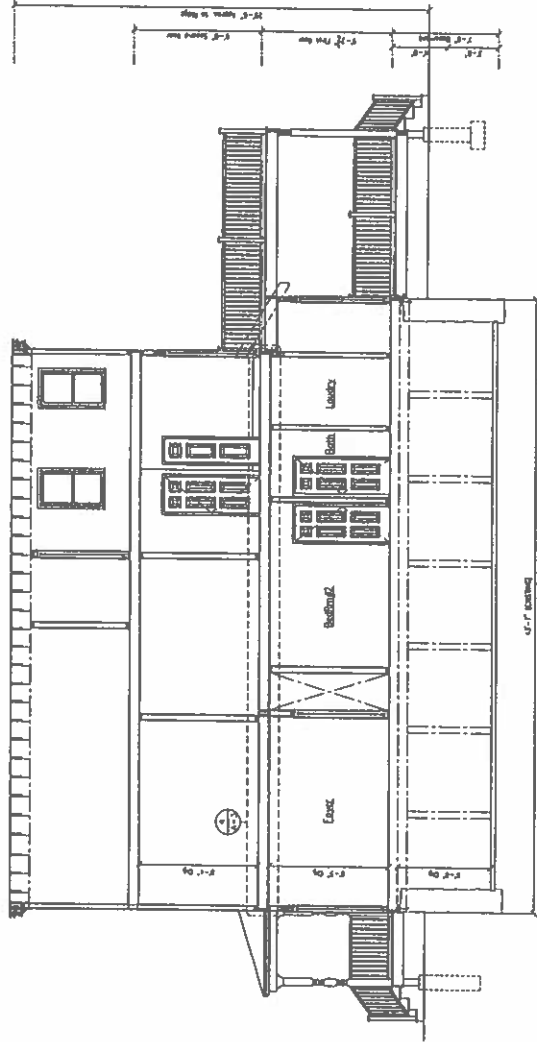
1 Exterior Elevation (FRONT)
A-2 SCALE: 1/4" = 1'-0"



1 Living Room Building Cross Section
A-1 SCALE: 1/4" = 1'-0"



2 Kitchen Area Building Cross Section
A-1 SCALE: 1/4" = 1'-0"



3 Building Longitudinal Section
A-1 SCALE: 1/4" = 1'-0"

Revision	Date

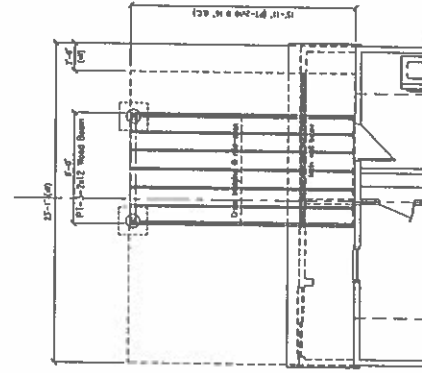
Scale	As NOTED

Partial Framing Plan, and
Details

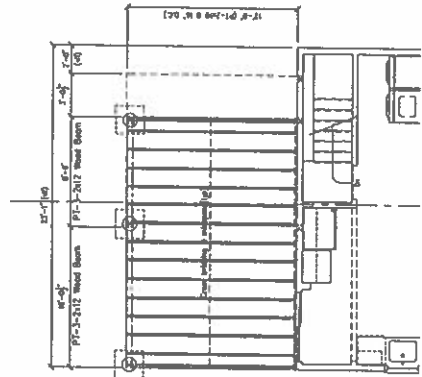
Revision	Date

Scale	AS NOTED
Drawn (Date)	AJMM ()
Date	07/10/07
Job No.	207

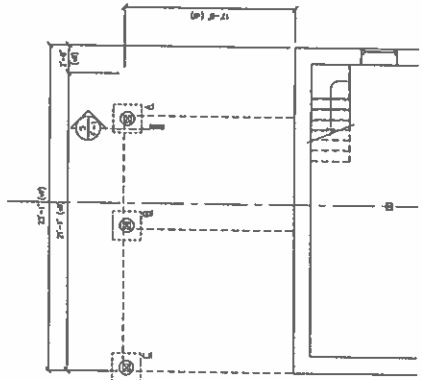
F-1



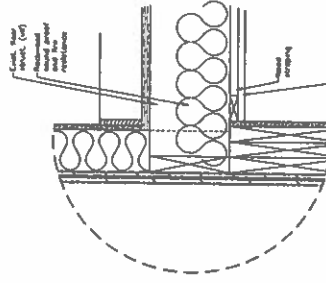
3 Partial Second Deck Framing Plan
F-3 SCALE: 1/4" = 1'-0"



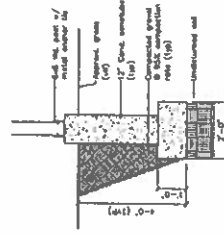
2 Partial First Deck Framing Plan
F-2 SCALE: 1/4" = 1'-0"



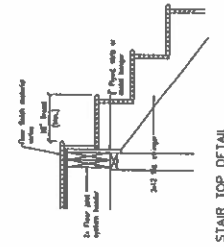
1 Partial Footing Plan
F-1 SCALE: 1/4" = 1'-0"



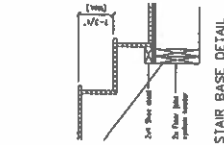
4 Fire Separation Detail
A-3 SCALE: 1/2" = 1'-0"



A, B, & C
5 Sonotube Footing Detail
F-1 SCALE: 1/2" = 1'-0"



STAIR TOP DETAIL



STAIR BASE DETAIL