



ZONING BOARD OF APPEALS

CITY CLERK'S OFFICE
NEW BEDFORD, MA

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

2015 JUN 26 P 2:37

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

CITY CLERK

Appeal Nr. 4192

Petition for an ADMINISTRATIVE APPEAL

Date: June 25, 2015

The undersigned petitions the Board of Appeals for an Administrative Appeal in the manner and for the reasons hereinafter set forth under the provisions of the Zoning Ordinance to the following described premises:

1. Application Information

Street Address: 55 Brook Street

Assessor's Map(s): 98 Lot(s) 128
92 305

Registry of Deeds Book: 4405 Page: 224
8296 2

Zoning District: Industrial B District

Applicant's Name (printed): Brook Street Realty Co., Inc.
Bob's Tire Co. c/o Richard E. Burke, Jr.

Mailing Address: Law Offices Beauregard, Burke & Franco
32 William Street, New Bedford, MA 02740
(Street) (City) (State) (Zip)

Contact Information: 508-993-0333 rburke@bbflawoffices.com
Telephone Number Email Address

Applicant's Relationship to Property: Owner Contract Vendee Other _____
of Map 98, Lot 128

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

See attachment and letter of Department of Inspectional Services dated May 29, 2015.

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 Division staff and Zoning 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.

June 26, 2015
Date

Robert Bates / RB
Signature of Applicant Robert Bates, Officer

For Map 98, Lot 128

Parcel = 13.605 acres of land
Area Building = 9594 square feet

2. Dimensions of Lot(s) _____ Frontage _____ Depth _____ Sq. Ft. _____
3. Number of buildings on lot _____ 1 _____
4. Size of existing buildings _____ 9594 square feet _____
5. Size of proposed buildings _____ Not Applicable _____
6. Present use of premises _____ Tire Business _____
7. Proposed use of Premises _____ Tire Business _____
8. Extent of proposed alterations _____ Not Applicable _____
9. Existing number of dwelling units & bedrooms _____ N/A _____ Proposed _____ N/A _____
10. For commercial uses, please complete the following:
- | | Existing | Proposed |
|---------------------------------|--|----------|
| a) Number of customers per day: | 10 | _____ |
| b) Number of employees: | 129 | _____ |
| c) Hours of operation: | 6am. - 6pm | _____ |
| d) Days of operation: | Mon-Sat.
(Sat. 6-12) | _____ |
| e) Hours of deliveries: | approx. 6am - 6pm | _____ |
| f) Frequency of deliveries: | <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other: _____ | |

11. Planning Board Site Plan Review and Special Permits:

_____ The applicant is also requesting Site Plan Review and Special Permit(s) from the Planning Board. If so, specify below:
Not Applicable

12. Have plans been submitted to the Superintendent of Buildings? _____ No _____

13. Has the Inspector of Buildings refused to issue a permit? _____ No _____

14. Provisions of the Zoning Ordinance under which a petition for an **Administrative Appeal** is made:
New Bedford City Ordinance 17-15, Noise. SS(b) Noises at Commercial Establishments

New Bedford City Ordinance 6-120, Nuisance

15. Explain the need for the Appeal:

Please see attachment.

16. Verification of Ownership. By signing this application the petitioner is stating that they have read and understand this application and the accompanying instructions and information. If petition is granted, the approvals are specific to the plans submitted, unless the Board states otherwise. Also, if granted, that the Variance must be recorded and acted upon within one year.

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

I hereby authorize the following Applicant: Brook Street Realty Co., Inc.
Bob's Tire Co.

at the following address: P.O. Box 1090, Mattapoisett, MA 02739

to apply for: Appeal

on premises located at: 55 Brook Street

in current ownership since: May 4, 1999

whose address is: P.O. Box 1090
Mattapoisett, MA 02739

for which the record title stands in the name of: Brook Street Realty Co., Inc.
P.O. Box 1090

whose address is: Mattapoisett, MA 02739

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 4405 Page: 224

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 Division staff and Zoning 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.

6/26/2015

Date

Robert Bates RB Robert Bates, Officer
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

APPENDIX

- (1) Owner's/Landlord's Name Brook Street Realty Co., Inc.
- (2) Title Reference to Property Book 4405, Page 224

(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

- (3) If the Applicant is Not the Owner, Provide:
1. Notarized authorization letter from owner to tenant or buyer for application for this permit, on letterhead.
 2. Copy of Purchase & Sale Agreement or lease, where applicable.
 3. Copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.

QUITCLAIM DEED

Franklin Environmental Technology Corp., a corporation duly organized under the laws of the Commonwealth of Massachusetts and having its usual place of business at 615 Tarkiln Hill Road, New Bedford, Massachusetts for consideration paid and in consideration of TEN THOUSAND EIGHT HUNDRED AND 00/100 (\$10,800.00) grant to Brook Street Realty Co., Inc. a corporation duly organized under the laws of the Commonwealth of Massachusetts and having its usual place of business at 39 Rear Brook Street, New Bedford, Massachusetts with quitclaim covenants the land with any buildings thereon, in New Bedford, Bristol County, Commonwealth of Massachusetts, bounded and described as follow:

BEGINNING at a point measured one hundred forty-five and 6/100 (145.06) feet west of a point on the westerly side of Brook Street, which said last mentioned point is distant two hundred thirty-seven and 20/100 (237.20) feet from the corner formed by the intersection of the southerly side of Deane Street and the Westerly side of Brook Street as shown on plan hereinafter mentioned;

Thence WESTERLY at an interior angle of 90° along the Southerly side of a proposed right of way, four hundred fifty-two and 64/100 (452.64) feet to the Easterly side of Old Colony Railroad, as shown on said plan.

Thence SOUTHERLY at an interior angle of 73° 35' 30" along the Easterly side of said Old Colony Railroad, one hundred seventy-four and 70/100 (174.70) feet to land of Laurans Brothers;

Thence EASTERLY at an interior angle of 106° 32' 30" by said land of Laurans Brothers, two hundred two and 95/100 (202.95) feet;

Thence NORTHERLY at an interior angle of 89° 55' along the Westerly face of a brick wall, twenty-one and 93/100 (21.93) feet;

Thence EASTERLY at an interior angle of 269° 41' along the Northerly face of said wall, thirty-two and 25/100 (32.25) feet;

Thence SOUTHERLY at an interior angle of 270° 55' along the Easterly side of said wall, thirty-two and 81/100 (32.81) feet;

Amendment
5/15/01
4995-200

Thence EASTERLY at an interior angle of 89° 27' along the center of brick wall to land of Gilt Edge Textile Mills, Inc., one hundred sixty-eight and 63/100 (168.63) feet;

Thence NORTHERLY at an interior angle of 89° 54' along said land of Gilt Edge Textile Mills, Inc., one hundred seventy-nine and 7/100 (179.07) feet to the point of beginning.

CONTAINING approximately 73,765 square feet.

BEING shown on plan entitled, "land of National Silk Spinning Company in New Bedford, Mass." by Thomas B. Card, C.E. dated October 17, 1940, filed in said Registry of Deeds in Plan Book 34, Page 15.

TOGETHER WITH all right, title and interest of the Grantor in and to an easement of passage over a strip of land 21.75 feet in width shown on said plan as "Proposed Right of Way" to be used in common by the grantees, its successors and assigns, and others, for all usual passageway purposes.

TOGETHER WITH all right, title and interest of the Grantor in favor of the Grantee, its successors and assigns, in and to the right (of the Grantor) to install and maintain below the surface of said proposed right of way and a strip of land fifty (50) feet in width extending from the southerly end of Quansett Street southerly along said railroad location to said proposed right of way, water, sewer and gas pipes, telephone and electric wires and cables and means of transmission of other public utilities; the right to install, maintain and use a water pipe extending from the present terminus of the 12-inch water main in the premises heretofore conveyed by National Silk Spinning Company to Grinnell Realty and Warehouse Corporation, southerly to the premises herein conveyed, together with the right to maintain, use and keep all water and sewer pipes and connections extending from any part of the premises herein conveyed or over the said premises heretofore conveyed to the Grinnell Realty and Warehouse Corporation, to water and sewer pipe connections on the premises herein conveyed as the water and sewer systems are now laid out and used, all of said water and sewer pipes and connections to be used in common by the Grantee and other and their respective successors and assigns.

TOGETHER WITH all right, easements, privileges and appurtenances belonging to the premises herein granted, including all other right in favor of said premises which the National Silk Spinning Company reserved in the conveyance heretofore made by it to said Grinnell Realty and Warehouse Corporation subject to the terms and conditions thereof, which conveyance was by deed dated December 1, 1941, recorded in said Registry of Deeds in Book 849, Page

463, and including all rights in favor of said premises which the National Silk Spinning Company reserved or to which the National Silk Spinning Company became otherwise entitled (subject to the terms and conditions thereto) under the conveyance heretofore made by it to Joseph Laurans and William Laurans, which conveyance was by deed dated December 12, 1939 and recorded in said Registry in Book 824, Page 415.

Subject to a party wall easement described in a deed from National Silk Spinning Company to Joseph Laurans and William Laurans dated December 12, 1939, recorded in said Registry in Book 824, Page 415, insofar as the same are now in force and applicable.

EXCEPTING the property described in a deed from Gilt Edge Textile Mills, Inc. to Laurans Brothers, Inc. dated August 19, 1958, recorded in said Registry in Book 1259, Page 96.

The above-described property is conveyed with the rights reserved in the above-described deed from Gilt Edge Textile Mills, Inc. recorded in said Registry in Book 1259, Page 96.

SUBJECT to an easement from Gilt Edge Textile Mills, Inc. to New Bedford Gas and Edison Light Company dated April 7, 1948, recorded in said Registry in Book 1028, Page 493.

Reserving to the Grantor, its successors and assigns, as well as to Franklin Investment Trust, as appurtenant to its remaining property on the east side of said premises, an easement of passage over PARCEL "A" as shown on a Plan of Land in New Bedford Current Owner: Fairhaven Textile drawn by Seguin Assoc. dated 4/6/99 to be recorded herewith shown as "EASEMENT" PARCEL "A" to be used in common with the Grantee, its successors and assigns, for all usual passageway purposes, and specifically not for parking.

SUBJECT to an activity and use limitation as set forth in said Registry in Book 3452, Page 1.

FOR GRANTOR'S TITLE see deed from ~~Fairhaven Textile Company~~ dated ~~May 3, 1999~~, recorded at the Bristol County (S.D.) Registry of Deeds at Book 4405, Page 216.

The Grantee hereby covenants and agrees that it does irrevocably and unconditionally release and forever discharge Grantor, and its shareholders, directors, officers, employees, agents, successors and assigns (hereinafter collectively, Releases) from any and all claims which Grantee ever had, now has, or may have in the future against the Releases arising out of the parcel hereof (the "Premises"), any condition of the Premises, or any violation of any laws, ordinances or regulations by any

of the Releasees. Grantor further covenants not to sue the Releasees or join any of the Releasees as a party defendant in connection with any such claims arising out of the Premises or any condition of the premises, or any violation of any laws, ordinances or regulations by any of the Releasees. The covenants herein shall run with the land and be binding upon the successors and assigns of the Grantee, and subsequent owners of the Premises.

In witness whereof the said Franklin Environmental Technology Corp. has caused its seal hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf of Kirk Franklin, its President and Charles H. Franklin, Jr., Treasurer hereto duly authorized this 4th day of May, 1999.

Franklin Environmental Technology,
Corp.

By: Kirk Franklin
Kirk Franklin, President
Charles H. Franklin, Jr.
Charles H. Franklin, Jr., Treasurer

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

4 April 4, 1999

Then personally appeared the above named Kirk Franklin, President and Charles H. Franklin, Treasurer and acknowledged the foregoing to be their free act and deed and the free act and deed of said Corporation, before me.

Jay L. Horowitz, Notary Public
My Commission Expires: March 30, 2001

24
1999-04-04 10:03

REG OF DEEDS
REG #07
BRISTOL S

05/04/99 4:16PM 01
000000 W0556

FEE \$50.16

CASH \$50.16

ATTACHMENT

Applicant Bob's Tire Co. operates its business on property identified as Assessor's Map 98, Lot 128 on property owned by Brook Street Realty Co., Inc. Bob's Tire does not operate on the adjacent property identified in the notice of violation stated to be Map 92, Lot 305 which is owned by New Bedford Storage and Warehousing, LLC.

Applicant received cease and desist notice of noise complaint dated May 29, 2015 from the Department of Inspectional Services, a copy of which is attached hereto. The cease and desist order states that it is issued pursuant to City Ordinance 17-15, Noise, and 6-120 Nuisance. The alleged nuisance is the alleged noise violation. Section 17-15(b) of the City Code states as follows:

- (b) *Noises at commercial establishments.* All noises at commercial establishments located in principally residential neighborhoods that menace the health, interrupt or disturb sleep of residents between the hours of 10:00 p.m. and 7:00 a.m. are hereby prohibited; and, without limiting the generality of the foregoing, it is hereby intended that "noises," as used in this section, shall include the loading or unloading of motor vehicles, those sounds emitted by all types of mechanical devices, including motor vehicles, and those by animals and birds. (emphasis supplied)

The Petitioner's business is located in the Industrial B zoning district. This is a district where many industrial businesses are located. It

is not a "principally residential neighborhood." As such, the noise ordinance does not apply to the petitioner's business.

Due to a business necessity caused by a broken shredder, which required the business to meet demand with one working shredder instead of its usual two shredders, the Petitioner has been required to operate at expanded hours until the broken machinery can be replaced. Even though the ordinance does not apply, the business has taken measures to mitigate noise from its equipment including replacing a gearbox. As such, the noise has been dissipated. The business has also ordered a replacement shredder which will be ready soon, and then the business will be able to comply with the 7:00 a.m. to 10:00 p.m. hours of operation as stated in the notice.

As the business is not in violation of the City Code, its appeal should be granted, and it should not be required to comply with the cease and desist order.



DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET - ROOM 308
NEW BEDFORD, MA 02740

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

29 May 2015

New Bedford Storage and Warehousing LLC, AKA Bobs Tires
C/O Manager on site
148 North Warren Avenue
Brockton, MA 02301

RE: 55 Brook Street, New Bedford, MA 02745 – Plot: 92 – Lot: 305 – Zoned: IB

Upon inspection during a task force Special Investigation regarding multiple noise complaints against Bobs Tires operations at 55 Brook Street and boarding parcels. It was verified that a noise was being emitted which could be a nuisance to the neighborhood. The noise was being created from a piece of equipment in his normal tire operation. It was also found that operations were recently just made twenty four (24) hours due to multiple equipment failures. This is in violation of the cities noise and nuisance ordinances. Operation of this piece of equipment is limited to the hours of seven (7) am to ten (10) PM and must be adjusted immediately to bring it into compliance. Please keep me informed as to the correction being done to prevent further legal action from being taken:

The above list is in violation of the following:

- New Bedford City Ordinance 17-15, Noise. SS (b) Noises at commercial establishments.
- New Bedford City Ordinance 6-120, Nuisance.

Upon receipt of this letter hand delivered to the manager on Monday June 1, 2015 you need to comply immediately. Any questions, feel free to contact me at 508-979-1540.

Failure to comply may result in legal proceedings, Statutory Fines and potential corrective action by the city. If such corrective action is taken the city will place a lien on the property for all expenses incurred. Each violation of any City Ordinance shall be a fine of \$300.00 per day, per infraction. Thank you very much in advance for your full cooperation in this matter.

If you disagree with this order, decision, or determination made by the Building Department you can utilize the appeal process for both the building requirements and/or Zoning. **IBC 113 Board of Appeals: 113.1 General; 113.2 Limitation of Authority; 113.3 Qualifications.** New Bedford zoning regulations: **5200 Zoning Board of Appeals.** It should be noted that As Per 5222. ... **Appeals may not grant use variances.** In accordance with M.G.L. c. 143, ss 100.

Respectfully,

Joseph Kaufman
 Local Building Inspector
 City of New Bedford

JK/LCM
 1st Class Mail
 Hand Delivered to site



- Planned Subdivision
- Combined Parcels
- Master Parcel Linking to Assessing DB
- Associated Parcels
- Water Bodies
- Town Boundary
- Engineering Lot Number
- Lot Area

1 inch = 60 Feet
 0 30 60 Feet



City of New Bedford
Massachusetts

Map: 098

Printed Year: 2015
 This parcel map should be used for planning and assessment purposes only.

Map Produced By:
 City of New Bedford
 Department of
 Municipal Information Systems
 January 2015

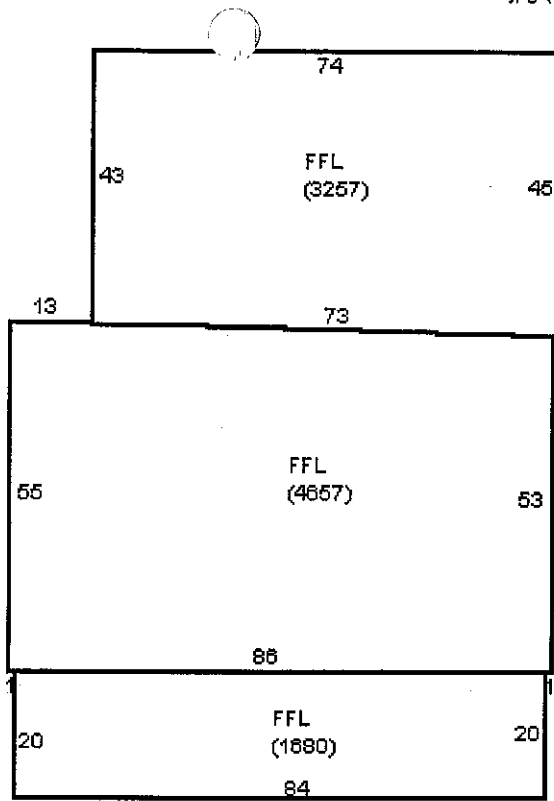


City of New Bedford
Massachusetts

Map: 092

This map was made in part by planing
the address numbers only.

Map prepared by:
City of New Bedford
Department of
Management Information Systems
January 2016



REQUEST FOR CERTIFIED LIST OF ABUTTERS

Attach the Certified List of Abutters to this Certification Letter and Submit all.

The applicant shall complete the request form below, and submit to Planning Department, City Hall, 133 William Street, Room 303, so that a list may be created for use by the applicant.

I, Carlos Amado, Administrative Assistant to the Board of Assessors of the City of New Bedford, do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Date: 6/26/2015

SUBJECT PROPERTY:

MAP 98 LOT 128

LOCATION 67-73 Brook Street, New Bedford, MA

OWNER'S NAME Brook Street Realty Co., Inc.

MAILING ADDRESS P.O. Box 1090, Mattapoisett, MA 02739

CONTACT PERSON Richard E. Burke, Jr.

TELEPHONE NUMBER 508-993-0333

EMAIL ADDRESS rburke@bbflawoffices.com

REASON FOR REQUEST: attachment to administrative appeal to the
Zoning Board of Appeals

PLANNING

JUN 23 2015

DEPARTMENT

June 24, 2015
 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 67-73 Brook Street (98-128) 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.

Parcel	Location	Owner and Mailing Address
98-129	152-BULLARD ST 154	MELLO CAROL A, 251 HAWTHORN ST NEW BEDFORD, MA 02740-2323
98-255	79 BROOK ST	79 BROOK STREET LLC, 79 BROOK STREET NEW BEDFORD, MA 02746 - 1782
98-128	67-BROOK ST 73	BROOK STREET REALTY TRUST, P O BOX 1090 MATTAPOISETT, MA 02739-0407
98-107	186 DEANE ST	SILVA NELSON "TRUSTEE", SILVA IRREVOCABLE TRUST 186 DEANE STREET NEW BEDFORD, MA 02746-5721
98-253	211 DEANE ST	TABER MILL COMPANY, C/O BOSTON LAND COMPANY 411 WAVERLY OAKS #313 WALTHAM, MA 02452-8414
92-148	65 BROOK ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740-6132
92-145	65 BROOK ST	LAURANS WILLIAM G, 115 CHURCH ST NEW BEDFORD, MA 02746-1842
92-227	157 TALLMAN ST	SEQUEIRA CARLOS, SEQUEIRA RITA ALMEIDA 157 TALLMAN ST NEW BEDFORD, MA 02746-1731
92-228	155 TALLMAN ST	SILVA ALFREDO S, SILVA VIOLET L 338 MENDELL RD ACUSHNET, MA 02743-1214
92-255	158 TALLMAN ST	QUINTIN JEANNE, 158 TALLMAN ST NEW BEDFORD, MA 02746-1730
92-237	156 TALLMAN ST	MCCRA GERARD A, MCCRA RUTH J P O BOX 34 96 Burgess Ave ROCHESTER, MA 02770 - 0034
92-238	154 TALLMAN ST	PACHECO AMADEU, PACHECO ANABELA 154 TALLMAN STREET NEW BEDFORD, MA 02746-1730
92-23	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 PHILADELPHIA, PA 19101-8499

June 24, 2015
 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 67-73 Brook Street (98-128). 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.

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Parcel	Location	Owner and Mailing Address
92-280	159 TALLMAN ST	CRUZ ANTONIO, 159 TALLMAN ST NEW BEDFORD, MA 02746-1721
92-305	39-BROOK ST 49	NEW BEDFORD STORAGE AND WAREHOUSING LLC, 39 BROOK STREET NEW BEDFORD, MA 02746-1742
98-254	83 BROOK ST	MILLER HOLDINGS LLC, 220 DEANE STREET 95 Brook St. NEW BEDFORD, MA 02745-02746-1782
98-88	203 DEANE ST	LEVRAULT FELIX J, LEVRAULT DOREEN R 203 DEANE STREET NEW BEDFORD, MA 02746-1713
97-5	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8499 PHILADELPHIA, PA 19101 -0499
92-230	147 TALLMAN ST	LEBLANC JOHN, LEBLANC EVELYN 147 TALLMAN ST NEW BEDFORD, MA 02746-1729
98-138	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8499 PHILADELPHIA, PA 19101-8499
98-133-A	146 NYE ST #1	NEGALHA PAULA M, 80 FARMFIELD STREET FAIRHAVEN, MA 02719-3526
98-132	145 NYE ST	SILVA ALIRIO, 404 GULF ROAD WEST SOUTH DARTMOUTH, MA 02748-1152
98-180	149 BULLARD ST	MATIAS LUIS A, MATIAS MARIA 149 BULLARD ST NEW BEDFORD, MA 02746-1769
98-192	RIGHT OF WAY	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202-4423
98-215	201 DEANE ST	BARRIGA HECTOR, 1127 BRALEY RD NEW BEDFORD, MA 02745-4200
98-216	199 DEANE ST	BALANCA JOSE C "TRUSTEE", BALANCA DIAMANTINA F "TRUSTEE" 3 TRACY ST ACUSHNET, MA 02743-1876

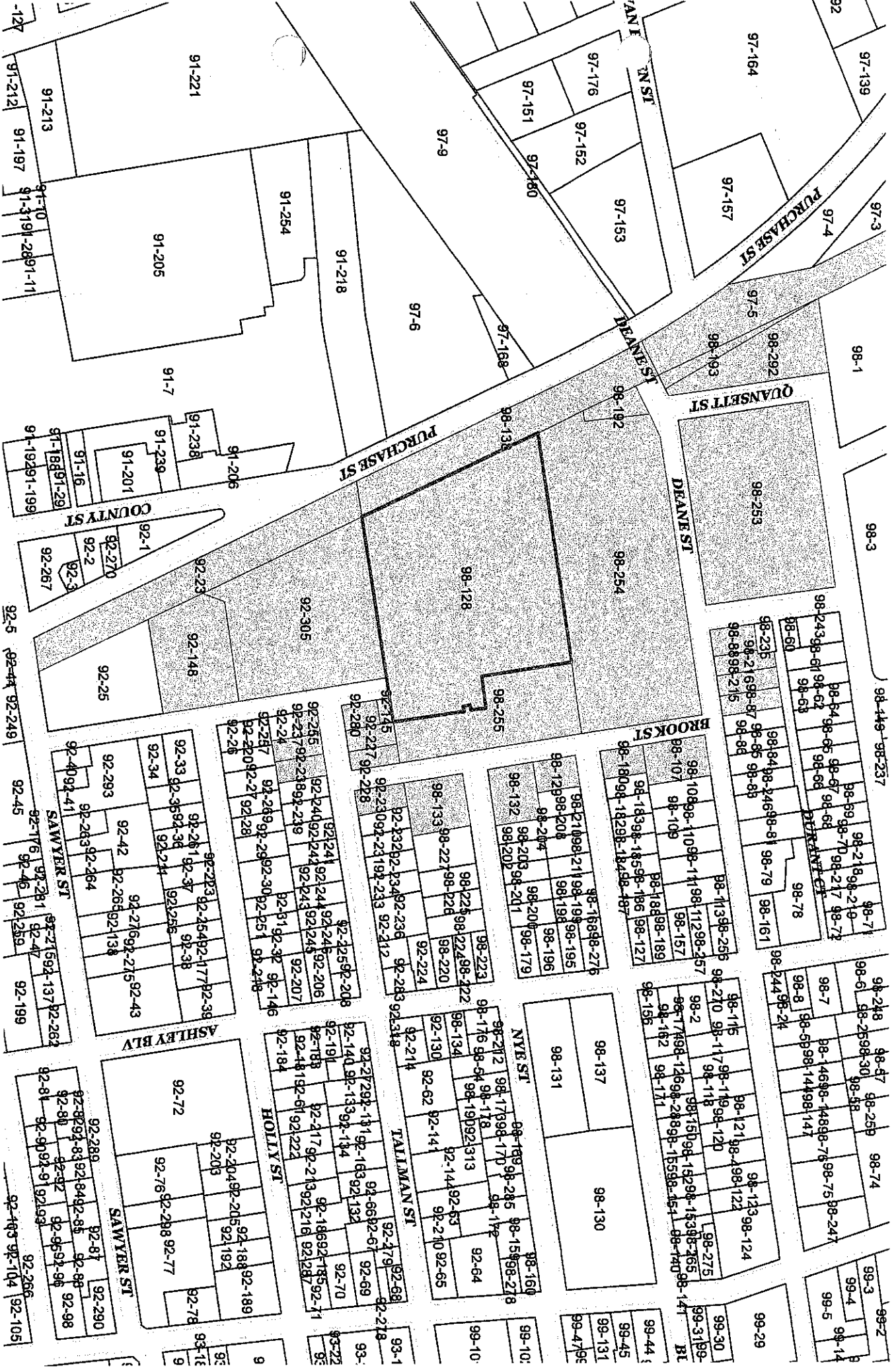
June 24, 2015

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Parcel	Location	Owner and Mailing Address
98-87	193 DEANE ST	DAVIS GLEN S, DAVIS ANN M 193 DEANE STREET NEW BEDFORD, MA 02746-1713
98-193	RIGHT OF WAY	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202-4423
98-292	W SQUANSETT ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740-6132
98-133-B	146 NYE ST #2	RODRIGUES CAROLYN 69 COTTAGE STREET FAIRHAVEN, MA 02719-3521
98-133-C	146 NYE ST #3	SILVA ALFRED R 338 MENDALL ROAD ACUSHNET, MA 02743-1214
98-133-D	146 NYE ST #4	BOTELHO DIANE M 6 ANDY'S COURT ACUSHNET, MA 02743-1209
98-133-E	146 NYE ST #5	NEGALHA PAULA M 80 FARMFIELD STREET FAIRHAVEN, MA 02719-3526
98-133-F	146 NYE ST #6	RODRIGUES CAROLYN 69 COTTAGE STREET FAIRHAVEN, MA 02719-3521
98-133-G	146 NYE ST #7	SILVA ALFRED ROGER 338 MENDALL ROAD ACUSHNET, MA 02743-1214
98-133-H	146 NYE ST #8	BOTELHO DIANE M 6 ANDY'S COURT ACUSHNET, MA 02743-1209
98-133-J	146 NYE ST #9	NEGALHA PAULA M 80 FARMFIELD STREET FAIRHAVEN, MA 02719-3526
98-133-K	146 NYE ST #10	RODRIGUES CAROLYN 69 COTTAGE STREET FAIRHAVEN, MA 02719-3521
98-133-L	146 NYE ST #11	SILVA ALFRED ROGER 338 MENDALL ROAD ACUSHNET, MA 02743-1214
98-133-M	146 NYE ST #12	BOTELHO DIANE M 6 ANDY'S COURT ACUSHNET, MA 02743-1209



99-2

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99-31B

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99-45

99-131

99-479C

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REQUEST FOR CERTIFIED LIST OF ABUTTERS

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I, Concepcion Arado, Administrative Assistant to the Board of Assessors of the City of New Bedford, do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Date: 6/26/2015

SUBJECT PROPERTY:

MAP 92 LOT 305

LOCATION 39-49 Brook Street, New Bedford, MA

OWNER'S NAME New Bedford Storage and Warehousing, LLC

MAILING ADDRESS 39 Brook Street, New Bedford, MA 02740

CONTACT PERSON Richard E. Burke, Jr.

TELEPHONE NUMBER 508-993-0333

EMAIL ADDRESS rburke@bbflawoffices.com

REASON FOR REQUEST: attachment to administrative appeal to

Zoning Board of Appeals

PLANNING

JUN 23 2015

DEPARTMENT

June 24, 2015
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 39-49 Brook Street (92-305) 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.

Parcel	Location	Owner and Mailing Address
98-255	79 BROOK ST	79 BROOK STREET LLC, 79 BROOK STREET NEW BEDFORD, MA 02746-1782
98-128	67-BROOK ST 73	BROOK STREET REALTY TRUST, P O BOX 1090 MATTAPOISETT, MA 02739-0407
92-25	9 BROOK ST	CALVAO JOSE A "TRUSTEE", CALVAO ADRIEL "TRUSTEE" 13 BROOK STREET NEW BEDFORD, MA 02746-1742
92-148	29 BROOK ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740-6132
92-26	163 HOLLY ST	BARBOSA CLAUDINO F, BARBOSA JORGE R P O BOX 50551 NEW BEDFORD, MA 02745-0019
92-145	65 BROOK ST	LAURANS WILLIAM G, 115 CHURCH ST NEW BEDFORD, MA 02746-1842
92-257	32 BROOK ST	MESSIER ELLEN P, 32 BROOK STREET NEW BEDFORD, MA 02746-1749
92-24	36 BROOK ST	PATA DOMINGOS, PATA ANA 59 VENTURA LANE NEW BEDFORD, MA 02745-1800
92-255	158 TALLMAN ST	QUINTIN JEANNE, 158 TALLMAN ST NEW BEDFORD, MA 02746-1730
92-23	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 PHILADELPHIA, PA 19101-8499
92-280	159 TALLMAN ST	CRUZ ANTONIO, 159 TALLMAN ST NEW BEDFORD, MA 02746-1731
92-305	39-BROOK ST 49	NEW BEDFORD STORAGE AND WAREHOUSING LLC, 39 BROOK STREET NEW BEDFORD, MA 02746-1742
98-254	83 BROOK ST	MILLER HOLDINGS LLC, 220 DEANE STREET 95 Brook St NEW BEDFORD, MA 02745 02746-1782

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<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
98-138	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8499 PHILADELPHIA, PA 19101 - 8499

4192

DEPARTMENT SIGN-OFF SHEET

**ZONING BOARD OF APPEALS
ADMINISTRATIVE APPEAL REVIEW**

<u>DEPARTMENT</u>	<u>COPIES</u>	<u>SIGNATURE</u>	<u>DATE</u>
BOARD MEMBERS CITY HALL, ROOM 303	5	<i>[Signature]</i>	6/29/15
CITY PLANNING CITY HALL, ROOM 303	1	<i>[Signature]</i>	6/25/15
CITY CLERK (Original) CITY HALL, ROOM 118	1	<i>[Signature]</i>	6/26/15
CITY SOLICITOR CITY HALL, ROOM 203	1	<i>[Signature]</i>	6/29/15
INSPECTIONAL SERVICES CITY HALL, ROOM 308	1	<i>[Signature]</i>	
PUBLIC INFRASTRUCTURE 1105 SHAWMUT AVENUE	1	<i>[Signature]</i>	
CONSERVATION COMMISSION CITY HALL, ROOM 304	1	<i>[Signature]</i>	6/29/15
FIRE DEPARTMENT 868 PLEASANT STREET	1	<i>[Signature]</i>	6/29/15