



City of New Bedford **ZBA SPECIAL PERMIT APPLICATION**

CASE # 4255

SUBMITTAL CHECKLIST

Have you included		Planning staff review finds
Yes No		Yes No
	A Completed and Signed Application	
	An Existing Conditions Site Plan, drawn to a scale not less than 1 inch: 40 feet, identifying positioning of existing structures must be provided. Your site plan must show footprint and dimensions of rear, front and side distances between structure(s) and boundary lines.	
	A <u>Proposed Site Plan</u> showing all proposed alterations or additions with side, front and rear set property lines identified.	
	Sub-Division Plans if Applicable.	
	A <u>Certified Abutter's List</u> prepared by planning staff and certified by the Assessor's Office.	
	<u>Plot Plan</u> as provided through Department of Inspectional Services or through the Assessor's Office (in person or online through parcel lookup).	
	Filing Fee in check form made payable to the City of New Bedford.	
	Copy of <u>Building Permit Rejection</u> Packet (Containing Rejected Building Permit and all information submitted with Building Permit Application)	
	Owner's Verification including owner's signature and parcel deed for all involved parcels.	
	Development Impact Statement (DIS), if required (per Chapter 9 section 5350 of the City of New Bedford Zoning Code)	Tha
icial Use On	ly:	

This is page 1 of your ZBA Application.

Please remove the instruction pages when submitting your completed application packet but keep this as your first page.

2. SPECIAL PERMIT SPECIFICS

The undersigned petit manner and for the redescribed premises:	tions the Ne easons set f	ew Bedford Z orth here und	oning Board der the prov	of Ap	opeals [ZBA] of the city's	to grant a zoning or	SPECIAL dinance to	PERMIT	in the
APPLICATION SUMM	ary (<i>plea</i> .	SE PRINT)					C L	1 OCT	Y CLE
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ASSESSOR'S MAP PLO)T#	28	LOT(S)#	262		<u></u>	, tú	\supset	- US
REGISTRY OF DEEDS I	BOOK #:	10741	PAGE#	39	***		<u> </u>		- ₹#
PROPERTY ADDRESS:		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	17710211	100				~	
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ZONING DISTRICT: Re	esidence "C	II							
OWNER INFORMATION		against for a section	er set Trall, et all'hers	- 1 T		e Territoria		1,72	
NAME: Paunor Realty		· <u>, (* <u>)</u></u>	and the second second		<u> </u>	<u></u>			
MAILING ADDRESS:			700		<u></u>		· · · · · · · · · · · · · · · · · · ·		
8 Burgess Point Road	. Wareham.	MA 02571							
APPLICANT/CONTAC						ang p angkan g calab	· · · · · · · · · · · · · · · · · · ·		Part of the second
NAME (IF DIFFERENT)			<u>v:</u>				<u> </u>		
Christopher T. Saunde									
APPLICANT'S RELATION	NSHIP TO T	HE PROPERTY	r: OWI	NER	CONTRACT	OTHER	- 		
Check one:					VENDEE	Describe	Attorr	ney for App	plicant
MAILING ADDRESS (IF	DIFFERENT	' }:							
700 Pleasant Street, I	New Bedord	I, MA 02740							
TELEPHONE #	508-999-06	00							
EMAIL ADDRESS:	csaunders@	②saunderslaw	/llp.com			·	****		
By signing below, I/we adfurther understand that approval(s). I/we also givexterior) at reasonable to visual inspections.	any taise in ve planning o	itormation inte division staff a	entionally pro nd ZBA mem	ovided bers th	or omitted is he right to acc	grounds t ess the pr photogra	or the revenues (bo	vocation of the control of the contr	of the
	4	Signature o	f Applicant/s	i			Date	_	
If the applicant differs	from the a	unar this sa-	tion must be				-	_	
If the applicant differs I hereby authorize the a	nnlicant ren	recented above	cion must be	e com	pietea/signe	by the p	roperty o	wner/s:	
I hereby authorize the a interests on my/our beha and presented througho understood this application approvals are specific to must be recorded and act	air for the re ut this applic on and the ac the plans sub	mer requested cation. Further companying is positived, unless	herein for the more, by sign estructions ar	e prem ning th nd info	nises I/we own nis application rmation, If pet	noted as I/we ackn ition is gra	"property : owledge h ated. I/we	address" aving rea understal	above ad and
		Signature o	f Owner/s			<u></u>	Date		

APPLICATION SPECIFICS

DIN IF VIDIONIS OF LOT		FRONTAGE	DEPTH	AREA in SQ FT			
DIMENSIONS OF LOT/S:		35	80	2800			
		# OF BLDGS	EXISTING SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE	
EXISTING BUILDING/S		1	1872		3	1872	
		# OF DWE	LLING UNITS	# OF BED	ROOMS		
		2		4			
		#OF BLDGS	PROPOSED SIZE	TOTAL SO FT. BY FLOOR	NUMBER OF	TOTAL SQ. FT. ENTINE STRUCTURE	
PROPOSED BUILDING/S		1	1872		South Control of the	1872.	
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		3		6 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 /		ALTERATIONS Add Apartment	
EXISTING USE OF PREMISES:	Multi-f	amily Dwelling		100			
PROPOSED USE OF PREMISES:	Multi-family Dwelling					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
EXPLAIN WHAT See MODIFICATIONS YOU ARE PROPOSING THAT		Exhibit A					
NECESSITATE THE REQUESTED SPECIAL		-and					
PERMIT:							

If there's a commercial use existing and/or proposed, please complete the following:

NUMBER OF CUSTOMERS PER DA	ΑY	TING	, r.c.r	OSED
NUMBER OF EMPLOYEES				
HOURS OF OPERATION		/		
DAYS OF OPERATION		* /	 	
HOURS OF DELIVERIES		177.00.111		
FREQUENCY OF DELIVERIES (Check frequency)	DAILY	WEEKLY	DAILY	WEEKLY



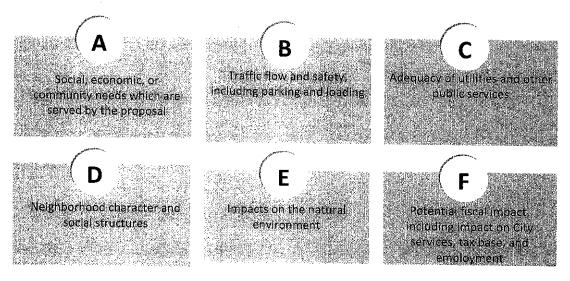
3. PARCEL LEGAL DOCUMENTATION

Title Reference to Property	Book 10741, Page 39
(Attach copy of Deed, Certificate of	Title & most recent Recorded Plans showing affected lot or lots)
Is the applicant also the owner?	✓ Yes No
If no, please attach the following th	ree items to your application and indicate they are attached:
A notarized authorization letter this permit.	r on letterhead from the owner to tenant/buyer for application of
If the Applicant is Not the Owner A copy of the Purchase & S	er, Provide: Sale Agreement or lease, where applicable.
A copy of the deed or common ownership with t	deeds of abutting parcels if said parcels have been held in he subject property at any time since January 1, 1976.

4. REQUIRED FINDINGS FOR GRANTING A SPECIAL PERMIT

City of New Bedford Code of Ordinances Chapter 9 Section 5320 requires the ZBA to **find the benefit to the City and the neighborhood outweighs the adverse effects of the proposed use**, taking into account the characteristics of the site and of the proposal in relation to that site.

This determination includes consideration of each of the following:



The full text of New Bedford Code of Ordinances can be accessed from: www.newbedford-ma.gov

Because the ZBA must be able to articulate their findings on each of the items listed above in order to grant a special permit, you must make your case as to HOW your application affects each of the criteria for consideration. This is an extremely important question and it is recommended that you answer this VERY carefully. You may use an additional sheet if needed.

•	See Exhibit A
•	
	Describe how traffic flow and safety, including parking and loading, are addressed in your proposal: See Exhibit A

	See Exhibit A
	Describe the neighborhood character and social structures surrounding your proposed location, and your proposal will fit in this area:
	See Exhibit A
	Describe any impacts on the natural environments your proposal may have:
	See Exhibit A
•	
;	Describe any potential fiscal impact, including impact on City services, tax base, and employment proposal may have:
	See Exhibit A
•	Gee Exhibit A
1	Please review the section(s) of the zoning ordinance under which your Special Permit request is n there may be additional criteria required for your request. Describe how your proposal meets any additional criteria required under zoning ordinance:
	, and proposed the control of the co

EXHIBIT "A"

Paunor Realty, LLC (hereinafter referred to as "Applicant") is the owner of property located at 44 Fruit Street, in the City of New Bedford and more particularly identified on the New Bedford Assessors Map 28, Lot 262. The subject premises is located in a Residence "C" Zoning District. The property consists of 2800 square feet of land and the structure consists of 1,872 square feet of living space. The Applicant seeks a special permit from the New Bedford Zoning Board of Appeals under Sections 2400, 2410, 2430, 2431, and 2432 of the City of New Bedford Zoning Bylaws.

The Applicant purchased the subject property on April 11, 2013, by way of a Deed recorded in the Bristol County (S.D.) Registry of Deeds at Book 10741, Page 39. The MLS listing for the property listed the property for sale as a three family structure. Additionally, at that time the City of New Bedford Assessors website listed the property as a three family structure. Attached to this application are the MLS listing and Assessors printout. The first, second and third floor of the structure are fully renovated for use as living space. After acquiring the property on April 11, 2013, the applicant sought to do additional renovations to the property. Upon applying for a building permit, the applicant was notified that although a three family is an allowed use in this zoning district, the City of New Bedford Building Department listed the property as a two family structure. It has come to our attention that renovations that were constructed by the previous owner on the third floor were done so without the proper permits from the building department. Therefore, the applicant seeks to comply with the City of New Bedford Zoning Bylaw and seeks a special permit to allow the third floor to be used as a legal apartment in the eyes of the City of New Bedford Building Department.

In order for the Zoning Board of Appeals to grant the special permit to allow for the reconstruction or extension of a nonconforming structure, it must find that the reconstruction or extension shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood. The applicant will not extend the structure beyond its present boundaries. All renovations will be interior to existing living space. The property is located in a Residence "C" Zoning District, where a three family is an allowed use. The entire area surrounding the property is also located in a Residence "C" Zooning District that allows for three family dwellings and three family dwellings exist in the neighborhood. This permitting of the third floor of an existing structure will not be substantially more detrimental to the existing neighborhood as it will fit in the neighborhood as an additional three family structure that is allowed by zoning. Therefore, the applicant respectfully requests the Zoning Board of Appeals grant the special permit to allow for the built out living space presently in existence on the third floor to be used as a legal apartment.



City of New Bedford REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

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Chri	stopher T. Sa	unders, Esq.						
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700	Pleasant Str	eet, New Bedford, MA 0	2740				O	s.
TEL	EPHONE #	508-999-0600		-#-				
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Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

This sheet is NOT part of your ZBA application but you will need to submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

Official Use Only:										
As Administrative As	sistant to t	he City of	New Be	dford's E	loard of	Assessors	, Ldo here	by certify t	hat the n	ames and
addresses as identifi	ed on the i	attached '	abutters	list" are	dulyred	orded any	d appear o	in the mos	t recent t	ax a superior and
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October 17, 2016 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as <u>44 Fruit Street (28-262)</u>. The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	Location	Owner and Mailing Address
28-269	27 JUNIPER ST	ORR PAULA,
		27 JUNIPER STREET
		NEW BEDFORD, MA 02740
28-347	457 RIVET ST	TORRES RICHARD, TORRES LYNNETTE F
	101 441 24 24	157 PINE STREET
		ROCHESTER, MA 02770
28-163	465 RIVET ST	MELLO CURTIS J,
20 103	1.05 14 722 51	651 ORCHARD ST SUITE 204
		NEW BEDFORD, MA 02744
28-164	451 RIVET ST	DUARTE EXPEDITO,
20-10 - 1	+31 Kd V D 1 S 1	+309 DARTMOUTH STREET 332 Brock Avenue
		NEW BEDFORD, MA-02740 DA744
28-383	453 RIVET ST	
20-JQJ	455 10 10 1 51	HERBERT-KRISTIA, Lathleen D. Riley 453 RIVET STREET
		NEW BEDFORD, MA 02740
28-162	475 RIVET ST	MOREAU RACHEL A, VIERLING ALLISON R
28-102	4/3 KIVEI SI	
		475 RIVET STREET
20 100	AG EDITTE OT	NEW BEDFORD, MA 02740
28-100	47 FRUIT ST	MANTEIGA DINIZ S,
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00.474	0.1 77 77 77 77 77 77	NEW BEDFORD, MA 02740
28-161	31 JUNIPER ST	FERREIRA JOSEPH A,
		31 JUNIPER ST
		NEW BEDFORD, MA 02740
28-99	53 FRUIT ST	DEMEDEIROS MARIA H,
		53 FRUIT ST
		NEW BEDFORD, MA 02740
28-101	39 FRUIT ST	AMARAL JOSHUA J "TRUSTEE", AMARAL FAMILY IRREVOCABLE REAL
	-니 (ESTATE TRUST
		41 FRUIT STREET
		NEW BEDFORD, MA 02740
28-165	23 JUNIPER ST	CARRIER CRISTINA,
		23 JUNIPER STREET
		NEW BEDFORD, MA 02740
28-262	44 FRUIT ST	PAUNOR REALTY LLC,
		8 BURGESS POINT ROAD
		WAREHAM, MA 02571
28-339	46 FRUIT ST	DASILVEIRA MELISSA,
		46 FRUIT ST
		NEW BEDFORD, MA 02740

October 17, 2016
Dear Applicant,

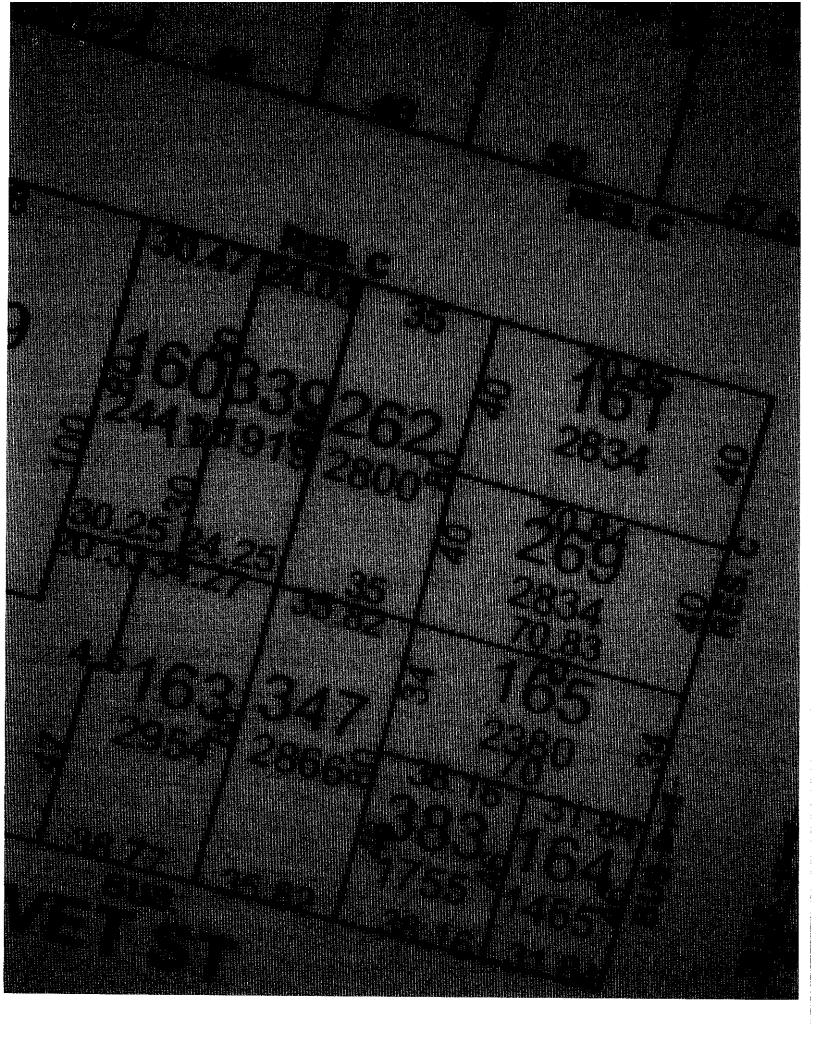
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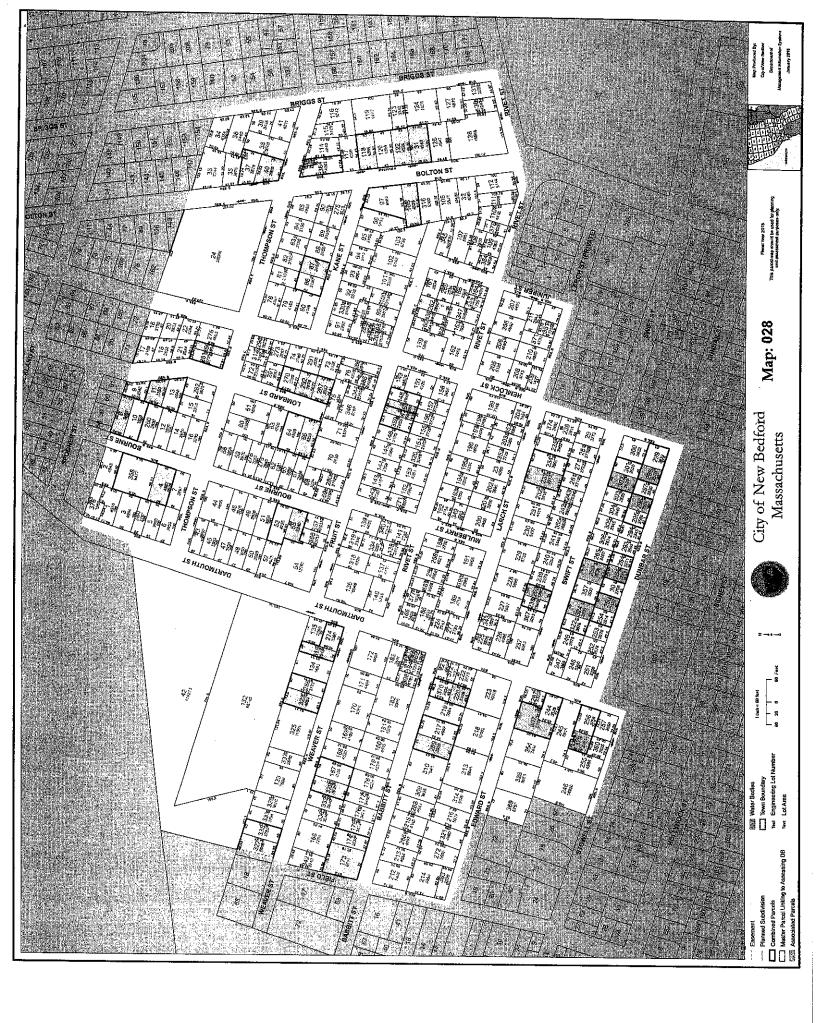
Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	Location	Owner and Mailing Address
28-160	52 FRUIT ST	DASILVEIRA MARIA, DASILVEIRA AUGUSTO
		52 FRUIT STREET
		NEW BEDFORD, MA 02740
28-102	33 FRUIT ST	FREITAS MARIA L,
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-		NEW BEDFORD, MA 02740
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the land in New Bedford. Massachusetts, with the buildings thereon, bounded and described as follows:

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Theore southerly in line of land now or formerly of our James B. Bradley and one John J. Hilton My feet to land now or formerly of Charles Grainger

Thence westerly in line of said (manager's land 35 feet in land new or (correct of John Follows)

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On this III day of April, III I before me, the universepted Notice Public, personally appeared the above public of ReII ARIL (NA) I make in the Aprene General Beautiful ARIL (NA) I make in the Aprene General Beautiful I can und province to the threath actionary is along a strictly was a Massachunette Debrid's because, which was a Massachunette Debrid's because, it has the person while the in a strictly because the province to the person while the person in the person while the person is a strictly because the province to the person of the person while the person is a person to the person of the pe

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William Francis Galvin Secretary of the Commonwealth of Massachusetts



Corporations Division

Business Entity Summary

ID Number: 001104573

Request certificate

New search

Summary for: PAUNOR REALTY, LLC

The exact name of the Domestic Limited Liability Company (LLC): PAUNOR REALTY,

LLC

Entity type: Domestic Limited Liability Company (LLC)

Identification Number: 001104573

Date of Organization in Massachusetts:

04-10-2013

Last date certain:

The location or address where the records are maintained (A PO box is not a valid location or address):

Address:

City or town, State, Zip code,

Country:

The name and address of the Resident Agent:

MARC R. DESHAICS, ESQ.

Address: 388 COUNTY ST. C/O PERRY, HICKS, AND DESHICS, LLP

City or town, State, Zip code, NEW BEDFORD, MA 02740 USA

Country:

The name and business address of each Manager:

Title	Individual name	Address
MANAGER	NORMAN SHURTLEFF	8 BURGESS POINT RD. WAREHAM, MA 02571 USA

In addition to the manager(s), the name and business address of the person(s) authorized to execute documents to be filed with the Corporations Division:

Title	Individual name	Address
SOC SIGNATORY	NORMAN SHURTLEFF	8 BURGESS POINT RD. WAREHAM, MA 02571 USA
SOC SIGNATORY	MARC R. DESHAIES ESQ.	388 COUNTY ST. NEW BEDFORD, MA 02740 USA

Title	Individual	name	Address	
REAL PROPERTY	NORMAN S	SHURTLEFF	8 BURGESS POINT F USA	RD. WAREHAM, MA 02571
	□ Consent	☐ Confidential Data	□ Merger Allowed	☐ Manufacturing
View filings for t	his busines	ss entity:		
Annual Report Annual Report - F Articles of Entity Certificate of Ame	Conversion endment			
		View 1	filings	

New search

Location: 44 FRUIT ST Percei ID: 28 262 Zoning: RC Flacel Year: 2013

Current Owner Information: Current Sales Information: Garding. 3 of 1

Sale Dates 02/08/2011
Sale Price: \$100.00
44 FRUIT ST Legal References: 9986-60
NEW BEDFORD , MA 02740

This Parcel contains 0.064 acres of land mainly classified for assessment purposes as Three Fam with a(n) Three Family style, building, built about 1902, having Asbestos extentor, Asphalt Shingles roof cover and 1872 Square Feet, with 3 unit(s), 12 total room(s), 6 total bedroom(s) 3 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value	59500 Lan	d Value: 57360	Yard Ikams Ve	ilue: C Tota	Value: 126800
	C10:3	Flical Y	ear 2012		Ser 2011
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Tex Rate Com.:	28,54	Tax Rate Com.:	28,44	Tax Rate Com.:	27.14
Property Code:	705	Property Code:	105	Property Cede:	100
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Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	
Total Land Value:	67930	Total Land Value:	69200	Total Land Value:	71100
Total Value:	126800	Total Values	132800	Total Value:	146300
Text	\$1,917.05	Taxa	\$1,827.33	Text	\$1,884,35

Disclaimer: Classification is not an indication of uses allowed under city zoning.

This influence of believed to be comed but is subject to change and is not warrantee.

Accessment and S	illes Report		
Location & Comments Infor			
Athireses	44 Fruit St, New Bedford, NA 02740-2064		
Map Ref.:	M:0078 L:0262 Zoning:		RG
Owner 1:	Antone Gomes Brek Javan		
Owner 2:			
Owner Address:	44 Fruit St, New Bedford, MA 02740-2064		
Property Information			
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Units, 3 Baths, 0 HallBaths, 0 3/4 Baths, 12 Rooms, and 5			
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