



ZONING BOARD OF APPEALS
 City Hall, Room 303
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CITY OF NEW BEDFORD
 JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number:		#4192		
Request Type:		Administrative Appeal		
Address:		55 Brook Street		
Zoning:		Industrial B Zoned District		
Recorded Owner:		Brook Street Realty Co., Inc.		
Applicant:		Brook Street Realty Co., Inc; Bob's tire Co. c/o Richard E. Burke, Jr.		
Applicant Address:		32 William Street New Bedford, MA 02740		
Application Submittal Date		Public Hearing Date		Decision Date
June 26 th , 2015		July 30 th , 2015		July 30 th , 2015
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
98 & 92	128 & 205	4405 & 8296	224 & 2	

Application:

Applicant requested permission to withdraw without prejudice a petition for an Administrative Appeal relative to property located at 55 Brook Street, Assessor's Map 98 & 92, Lot 128 & 305 in an Industrial-B Zoned District; To allow the petitioner to appeal a cease and desist order in a letter dated may 29, 2015, which will require an Administrative Appeal under Ch.9, Comprehensive Zoning Sections 5223 (to hear and decide appeal take by any person aggrieved by reason of his/her inability to obtain a permit or enforcement action from any administrative officer under provisions of M.G.L. 40A subsection 7, 8, & 15).

Action: Withdrawn without prejudice

A copy of this Decision was filed with the City Clerk of the City of New Bedford on August 13th, 2015.

August 13, 2015
 Date

Allen Decker
 Clerk, Zoning Board of Appeals

1.) MATERIALS REVIEWED BY THE BOARD

- Letter to ZBA from the Attorney Richard E. Burke, Jr. requesting permission to withdraw without prejudice, dated July 23rd, 2015, date stamped received by City Clerk's Office July 24th, 2015.

2.) DISCUSSION

On the evening of the July 30th, 2015 public hearing, Board Members I. Comerford, A. Decker, R. Schilling, L. Schick, and H. Tavares were present for the subject case review.

City of New Bedford Staff Danny D. Romanowicz (Commissioner of Buildings & Inspectional Services), Kreg Espinola (Assistant City Solicitor), and Jennifer Gonet (Assistant Project Manager) were also present during proceedings for the subject case review.

Mr. Decker explained correspondence had been received from the Attorney on behalf of Bob's Tire Company that Case #4192, an appeal of a cease and desist order, be allowed to be withdrawn without prejudice. Mr. Decker explained the Board needed to formally vote to allow the petitioner to withdraw the appeal.

DECISION

Zoning Board of Appeals hereby allows the petitioner to withdraw Case #4192 without prejudice.

On a motion by A. Decker seconded by L. Schick to allow the petitioner to withdraw without prejudice the vote carried 5-0; with members A. Decker, H. Tavares, I. Comerford, R. Schilling, and L. Schick voting in the affirmative, no members voting in the negative. (Tally 5-0)

Filed with the City Clerk on:

August 13, 2015
Date



Allen Decker, Clerk of the Zoning Board of Appeals