



City of New Bedford
Department of Planning, Housing & Community Development
608 Pleasant St, New Bedford, Massachusetts 02740
Telephone: (508) 979.1500 Facsimile: (508) 979.1575

PATRICK J. SULLIVAN
DIRECTOR

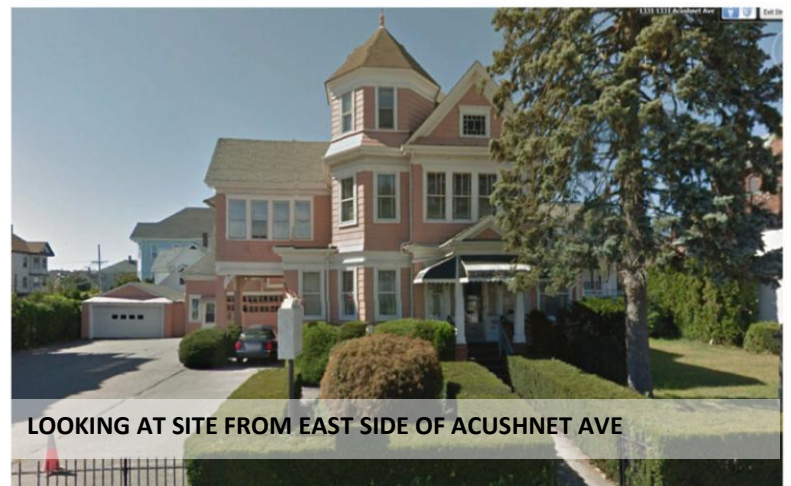
STAFF REPORT

PLANNING BOARD MEETING
December 14, 2016

**Case #41-16: SPECIAL PERMIT FOR
PARKING REDUCTION**
1325 Acushnet Avenue
(Map 92, Lot 64)

Applicant: Watson Funeral Services, LLC
10 Rosseter Street
Boston, MA 02121.

Owners: Donald N. Dumont and
David R. Dumont
1325 Acushnet Avenue
New Bedford, MA 02746



Overview of Request

Request to consider an application under Chapter 9 Comprehensive Zoning for Special Permit for Parking Reduction located at 1325 Acushnet Avenue (Map 92, Lot 64) on a 0.255+/- acre site in the Mixed Use Business (MUB) zoning district.

The applicant intends to purchase the site formerly known as the Chausse-Dumont Funeral Home and reintroduce the use of a funeral home, as defined by ordinance. A Certificate of Organization describing the basic organization information has been received from the Commonwealth of Massachusetts for Watson Funeral Services, LLC (Attachment 2).

Under §2450 Abandonment or Non-Use. *A nonconforming use or structure which has been abandoned, or not used for a period of two (2) years, shall lose its protected status and be subject to all of the provisions of this Zoning Ordinance.* A funeral home is permitted in the MUB under Special Permit for Building Use granted by the Zoning Board of Appeals. The applicant anticipates submitting a petition for building use to the ZBA after meeting with the Planning Board.

The applicant seeks a parking reduction from thirty (30) to twelve (12) spaces.

The following waiver requests under ordinance have been submitted for consideration and approval by the Planning Board (Attachment 6):

§5451.a. Locus Plan

§5451.b. Topography and Drainage Plan

§5451.c. Utility Plan

§5451.d. Architectural Plan

§5451.e. Landscaping Plan

§5451.f. Lighting Plan

§5452. Project Time & Cost Estimate Statement

§5454. Drainage Calculations

Existing Conditions

The 5565+/- SF Victorian-style edifice with carriage house, built about 1896 and having a wood shingle exterior, commands its presence on west side of Acushnet Avenue, south of St. Anthony of Padua Church and is identified by the Massachusetts State Register of Historic Places as a contributing resource. The site is recognized as being within the Acushnet Avenue International Marketplace District. Since 2008, the city has designated the International Market Place as a destination area for local small-business owners and area residents to express the cultural heritage of New Bedford and revitalize a safe, gateway commercial locus. The Acushnet Avenue International Marketplace is also one of the three zoning districts for which a draft Form Based Code zoning ordinance amendment is being prepared.

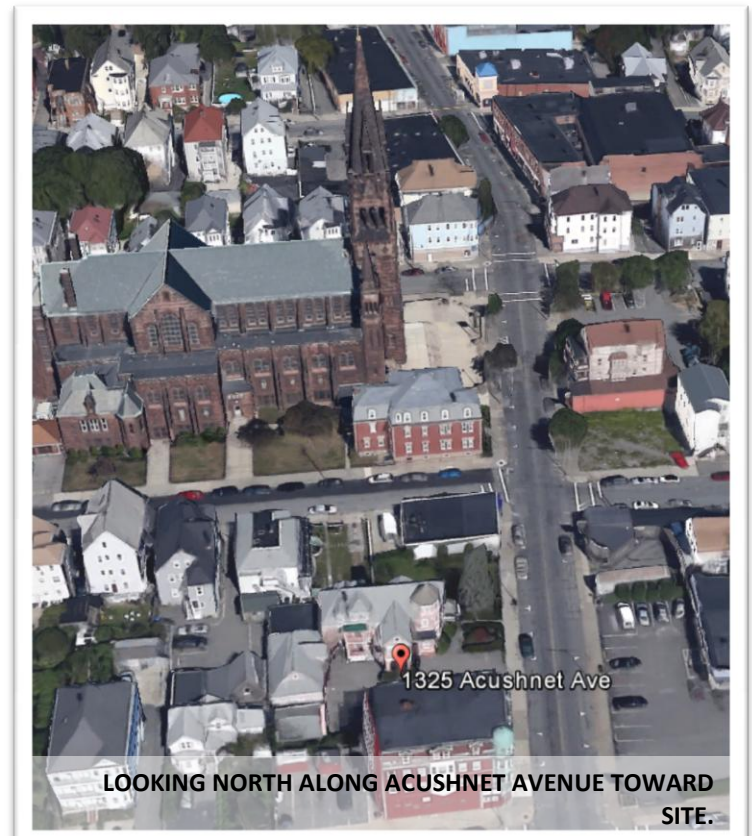
The former funeral home has a bituminous asphalt surface parking area that provides minimal on-site parking. The surface is not striped to delineate parking spaces.

Public transportation is available with a SRTA bus stop located at Acushnet Avenue and Tallman Street. Metered on-street parking is available.

Proposal Conditions

No exterior structural changes are proposed.

The site plan for special permit shows delineated parking spaces meeting dimensional code regulations of a rectangle by at least nine (9) feet by twenty (20) feet. The applicant seeks a parking reduction from thirty (30) to twelve (12) spaces. The site plan illustrates five (5) spaces perpendicular to the adjacent property line building along the south side of the parking area, one (1) space perpendicular to Acushnet Avenue along the east and frontage of the parking area, one (1) space under the porte-cochere at the side



entrance of the main building, and four (4) spaces inside parking garages. One (1) handicap van accessible parking area diagonal to the neighboring south building complies with 521 CMR 23.00: Architectural Access Board standards.

Under **§3151** the area of required off-street loading space may not to be included (as off-street parking space) in the computation of required off-street parking space. The Board may wish to note the parking under the porte-cochere and garage as not meeting the stipulations of the ordinance in this regard and ask that the applicant reconsider the number of spaces being presented for the special permit to be granted.

The applicant's agent states in the application narrative and that the funeral home will be open weekdays from 9:00 a.m. to 5:00 p.m. and will hold one funeral/wake service per week. Up to 150 customers will pay their respect s on that one day. Three (3) employees will staff the funeral home and it is anticipated there will be a weekly casket delivery and a monthly delivery of embalming chemicals.

Site Plan

Plans submitted for consideration:

The plan submittal is shown Special Permit Plan for 1325 Acushnet Avenue (Assessors Map 92, Lot 64), New Bedford, MA dated October 30, 2016, prepared for Victor Watson of 10 Rosseter Street, Boston, MA 02121, by Farland Corp., 401 County Street, New Bedford, MA 02740, consisting of one (1) sheet.

Appendix C-Table of Parking & Loading Regulations

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Places of assembly, including theaters, veterans, fraternal, social and recreational clubs and organizations not operated for a profit; facilities primarily for the education and instruction of persons sixteen (16) yrs. of age and older; taxi, bus & railroad passenger terminals; auditoriums, theaters, bowling alleys and dance halls; sports facilities; places of worship; funeral homes.	One (1) space per five (5) seats for which the building is designed or one (1) spaces for each 200 sq. ft. of gross floor area whichever results in the greatest number.	One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for buildings containing 100,000 sq. ft. or more of gross floor area.

Special Permit for Parking Reduction

The site plan illustrates twelve (12) off-street parking spaces which includes one (1) ADA compliant space. When considering an application for Special Permit, the Board must take into account the characteristics of the site and of the proposal in relation to that site, in addition to any specific factors that may be set forth under Section 5300 of the zoning ordinance. As to those thresholds, staff offers the following considerations:

- **Social, economic, or community needs which are served by the proposal.**
According to the Bureau of Labor Statistics, the job outlook for Funeral Service Workers is projected to grow 5 percent from 2014 – 2024, which is about as fast as the average of all occupations. According to ONET, The trend for Massachusetts is an 8% growth projection for Funeral service Managers between 2014 and 2024.¹
- **Traffic flow and safety, including parking and loading.**
The business use creates concern for pedestrian and vehicular safety to and from the site. Because of the traffic circulation impact on-site and at the Acushnet Avenue collector corridor, staff recommends the

¹ Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook, 2016-17 Edition*, Funeral Service Workers, on the Internet at <http://www.bls.gov/ooh/personal-care-and-service/funeral-service-ccupations.htm> (visited December 05, 2016).

National Center for O*NET Development. *O*NET Resource Center*. On the Internet at <https://www.onetonline.org/link/summary/11-9061.00> (visited December 05, 2016).

applicant provide a description of the projected number of vehicles to enter/depart the site per average day, including consideration of spikes in vehicular traffic associated with calling hours and funeral processions, as stipulated under **§5353. Circulation Systems**. Such data shall be sufficient to enable the Planning Board to evaluate (i) existing traffic on streets adjacent to or approaching the site, (ii) traffic generated or resulting from the site, and (iii) the impact of such additional traffic on all ways within and providing access to the site. Once the Planning Board has had an opportunity to review the development impact presented at this site, the Board may make a determination as to the sufficiency of the parking plan.

See also page 3 of this report for a further discussion of §3151 of the ordinance regarding off-street loading versus off-street parking computations.

- **Adequacy of utilities and other public services.**

Whereas the applicant is replacing an existing structure within a neighborhood with complete utility and public services, there is no anticipated issue with this adequacy.

- **Neighborhood character and social structures.**

The commanding structure is identified by the Massachusetts State Register of Historic Places as a contributing resource, meaning, it is a building adding to the historical integrity or architectural qualities that make an historic district significant.

- **Impacts on the natural environment**

This application for parking reduction is for the utilization of urban space currently used for parking; there will be no anticipated negative impacts on the natural environment as a result of granting the special permit.

- **Potential fiscal impact, including impact on City services, tax base, and employment**

The fiscal impact of the funeral home will provide a positive financial contribution to the city, both in direct revenues and new employment opportunities. Staff contends that the proposed special permit will positively impact the fiscal condition of the Acushnet Avenue International marketplace and continue to preserve a distinctive architectural structure.

- **Master Plan Goal**

This proposal is consistent with the master plan's goal (of establishing a sound foundation for future growth that builds upon its coastal location, preserves its historic legacy, and expands cultural and workforce opportunities) as it restores a business use within the Acushnet Avenue International Marketplace and encourages the preservation and improvement of a State Register of Historic Places property.

Review Comments

Plans were distributed to the City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department offices.

The Health Department stated they had no comments for the Planning Board's consideration.

The Conservation Commission advised that 1325 Acushnet Avenue is not located in or within 100' of State or Local Wetland Resource Areas. Therefore, no permit is required from the Conservation Commission for this project.

Outside of this, no further comments from city offices were received in this matter.

Recommendation

Given the previous business use and site constraints imposed by the existing structures, the proposed plan for reduction of off-street parking appears to meet the thresholds for the provision of a special permit from a practical standpoint (economic, pedestrian, environmental and potential fiscal benefits).

However, as previously noted in this report, under **§3151**, the area of required off-street loading space is not to be included as off-street parking space in the computation of required off-street parking space. *Please refer to page 3 of this report for a further discussion of §3151 of the ordinance regarding off-street loading versus off-street parking computations.*

The applicant's agent states in their prepared narrative that the funeral home will be open weekdays from 9:00 a.m. to 5:00 p.m. and hold one funeral/wake service per week. Staff recommends that the level of service be clarified and memorialized in the board's decision. (A generally accepted practice is for funeral homes to be open into the evening hours and to include service on weekends.)

Staff recommends the following seven (7) waivers be granted:

- ✓ **§5451.a. Locus Plan**
- ✓ **§5451.b. Topography and Drainage Plan**
- ✓ **§5451.c. Utility Plan**
- ✓ **§5451.d. Architectural Plan**
- ✓ **§5451.f. Lighting Plan**
- ✓ **§5454. Drainage Calculations**

With respect to the waivers sought by the applicant:

- **SECTION 5451e.** Staff does not recommend granting the request for waiver of **§5451.e. Landscaping Plan**. Site plan approval should be contingent upon the applicant showing the limits of work, existing tree lines as well as those tree lines to remain, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree.
- **SECTION 5452.** Staff does recommend granting a waiver under **§5452. Project Time & Cost Estimate Statement**—unless the Department of Public Infrastructure requires the project time and cost estimate to be provided to the city—because the applicant has submitted estimated time for completion, date of occupancy, and an estimated budget.
- **SECTION 5353.** The business use creates concern for pedestrian and vehicular safety to and from the site. Because of the traffic circulation impact on-site and at the Acushnet Avenue collector corridor, staff recommends the following: that the applicant provide a description of the projected number of vehicles to enter/depart the site per average day, as stipulated under **§5353. Circulation Systems**. Such data would allow the Planning Board to evaluate (i) existing traffic on streets adjacent to or approaching the site, (ii) traffic generated or resulting from the site, and (iii) the impact of such additional traffic on all ways within and providing access to the site.
- **SECTION 5354.** Because of the nature of a funeral home's business, staff recommends the following: for public health and safety reasons the applicant should address within the Development Impact Statement the manner of Water Distribution, Sewage Disposal, and Refuse Disposal as stipulated under **§5354. Support Systems**.

Attachments:

- | | |
|--|--------------------|
| 1. Narrative | 6. Waiver Requests |
| 2. Certificate of Organization | 7. Site Photos |
| 3. Special Permit Application | 8. Site Plan Set |
| 4. Letter of Authorization from Owner | |
| 5. Deeds of Ownership - Bristol County Registry of Deeds
Book 8383, Page 295 and Bk 11669, Pg 176 | |



November 11, 2016

Planning Board
City of New Bedford, MA

**RE: Traffic Impact and Analysis Statement
1325 Acushnet Ave – New Bedford, MA**

Dear Board Members:

The applicant, Watson Funeral Services, LLC is purchasing the above property owned by Donald N. & David R. Dumont. The Dumont's have used the property as a funeral home for many years, and the applicant plans to continue that use. According to the applicant, the funeral home will be open weekdays from 9am to 5pm. They anticipate one funeral/wake service per week. The funeral home has seating for 150 people during a service. Other days, the applicant expects one customer a day and will have three employees working at any one time. There will be weekly casket deliveries and monthly chemical deliveries.

Appendix C – Table of Parking and Loading Requirements of the New Bedford Code of Ordinances requires 1 off-street parking space per every 5 seats for funeral homes. The property is therefore required to have 30 off-street parking spaces. The Special Permit Plan submitted with this application provides 12 parking spaces including 1 Van Accessible Handicap space. This leaves a deficiency of 18 spaces.

Acushnet Avenue has metered on-street parking on both sides of the street. There are approximately 50 metered on-street parking spaces within 500' of the locus property. There is also non-metered parking available on both Nye and Tallman Streets. An SRTA Bus Route runs along Acushnet Ave with several bus stops within 300' of the locus property. It is in our opinion that the availability of on-street parking and public transportation in close proximity to the property will mitigate the deficiency of off-street parking spaces.

If you should have any questions, please feel free to contact me.

Very truly yours,

FARLAND CORP., INC.

Christopher K. Gilbert

Christopher K. Gilbert, EIT
Project Manager

Case 41-16

11/18/2016



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$500.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Certificate of Organization

(General Laws, Chapter)

Identification Number: 001240220

1. The exact name of the limited liability company is: WATSON FUNERAL SERVICES, LLC

2a. Location of its principal office:

No. and Street: 1325 ACUSHNET AVENUE
 City or Town: NEW BEDFORD State: MA Zip: 02746 Country: USA

2b. Street address of the office in the Commonwealth at which the records will be maintained:

No. and Street: 10 ROSSETER STREET
 City or Town: BOSTON State: MA Zip: 02121 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:
FUNERAL SERVICES

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: MR. VICTOR WATSON
 No. and Street: 10 ROSSETER STREET
 City or Town: DORCHESTER State: MA Zip: 02121 Country: USA

I, VICTOR WATSON resident agent of the above limited liability company, consent to my appointment as the resident agent of the above limited liability company pursuant to G. L. Chapter 156C Section 12.

6. The name and business address of each manager, if any:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	VICTOR WATSON	1325 ACUSHNET AVENUE NEW BEDFORD, MA 02746 USA

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
SOC SIGNATORY	VICTOR WATSON	1325 ACUSHNET AVENUE NEW BEDFORD, MA 02746 USA

ATTACHMENT 2

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	VICTOR WATSON	1325 ACUSHNET AVENUE NEW BEDFORD, MA 02746 USA

9. Additional matters:

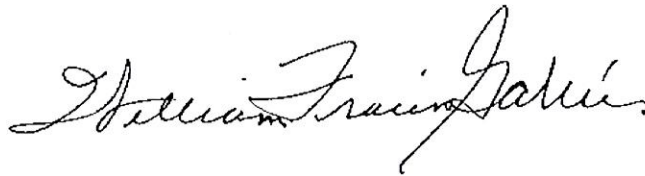
SIGNED UNDER THE PENALTIES OF PERJURY, this 15 Day of September, 2016,
VICTOR WATSON

(The certificate must be signed by the person forming the LLC.)

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

September 15, 2016 10:32 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive, flowing style with a large initial 'W' and 'G'.

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

SPECIAL PERMIT APPLICATION

The undersigned, being the Applicant, seeks Special Permit Approval for property depicted on a plan entitled: Special Permit Plan by: Farland Corp. Inc. dated: 10-30-2016

1. Application Information

Street Address: 1325 Acushnet Avenue

Assessor's Map(s): 92 Lot(s) 64

Registry of Deeds Book: 8383 Page: 295

Zoning District: Mixed Use Business

Applicant's Name (printed): Watson Funeral Services, LLC

Mailing Address: 10 Rosseter St. Boston MA 02121
(Street) (City) (State) (Zip)

Contact Information: 617-412-0732 victorwatson29@gmail.com
Telephone Number Email Address

Applicant's Relationship to Property: ☐ Owner ☒ Contract Vendee ☐ Other

List all submitted materials (include document titles & volume numbers where applicable) below:

Deed Book 8383 Page 295
Deed Book 11669 Page 173 (Sale of Parcel Two from above deed)
Plan Book 92 Page 24

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

11-15-16

Date

Victor Watson

Signature of Applicant

City Hall • 133 William Street • Room 303 • New Bedford, MA 02740 • www.newbedford-ma.gov
PH: (508)979-1488 • FX: (508)979-1576

2. Zoning Classifications

Present Use of Premises: Funeral Home

Proposed Use of Premises: Funeral Home

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):

3. Briefly Describe the Proposed Project and Specify all Requested Special Permits:

The Applicant is purchasing the property which was formerly used as a funeral home and will be proposing to continue its use as a funeral home. The Applicant is requesting a Special Permit for a reduction in the number of required off street parking spaces for that use.

4. Please complete the following:

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	11,128	8,000	NO CHANGE
Lot Width (ft)	91.97	0	NO CHANGE
Number of Dwelling Units	1	3+	NO CHANGE
Total Gross Floor Area (sq ft)	5,565	N/A	NO CHANGE
Residential Gross Floor Area (sq ft)	2200	N/A	NO CHANGE
Non-Residential Gross Floor Area (sq ft)	2386	N/A	NO CHANGE
Building Height (ft)	2.5 Stories	7 Stories	NO CHANGE
Front Setback (ft)	25.4	0	NO CHANGE
Side Setback (ft)	-0.5	0	NO CHANGE
Side Setback (ft)	3.6	0	NO CHANGE
Rear Setback (ft)	1.2	10	NO CHANGE
Lot Coverage by Buildings (% of Lot Area)	40.1	0	NO CHANGE
Permeable Open Space (% of Lot Area)	13.2	0	NO CHANGE
Green Space (% of Lot Area)	13.2	0	NO CHANGE
Off-Street Parking Spaces	0	30	12
Long-Term Bicycle Parking Spaces	0	N/A	NO CHANGE
Short-Term Bicycle Parking Spaces	0	N/A	NO CHANGE
Loading Bays	0	0	NO CHANGE

1 per 5 seats
150 ppl = 30

5. Please complete the following:

a) Number of customers per day:

Existing

N/A

Proposed

1-150

b) Number of employees:

N/A

3

c) Hours of operation:

N/A

9am-5pm

d) Days of operation:

N/A

Mon-Fri

e) Hours of deliveries:

N/A

9am-5pm

f) Frequency of deliveries: ☐ Daily ☒ Weekly ☐ Monthly ☐ Other: _____**6. OWNERSHIP VERIFICATION**

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: Watson Funeral Services, LLCat the following address: 10 Rosseter Street - Boston, MA 02121to apply for: Special Permit (Reduction in Required Parking)on premises located at: 1325 Acushnet Avenue - New Bedford, MA 02746in current ownership since: October 31, 2006whose address is: 1325 Acushnet Avenue - New Bedford, MA 02746for which the record title stands in the name of: Donald N. & David R. Dumontwhose address is: 1325 Acushnet Avenue - New Bedford, MA 02746

by a deed duly recorded in the:

Registry of Deeds of County: Bristol South Book: 8383 Page: 295

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

Nov 15, 2016
Date

[Signature]
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

City of New Bedford Zoning Board of Appeals
133 William Street
New Bedford, MA, MA 0240

fb

RE: 1325 Acushnet, New Bedford, MA 02746

To Whom It May Concern:

We, Donald N. Dumont and David R. Dumont hereby authorize Watson Funeral Services, LLC, to apply for a Special Permit for 1325 Acushnet Avenue, New Bedford, MA 02746 to be used as a Funeral Home.

Signed as a sealed instrument this 17th day of November 2016.


DONALD N. DUMONT


DAVID R. DUMONT

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 17th day of November, 2016, before me, the undersigned notary public, personally appeared DONALD N. DUMONT, proved to me through satisfactory evidence of identification, which was AKTM, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Donna M. LaBrode
, Notary Public


My commission expires: November 7, 2019

Suffolk
Bristol, ss.

COMMONWEALTH OF MASSACHUSETTS

On this 16th day of November, 2016, before me, the undersigned notary public, personally appeared DAVID R. DUMONT, proved to me through satisfactory evidence of identification, which was Personally Known To Me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Patricia Berthiaume
, Notary Public Patricia Berthiaume
My commission expires: 3/27/2020

 **PATRICIA BERTHIAUME**
Notary Public
Commonwealth of Massachusetts

LIFE ESTATE DEED

KNOW ALL MEN BY THESE PRESENTS that we, J Normand Dumont and Rhea Dumont, husband and wife, of 1325 Acushnet Ave, New Bedford, Bristol County, MA, for consideration of love and affection, hereby grant to J Normand Dumont and Rhea Dumont, husband and wife, of 1325 Acushnet Ave, New Bedford, Bristol County, MA, for and during their lifetimes with the full power to mortgage, sell, convey or otherwise encumber the premises, and remainder to Donald N Dumont and David R Dumont, both of 1325 Acushnet Ave, New Bedford, Bristol County, MA, as tenants in common

with quitclaim covenants,

The land in New Bedford, Bristol County, MA, bounded and described as follows:

SEE SCHEDULE A

Further, as owners thereof, being over the age of 62 years, and being entitled to an estate of homestead in the land and buildings herein described, do hereby declare that we own and are possessed and occupy said premises as a residence and homestead under Massachusetts General Laws, Chapter 188, Section 1A, as amended.

Parcel One:

For title of grantors, see Deed to them dated October 14, 1969 recorded in this Bristol County Southern District Registry of Deeds in Book 1591, Page 880.

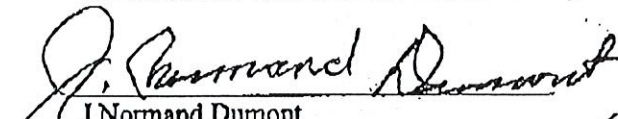

Parcel Two:

For title of grantors, see Deed to them dated January 29, 1974 recorded in this Bristol County Southern District Registry of Deeds in Book 1678, Page 571.

NO TITLE EXAMINATION

NO DOCUMENTARY STAMPS REQUIRED

WITNESS our hand and seal on this 28th day of June 2006.


J Normand Dumont

Rhea Dumont

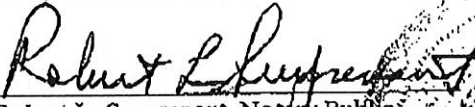
MASSACHUSETTS COMM

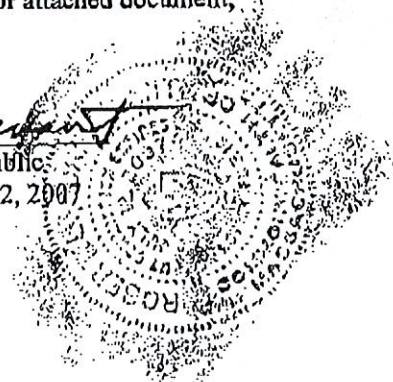
Bristol, ss.

Fairhaven

June 28, 2006

On this 28th day of June 2006 before me the undersigned notary public personally appeared **J Normand Dumont and Rhea Dumont** proved to me through satisfactory evidence of identification, which were personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Robert L. Surprenant, Notary Public
My Commission Expires: July 12, 2007



PROPERTY ADDRESS: 1325 Acushnet Ave, New Bedford, MA 02746

Schedule A

Parcel One:

the land in said New Bedford, with all buildings thereon, bounded and described as follows; (Description and encumbrances, if any)

Beginning at the southeast corner of this lot at a point in the west line of Acushnet Avenue distant forty-five and 17/100 (45.17) feet north from the north line of Tallman Street;

thence westerly in line of land now or formerly of Jean B. Jean one hundred fifteen and 97/100 (115.97) feet to land formerly of W. Nye, Jr.

thence northerly by land formerly of W. Nye ninety-four and 10/100 (94.10) feet to land now or formerly of Jean B. Jean et al;

thence easterly by said last named land one hundred twenty-four and 20/100 (124.20) feet to said west line of Acushnet Avenue; and

thence southerly in said west line ninety-two and 43/100 (92.43) feet to the place of beginning.

Containing 41.50 square rods, more or less, and said lot is 0.259375 ACRES subject to certain easements of the City of New Bedford respecting the Water Works Conduit.

Subject to encumbrances of record.

PROPERTY ADDRESS: 1325 Acushnet Ave, New Bedford, MA 02746

Schedule A

Parcel Two: SOLD TO BETA PROPERTIES (see 111669/173)

the land in said New Bedford, bounded and described as follows:

BEGINNING at a point in the west line of Acushnet Avenue, said point being the northeasterly corner of the lot to be conveyed and said point being thirty-eight and 13/100 (38.13) feet south from the intersection of the south line of Nye Street and the west line of Acushnet Avenue;

thence N $79^{\circ} 12'$ W in line of land of said grantor for a distance of seventy-one and 37/100 (71.37) feet to a point;

thence S $11^{\circ} 20'$ W for a distance of thirty-six and 33/100 (36.83) feet to a point in the north line of land of said grantees;

thence S $78^{\circ} 40'$ E in line of land of said grantees for a distance of sixty-eight and 68/100 (68.68) feet to a point in the west line of Acushnet Avenue;

thence N $6^{\circ} 01'$ E in the west line of said Acushnet Avenue for a distance of thirty-seven and 12/100 (37.12) feet to the place of beginning.

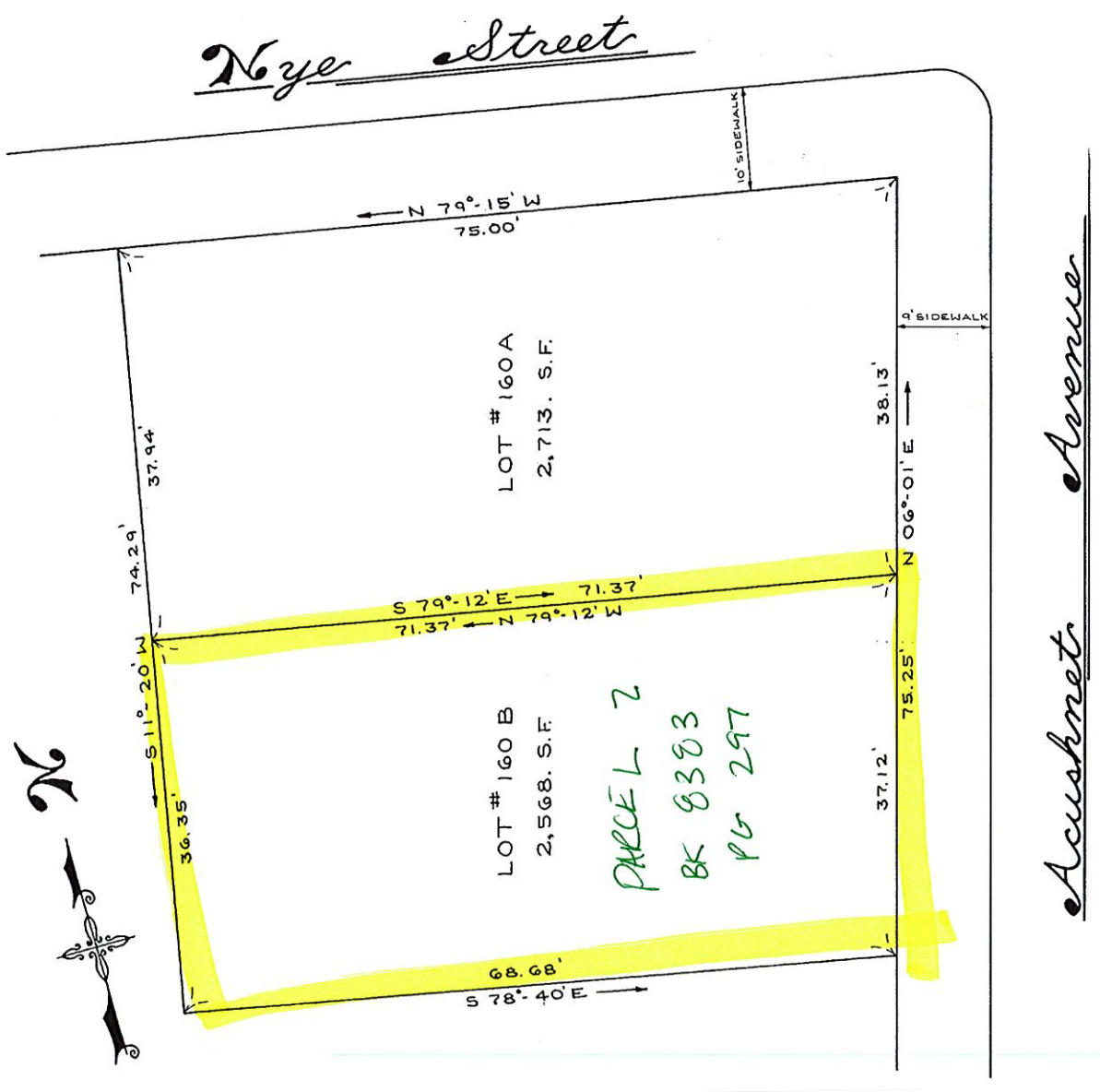
Containing 2,568 square feet, more or less.

Being Lot 160B on Plan of Land in New Bedford, Massachusetts, belonging to Robert L. Pelletier, Scale 1"-10' dated November 17, 1973, drawn by Brant S. Haworth Assoc. and recorded in Bristol County (S.D.) Registry of Deeds in Plan Book 92, Page 24.

PROPERTY ADDRESS: 1325 Acushnet Ave. New Bedford, MA 02746

48-86

48-86



PLAN OF LAND
IN
NEW BEDFORD, MASS.
BELONGING TO
ROBERT L. PELLETIER
(REVISED)
NOV. 7, 1973
SCALE: 1"=10'

NEW BEDFORD PLANNING BOARD
APPROVAL UNDER SUBDIVISION
CONTROL LAW NOT REQUIRED

REC'D & RECORDED
Dec 7 1 06 PM '73
REGISTRY OF DEEDS
BRISTOL COUNTY
SOUTHERN DISTRICT
Board of Survey approval under
Subdivision Control Law not required.
DATE Dec 7, 1973
Ralph C. Moore
Superintendent of Buildings

BRANT S. HAWORTH ASSOC.
CIVIL ENGINEERS AND LAND SURVEYORS
P.O. BOX 64
TAUNTON, MASS.



Donald A. Brant
Sealed
Haworth

CALC. BY: D. J. CASS
DR. BY: Donald J. Cass
92-24

QUITCLAIM DEED *Formerly* PARCEL TWO 8583/298

We, Donald N. Dumont and David R. Dumont of New Bedford, MA
in full consideration of \$40,000.00 paid

grant to **Beira Properties, LLC**, a Massachusetts limited
liability company having its principal place of business at
12 Plumleigh Drive, Dartmouth, MA

with Quitclaim Covenants

The land in New Bedford, Bristol County, Massachusetts,
bounded and described as follows:

See Schedule "A" attached

Property Address: Vacant Land on Acushnet Avenue, New
Bedford, MA

Witness my hand and seal this 28th day of April, 2016,
2016.

9C

Donald N. Dumont

Donald N. Dumont

9C

David R. Dumont

David R. Dumont

STATE OF MASSACHUSETTS

Bristol, ss

On this 28th day of April, 2016, before me, the
undersigned notary public, personally appeared Donald N.
Dumont and David R. Dumont proved to me through satisfactory
evidence of identification to be the persons whose names are
signed on the above document, and acknowledged to me that
they signed it voluntarily for its stated purpose.

9C P.
Notary Public

My Commission Expires: 1/21/22



REG OF DEEDS
RECEIVED
BRISTOL

04/28/16 11:35AM
000000-85834
FEE \$182.40
CASH \$182.40

SCHEDULE "A"

The land in New Bedford, Bristol County, Massachusetts, bounded and described as follows:

BEGINNING at a point in the west line of Acushnet Avenue, said point being the northeasterly corner of the lot to be conveyed and said point being 38.13 feet south from the intersection of the south line of Nye Street and the west line of Acushnet Avenue;

Thence NORTH 79 degrees 12' WEST in line of land now or formerly of Robert L. Pelletier for a distance of 71.37 feet to a point;

Thence SOUTH 11 degrees 20' WEST for a distance of 36.35 feet to a point in the north line of land now or formerly of J. Normand Dumont;

Thence SOUTH 78 degrees 40' EAST in line of land now or formerly of said Dumont for a distance of 68.68 feet to a point in the west line of Acushnet Avenue;

Thence NORTH 6 degrees 01' EAST in the west line of said Acushnet Avenue for a distance of 37.12 feet to the place of beginning.

CONTAINING 2,568 square feet, more or less.

BEING LOT 160B on Plan of Land in New Bedford, Massachusetts, belonging to Robert L. Pelletier, Scale 1"=10' dated November 7, 1973, drawn by Brant S. Haworth Assoc. and recorded in Bristol County S.D. Registry of Deeds in Plan Book 92, Page 24.

FOR TITLE, see deed recorded at said Registry in Book 8383, Page 295. Also, see Affidavit Regarding Estate Taxes relative to the Estate of J. Normand Dumont recorded in Book 9596 Page 100. Also; see Affidavit Regarding Estate Taxes relative to the Estate of Rhea Dumont who died on June 11, 2012 and recorded herewith.



City of New Bedford
REQUEST FOR WAIVER

CASE #:

Case 41-16
11/18/2016

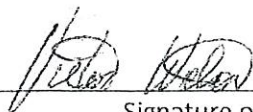
APPLICATION FOR WAIVER FROM SITE PLAN REVIEW REQUIREMENTS

In certain instances, after consulting with the City Planner, the applicant may submit, in writing, a request for waiver for any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans. The Planning Board will take a separate vote on written waiver requests by the applicant. Each request for waiver must be submitted individually to be considered by the Board. Please provide one (1) original and fifteen (15) copies of the request.

Any granted waivers must be disclosed on the final submitted and approved site plan.

SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	92	LOT(S)#	64
REGISTRY OF DEEDS BOOK:	8383	PAGE #	295
PROPERTY ADDRESS: 1325 Acushnet Avenue - New Bedford, MA 02746			
ZONING DISTRICT: Mixed Use Business (MUB)			
OWNER INFORMATION			
NAME: Donald N. & David R. Dumont			
MAILING ADDRESS: 1325 Acushnet Avenue - New Bedford, MA 02746			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Watson Funeral Services, LLC			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: Check one:	OWNER <input type="checkbox"/>	CONTRACT VENDEE <input checked="" type="checkbox"/>	OTHER Describe <input type="checkbox"/> _____
MAILING ADDRESS (IF DIFFERENT): 10 Rosseter Street - Boston, MA 02121			
TELEPHONE #	617-412-0732		
EMAIL ADDRESS:	victorwatson29@gmail.com		

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.

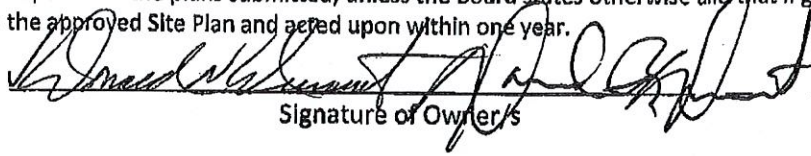


Signature of Applicant/s

11-18-16

Date

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.



Signature of Owner/s

Date

Nov 15, 2016

DESCRIPTION	Ordinance Section		CLEARLY Describe why this request is being made.
	1	***Example*** 5451. b. Topography and Drainage Plan	***Example*** There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered.
	2	5451.a Locus Plan	The project is minor, so all relevant information can be provided on one plan sheet. A locus is shown on the plan.
	3	5451.b Topography and Drainage Plan	There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered.
	4	5451.c Utility Plan	There will be no change in use from the current use of the property, therefore no utilities are being proposed or altered.

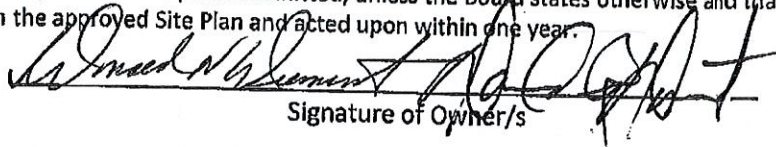
Additional pages describing the waiver request may be attached to this form following the same chart format, if necessary.



Please check here if additional pages are attached.

Number of Waiver requests submitted for consideration:

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.


Signature of Owner/s

Nov 15, 2016
Date

DESCRIPTION	Ordinance Section	CLEARLY Describe why this request is being made.
	Example 1 5451. b. Topography and Drainage Plan	***Example*** There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered.
	2 5451.d Architectural Plan	There are no proposed additions or major alterations to the existing structure that required Architectural Plans.
	3 5451.e Landscaping plan	Existing landscaping is shown. The property is screened from abutting residential zoned properties by existing buildings or fencing. No changes are proposed.
	4 5451.f Lighting Plan	The existing exterior lighting is sufficient for the small parking area. The business operates primarily during daylight hours.

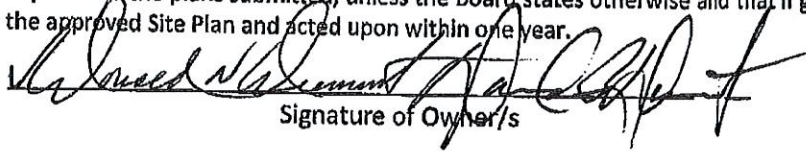
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Please check here if additional pages are attached.

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Signature of Owner/s

Nov 15, 2016
Date

DESCRIPTION	Ordinance Section		CLEARLY Describe why this request is being made.
	1	***Example*** 5451. b. Topography and Drainage Plan	***Example*** There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered.
	2	5452 Project Time and Cost Estimate Statement	Parking stripe markings and handicap parking signs are the only proposed site improvements. The cost and time frame for these improvements are minor.
	3	5454 Drainage Calculations	There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered and no drainage calculations are required.
	4		

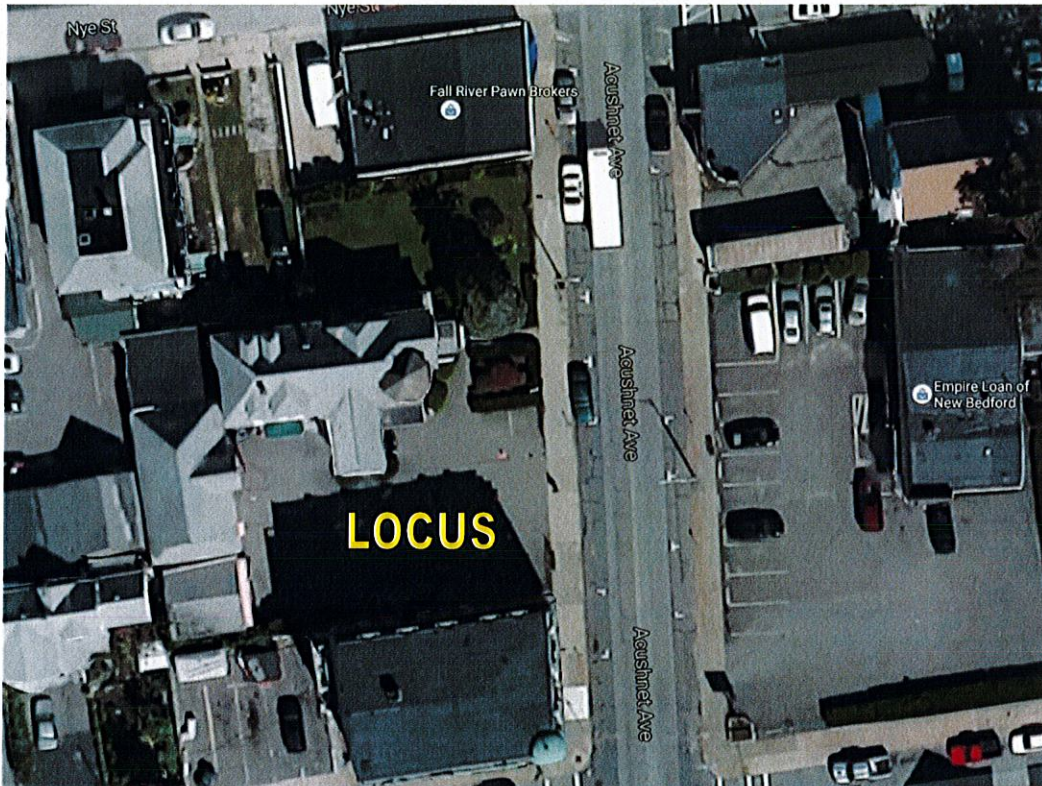
Additional pages describing the waiver request may be attached to this form following the same chart format, if necessary.

☐

Please check here if additional pages are attached.

Number of Waiver requests submitted for consideration:

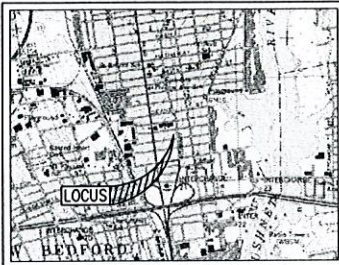
Site Photos (6 photos)



Case 41-16
11/18/2016







LOCUS MAP

SCALE: 1"=2,000'±



- PARKING REQUIREMENT -

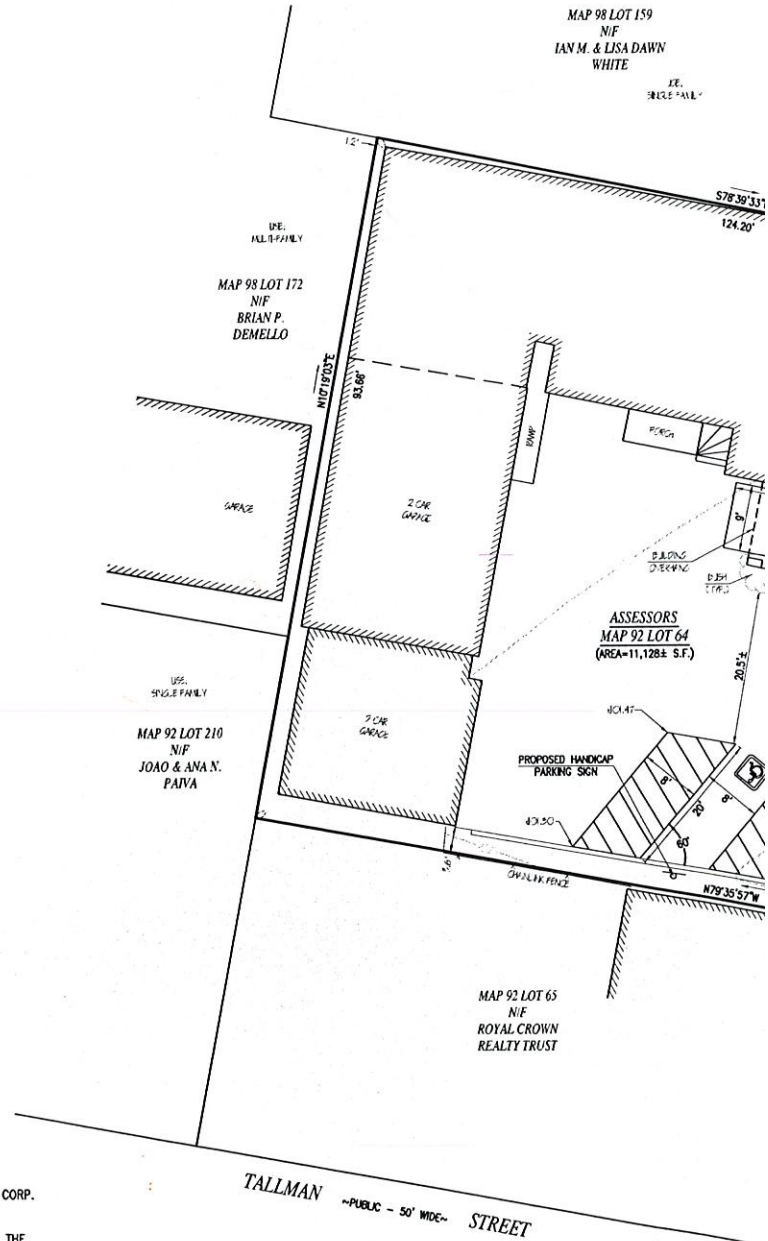
DISTRICT: MIXED USE BUSINESS (MUB)

PRINCIPAL USE: FUNERAL HOME

REQUIREMENT	REQUIRED	PROVIDED
1 SPACE FOR EVERY 5 SEATS - (150 SEATS)	30	12

LEGEND

EXISTING	DESCRIPTION
	PROPERTY LINE
	CONTOUR LINE
	SPOT GRADE
	EDGE OF PAVEMENT
	VERTICAL GRANITE CURB
	CAPE COD BERM
	CHAINLINK FENCE
	STOCKADE FENCE
	IRON FENCE
	WATER GATE
	GAS GATE
	SIGN
	LIGHT
	PARKING METER

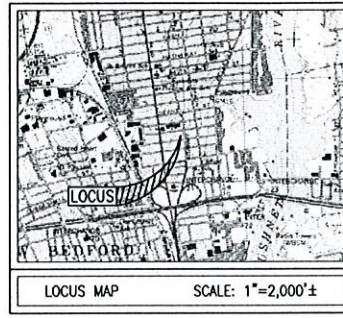


RECORD OWNER:
 ASSESSORS MAP 92 LOT 64
 DONALD N. & DAVID R. DUMONT
 1325 ACUSHNET AVENUE
 NEW BEDFORD, MA 02746
 DEED BOOK 8383 PAGE 295

PLAN REFERENCES:
 PLAN BOOK 92 PAGE 24
 PLAN BOOK 151 PAGE 27

- NOTES:**
1. TOPOGRAPHIC AND PROPERTY LINE SURVEY PERFORMED BY FARLAND CORP. IN OCTOBER OF 2016.
 2. VERTICAL ELEVATIONS ARE ON AN ASSUMED DATUM.
 3. THE PURPOSE OF THIS PLAN IS TO REQUEST A SPECIAL PERMIT FOR THE REDUCTION IN PARKING FROM THE PLANNING BOARD AND ALSO FOR BUILDING USE FROM THE ZONING BOARD OF APPEALS.

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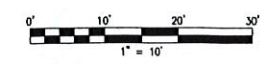
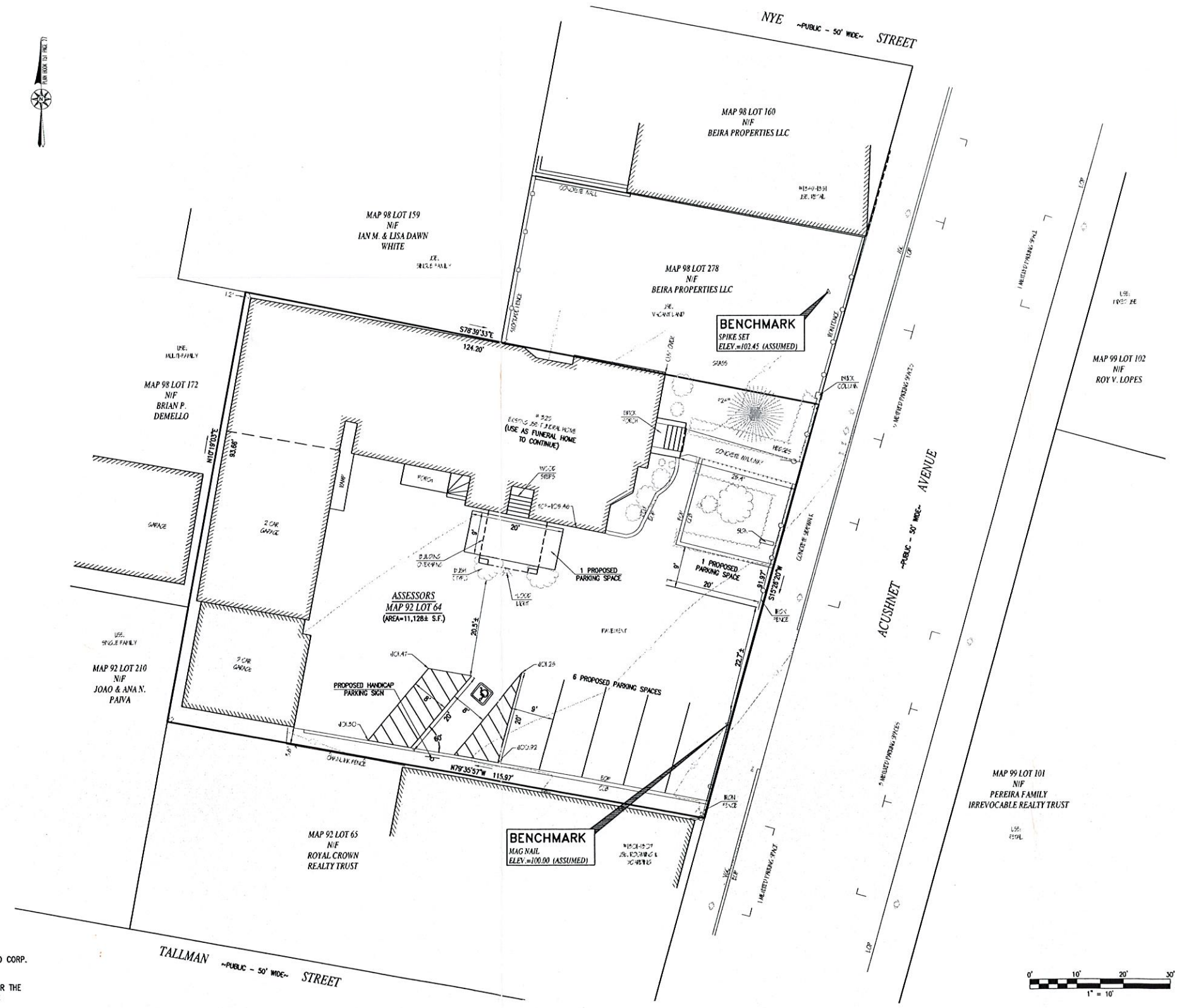
- PARKING REQUIREMENT -		
DISTRICT: MIXED USE BUSINESS (MUB)		
PRINCIPAL USE: FUNERAL HOME		
REQUIREMENT	REQUIRED	PROMISED
1 SPACE FOR EVERY 5 SEATS - (150 SEATS)	30	12

LEGEND	
EXISTING	DESCRIPTION
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	CONTOUR LINE
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REVISIONS

www.FarlandCorp.com
401 COUNTY STREET
NEW BEDFORD, MA 02740
P. 508.717.3479
OFFICES IN:
• TAUNTON
• MARLBOROUGH
• WARWICK, RI

DRAWN BY: CKG
DESIGNED BY: CKG
CHECKED BY: BUM

SPECIAL PERMIT PLAN
1325 ACUSHNET AVENUE
ASSESSORS MAP 92 LOT 64
NEW BEDFORD, MASSACHUSETTS
PREPARED FOR:
VICTOR WATSON
10 ROSSETER STREET
BOSTON, MA 02121

OCTOBER 30, 2016
SCALE: 1"=10'
JOB NO. 16-1196
LATEST REVISION:

SHEET 1 OF 1