



City of New Bedford

PLANNING BOARD

133 William Street

New Bedford, Massachusetts 02740

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JONATHAN F. MITCHELL

MAYOR

Registry of Deeds Use Only:

Doc 00012399

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BK 12091 PG 305

Bristol South
Registry District

RECORDED ON

PLANNING BOARD – CITY OF NEW BEDFORD, MA Jun 02, 2017 at 10:34A

CERTIFICATE OF RESCISSION OF APPROVAL OF DEFINITIVE SUBDIVISION PLAN

June 2, 2017

Mr. Dennis Farias, City Clerk
City of New Bedford
133 William Street
New Bedford, MA 02740

On the motion by the New Bedford Planning Board made on May 10, 2017, and in accordance with Massachusetts General Laws, Chapter 41, Section 81-W, it is hereby certified by the Planning Board of the City of New Bedford, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on May 10, 2017, it was voted to rescind the approval of the definitive subdivision plan of land entitled Northside Farm, owned by New Bedford Cousins, LLC, of 14 Howard Street, Rockland, MA 02370, dated 10/30/2006 as revised thru 12/19/2006, prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA 02061, recorded at the Bristol County (S.D) Registry of Deeds at Plan Book 160, Page 25, with a deed of such property recorded at Book 7734, Page 340, to include the ANR Plan of Land entitled Phillips Road in New Bedford, MA, owned by New Bedford Cousins, LLC, of 14 Howard Street, Rockland, MA 02370, dated 12/11/06, prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA 02061, recorded at the Bristol County (S.D) Registry of Deeds at Plan Book 160, Page 30 with deed of such property recorded at Book 8526, Page 124, and Covenant recorded at the Bristol County (S.D) Registry of Deeds at Book 8494, Page 264. This plan of land showed a subdivision of 39 lots and Parcels A, B and C as non-buildable lots located between Phillips Road, Acushnet Avenue, and Victoria Street.

Furthermore, the rescission extends to the Northside Farm Modification Lot Layout, owned by New Bedford Cousins, LLC, of 14 Howard Street, Rockland, MA 02370, dated 07/25/2008 as revised thru 08/10/2009, prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175,

Norwell, MA 02061, recorded at the Bristol County (S.D) Registry of Deeds at Plan Book 164, Page 75 and Covenant at Book 9473, Page 269. This plan of land showed a subdivision of 36 lots and Parcels B, C and D as non-buildable lots located between Phillips Road, Acushnet Avenue, and Victoria Street.

The vote to rescind the approval of this plan was based upon the following reasons:

The City Solicitor's Office determined that the Northside Farm definitive subdivision plan had expired [Final completion of the construction of ways and installation of municipal served were to have been completed on or before December 20, 2011] and that as such, no modification can be reviewed or acted upon.

A letter from Atty. Eugene V. Blanchard, representing the applicant, dated May 8, 2017 requesting the withdrawal of the application for modification of the Northside Farm definitive subdivision plan had been received by the Planning Board.

Pursuant to Massachusetts General Laws, Chapter 41, Section 81-W, this Rescission shall take effect when duly recorded by the Planning Board at the Bristol County (S.D) Registry of Deeds the plan originally approved, or a copy thereof, and a certified copy of this vote making such Rescission, and any plan or other document referred to in this vote.

The Rescission of the approval of this plan does/does not affect Lot 1A in the Northside Farm Modification Lot Layout that has been sold in good faith and for a valuable consideration by New Bedford Cousins LLC to Southern Mass Credit Union of 123 Alden Road in Fairhaven, MA 02370 as recorded at the Bristol County (S.D) Registry of Deeds at Book 9473, Page 275.

NOTE TO CLERK: The Planning Board should be notified immediately of any appeal to the Superior or Land Court on this subdivision Rescission of the approval made within the statutory 20-day appeal period.

If no appeal is filed with your office, the Planning Board should be notified at the end of the 20-day appeal period in order that the originally approved plan(s) may receive an appropriate endorsement and be recorded along with a registered copy of the certified vote Rescinding the approval.

6/2/17
Date

Colleen Dawicki
Colleen Dawicki, Chair
City of New Bedford Planning Board

COMMONWEALTH OF MASSACHUSETTS

Bristol County, SS

June 2, 2017

Then personally appeared before me the above named Colleen Dawicki, stated as Chair for the Planning Board, she is authorized to sign this document for said Planning Board and acknowledged the foregoing instrument to the Planning Board's free act and deed.



Signature of Notary Public

My commission expires: 6/8/2023

