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

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Front Yard Setback</th>
<th>Rear Yard Setback</th>
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<tbody>
<tr>
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<tr>
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<table>
<thead>
<tr>
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<th>Exterior Side Yard Setback</th>
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<td>Setback required:</td>
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<tr>
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<tr>
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</tr>
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<td>Zoning Ordinance Article &amp; Section:</td>
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<tbody>
<tr>
<td>Height provided:</td>
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<td>Setback permitted:</td>
<td>Setback provided:</td>
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<tr>
<td>Relief requested:</td>
<td></td>
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</tbody>
</table>

Indicate if Variances are being requested for more than one structure or more than one lot. Only complete the sections which pertain to the Variances (s) you are applying for.
TYPE OF SPECIAL PERMIT (check the Special Permit you are requesting and describe what you are requesting)

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-Accessory Sign (Article IV, Section 6)

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

6. ☐ Placement of Fill/Earth Excavation (Article IV, Section 5)

7. ☐ Modification of Parking/Loading Requirements (Article IV, Section 7)

8. ☐ Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7)

9. ☐ Other Special Permit (Describe Special Permit sought):

---

1. Assessor’s ADDRESS OF SUBJECT PROPERTY: 18 & 23 Hammond Street
   (List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor’s address):

2. Is this property known by any other address: No

3. OWNER OF RECORD: Hammond Business Center, LLC
   (The owner of record is the person or entity who owns title to the property as of today’s date)

4. Address(es) of owner of record is/are 3 Avery Street #805, Boston, MA 02111

5. Worcester District Registry of Deeds (WDRD) Book(s) 54194, Page(s) 188
   (List Book and Page number of deed filed for the subject property as recorded at the WDRD)

6. City of Worcester Assessor’s Office Map 06 Block 034 Lot 00021
   (List MBL number for the subject property as listed at Assessor’s Office)

7. NAME OF APPLICANT(S): Excellent Investments Corp.

8. Address of Applicant: 133 Millbury Street, Worcester, MA 01610

9. Telephone: (774)242-6374

10. Email: tndernulc@gmail.com

11. Check if you are an: owner (s) ☐ lessee (s) ☐ optionee (s) ☐ (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)

12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts): RG-5
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 at 18 Hammond Street is currently vacant. The property was previously used as a 69 bed housing home that closed a number of years ago. The property at 23 Hammond Street is a parking lot previously used in connection with the housing home use.

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

Renovate and convert the nursing home building with 17,550 sq. ft. of living area into 18 two bedroom apartments.

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 XVI Section 4 and Article II Section 6A3

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):

Unknown

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:

Unknown

18. List any additional information relevant to the Variance (s) and Special Permit (s):

Applicant seeks relief required to re-purpose the existing nursing home structure in a economically viable manner. Total available lot area for the use, if one combines the two lots, is 23,680 sq. ft. which exceeds the area requirement under the Zoning Ordinance for an 18 unit apartment building on one lot. Existing parking lot located across the street from the building is of sufficient size for one parking space per apartment with additional leased parking available on abutting parcel for 18 additional parking spaces if deemed necessary by the Zoning Board of Appeals to provide two parking spaces per dwelling unit.
VARIANCE FINDINGS OF FACT

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

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 existing structure on the property at 18 Hammond Street, which last housed a 69 bed nursing home, and contains 17,550 sq. ft. of living area represents a financial hardship for anyone seeking to utilize the site. The by right option of converting the property to 9 apartment units is not economically feasible given the cost of renovation and the end product produced and fails to take into account parking availability if needed on nearby site.

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 structure on the property was built in 1965 for a specific use which is no longer viable. This hardship does not generally affect other properties in the RG-5 Zoning District utilized for residential housing.

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 relief requested allows for the adaptive reuse of the property without derogating from the intent or purpose of the Zoning Ordinance to provide adequate housing for residents.

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 relief is the minimum required for 18 two bedroom apartment units to re-purpose the existing building for residential housing.
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 proposed apartment use of the premises is consistent with the use of surrounding properties and will provide additional housing for City residents.

2. Traffic flow and safety, including access, parking and loading areas:
   The existing parking lot on 23 Hammond Street is across the street from the building at 18 Hammond Street and will provide sufficient parking in combination with other parking available in the neighborhood to provide adequate parking for the anticipated needs of apartment residents.

3. Adequacy of utilities and other public services:
   Existing utilities and other public services are adequate in all respects for the proposed use.

4. Neighborhood character and social structure:
   The redevelopment of the existing structure, which has remained vacant for a number of years, will benefit surrounding properties and enhance the existing neighborhood character and social structure by putting a vacant building to active productive use.

5. Impacts on the natural environment:
   This proposal entails the reuse of an existing structure. No adverse impacts on the natural environment are anticipated.

6. Potential fiscal impact, including city services needed, tax base, and employment:
   Proposed reuse would provide additional housing for residents, expand the tax base and provide construction employment opportunities with limited demands on City services.
WHEREFORE, the applicant(s) requests that this Board grant the special permit(s) as requested above.

By: Excellent Investments Corp

(Signature of Applicant or Applicant's Agent)
If more than one applicant, all applicants must fill out information.
Excellent Investments Corp.
133 Millbury St Worcester MA
(Address)
(774)242-6374
(Contact Phone Number)
TANDNULC@gmail.com
(Email)
May 10, 2022
(Date)

By: Hammond Business

(Signature of Property Owner or Owner's Agent)
If more than one property owner, all owners must fill out information.
Hammond Business Center, LLC
(Name of Property Owner)
3 Avery Street #805, Boston MA 01610
(Address)

(Contact Phone Number)

(Email)
May 10, 2022
(Date)

SUPPLEMENTARY QUESTIONS FOR SPECIAL PERMITS ONLY

Complete the requested information for the Special Permit requested. Attach additional documentation as necessary. Only complete the sections which pertain to the Special Permit(s) you are applying for.

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure**

(Article XVI, Section 4)

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities)

Lot area and off street parking.

2. Indicate how long the nonconforming aspects of the structure have been in existence:

The building at 18 Hammond Street was constructed as a nursing home according to City record in 1985.

3. At the time of construction, did the structure meet applicable zoning requirements? (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)

Unknown but believed to have been constructed according with the then current Zoning Ordinance.

4. Describe the proposed extension, alteration or change and the total square footage of any physical expansion:

Repurpose use and design of existing structure with no need for physical expansion.
5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:

The redevelopment of the site will require variance relief as requested to bring the property into compliance with current area and off street parking 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.

Existing parking area is adequate for 18 spaces with additional leased spaces available on abutting land if required.

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

The existing structure is no longer viable for its intended use. Applicant's proposal will return property to active use and eliminate the detrimental effect presented by a large vacant commercial building.

---

**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.

7. Explain how the use as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing use:
Residential Use allowed only by Special Permit in a particular zoning district
(Article IV, Section 2, Table 4.1)

1. Describe the proposed residential use:

2. Total number of dwelling units proposed, number of bedrooms per unit, and square footage of units:

3. Number and dimensions of off-street parking spaces to be provided and location (garage, driveway). Off-street parking spaces must be located outside of the front yard and exterior side yard setbacks.

Non-Residential Use allowed only by Special Permit
(Article IV, Section 2, Table 4.1)

1. Describe the proposed use (include description of business, proposed hours of operation, and number of employees)

Applicant seeks to utilize existing parking lot located at 23 Hammond Street used in conjunction with previous nursing home facility use of property located at 18 Hammond Street to provide residential parking for proposed apartment units on a separate lot.

2. Total square footage of proposed use:
Lot area is 10,362 square feet. Parking lot area approximately 6,000 sq. ft.

3. Number of off-street parking spaces to be provided. Indicate location of those parking spaces: garage, parking lot, parking spaces on a different lot provided through the same ownership and/or leased spaces (a 5-year minimum lease with renewal options must be provided) within 1,000 feet of the use it will serve.

18 off street parking spaces to be provided on existing parking lot to be held in common ownership with apartment building lot.

4. For a proposed animal hospital, animal clinic, pet shop or animal shelter, per Article IV, Section 2, Notes to Table 4.1, Note 4, indicate the location of any animal runs if a residential zoning district is within 200 feet of the subject property.

5. For a proposed Bed and Breakfast use, provide additional documentation per Article IV, Section 11.

8. For a proposed Adult Entertainment use, provide additional documentation per Article IV, Section 10.

9. For a proposed Limited Residential Hospice House, provide additional documentation per Article IV, Section 2, Notes to Table 4.1, Note 10.
CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION

*Note: This form must be completed and signed by both the applicant(s) and owner(s) 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.)

(1) If a Proprietorship or Single Owner of residential property:

Name of Owner

Business Address

Home Address

Business Phone __________________ Home Phone __________________

Signature of owner (certifying payment of all municipal charges):

date:

(2) If a Partnership or Multiple Owners of residential property:

Full names and address of all partners

Printed Names

Addresses

Business Address

Business Phone

Signature of all owners of property (certifying payment of all municipal charges - attach multiple pages if necessary)

date:

date:

date:

date:
(3) If a Corporation:

Full Legal Name Hammond Business Center, LLC
State of Incorporation Massachusetts
Principal Places of Business 3 Avery Street #805 Boston, MA
Place of Business in Massachusetts Boston
Printed Names of Officers of Corporation: ____________________________________________________________________________

Title ____________________________________________________________________________

Owners of Corporation: Printed Names

Address % of stock

SEVERE SOPOLOVSKY
18 Hammond St Worcester, MA 100%

Signature of all owners of property (certifying payment of all municipal charges - attach multiple pages if necessary)

Date:

Date:

Date:

Date:

(4) If a Trust:

Name of Trust ____________________________________________________________________________

Business Address ____________________________________________________________________________

Printed Names of Trustees: ____________________________________________________________________________

Address ____________________________________________________________________________

Printed Names of Beneficiaries:

Address ____________________________________________________________________________

Signature of trustees of property (certifying payment of all municipal charges - attach multiple pages if necessary)

Date:

Date:

Date:

Date:

(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):

Printed Name of Applicant: Excellent Investment Corp.

Signature of Applicant: Excellent Investment Corp. Date: May 10, 2022
## 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:** 77

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<th>Parcel Address:</th>
<th>06-034-00021 18 HAMMOND ST</th>
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<td>06-031-0015A 23 HAMMOND ST</td>
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<tr>
<td>Owner:</td>
<td>HAMMOND BUSINES CENTER LLC</td>
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<td>3 AVERY ST #805</td>
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<td></td>
<td>BOSTON, MA 02111</td>
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<td>Petitioner (if other than owner):</td>
<td>DONALD J. O'NEIL</td>
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<td>688 PLEASANT ST</td>
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<td>0056 ALBERT RD</td>
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<td>AMERCO REAL ESTATE COMPANY</td>
<td>2727 NORTH CENTRAL AVE</td>
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<td>BUI HANH K</td>
<td>11 SEATTLE ST</td>
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<td>0016 TULIP CIR</td>
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<td>0033 WINFIELD ST SUITE 1</td>
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<tr>
<td>06-33A-00168</td>
<td>JOHNSON MORRIE B +</td>
<td>0168 BEACON ST</td>
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<tr>
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<td>LE PHONG</td>
<td>11 ALLEN STREET</td>
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<td>BUENO ELIAS + NERYS</td>
<td>0001 MOUNT PLEASANT ST</td>
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<tr>
<td>06-031-00022</td>
<td>MATTHEW 25 INC</td>
<td>0052 QUEEN ST</td>
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Worcester MA 01610
AUBURNDALE MA 02651
PHOENIX AZ 85004
WORCESTER MA 01610
WORCESTER MA 01605
SOUTH GRAFTON MA 01562
BOSTON MA 02111
WORCESTER MA 01610
WORCESTER MA 01608
WORCESTER MA 01610
WORCESTER MA 01608
WORCESTER MA 01607
CHARLTON MA 01507
WORCESTER MA 01604
WORCESTER MA 01610
WORCESTER MA 01610
STERLING MA 01564
WORCESTER MA 01609
WORCESTER MA 01608
This is to certify that the above is a list of abutters to Assessor’s Map-Block-Lots 06-034-00021 & other as cited above.

Certified by: ___________________________ 05/11/2022

Signature  Date
Abutters Map