



# ZONING BOARD OF APPEALS

CITY OF NEW BEDFORD  
 JONATHAN F. MITCHELL, MAYOR

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

Appeal Nr. 4174

## Petition for a VARIANCE

Date: 1/15/15

The undersigned petitions the Board of Appeals to grant a Variance 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: 28 Alva Street

Assessor's Map(s): 55 Lot(s) 246

Registry of Deeds Book: 10050 Page: 175

Zoning District: Residence A

Applicant's Name (printed): Thomas Polvino

Mailing Address: 28 Alva St New Bedford MA 02740  
 (Street) (City) (State) (Zip)

Contact Information: 774-628-9289  
 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:

1. Application	5. Permit Rejection Pack
2. Site Plans	6. Property Deed
3. Plot Plan	7. Appendix
4. Three Photos	
a. Current Layout	
b. Proposed Layout	
c. Proposed Layout With Dimensions	

2015  
 JAN 23 P 12:17  
 CITY CLERK

CITY CLERKS OFFICE  
 NEW BEDFORD, MA

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.

Jan. 20, 2015 Date      Thomas A. Polvino Signature of Applicant

2. Dimensions of Lot(s) 77.16' x 77.50' Area 5,980

	Frontage	Depth	Sq. Ft.
3. Number of buildings on lot	<u>1</u>		
4. Size of existing buildings	<u>33'x38' (House), 16'x20 (Carport), 4'x8' (Shed)</u>		
5. Size of proposed buildings	<u>24'x33' (Garage)</u>		
6. Present use of premises	<u>Primary Residence</u>		
7. Proposed use of Premises	<u>Primary Residence with garage for personal use only</u>		
8. Extent of proposed alterations	<u>Add Garage, Remove Carport , Remove Shed</u>		
9. Existing number of dwelling units & bedrooms	<u>6</u>	Proposed	<u>6</u>

10. For commercial uses, please complete the following:

	Existing	Proposed
a) Number of customers per day:	_____	_____
b) Number of employees:	_____	_____
c) Hours of operation:	_____	_____
d) Days of operation:	_____	_____
e) Hours of deliveries:	_____	_____
f) Frequency of deliveries:	<input 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:

\_\_\_\_\_

\_\_\_\_\_

12. Have plans been submitted to the Department of Inspectional Services? Yes

13. Has the Department of Inspectional Services refused to issue a permit? Yes

14. Explain what modifications are proposed that would require the requested Variance:  
In order for us to have room in the new garage for my vehicle, my wife's vehicle, and all of our outdoor yard equipment the dimensions of the garage will cause us to exceed the allowable city requirements.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. State your hardship in accordance with Mass General Laws Chapter 40A Section 10. (Reference the attached "Required Findings For Granting a Variance).

Due to our age and current physical issues we would like a place to park our two vehicles in especially during inclement weather. We currently use our driveway and carport which is only accessible for one vehicle at a time. Our existing single bay carport also does not provide adequate protection during ice/snow conditions which makes it more dangerous for us to clean them off. We have already spoken with our neighbors and they do not have any problems with us building this garage in the proposed location.

16. Complete for ALL the portions for which you are requesting a Variance:

	<u>Existing</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Lot Area (sq ft)			
Lot Width (ft)			
Number of Dwelling Units			
Total Gross Floor Area (sq ft)			
Residential Gross Floor Area (sq ft)			
Non-Residential Gross Floor Area (sq ft)			
Building Height (ft)			
Front Setback (ft)			
Side Setback (ft)			
Side Setback (ft)	19'	12'	7'
Rear Setback (ft)			
Lot Coverage by Buildings (% of Lot Area)			
Permeable Open Space (% of Lot Area)			
Green Space (% of Lot Area)			
Off-Street Parking Spaces			
Loading Bays			
Number of Ground Signs			
Height of Ground Sign			
Proximity of Ground Sign to Property Line			
Area of Wall Sign (sq ft)			
Number of Wall Signs			

17. 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: Thomas Polvino  
at the following address: 28 Alva Street, New Bedford, MA  
to apply for: Zoning Variance  
on premises located at: 28 Alva Street, New Bedford, MA  
in current ownership since: 4/29/2011  
whose address is: 28 Alva Street  
for which the record title stands in the name of: Thomas Polvino & Anna Polvino  
whose address is: 28 Alva Street, New Bedford, MA  
by a deed duly recorded in the:  
Registry of Deeds of County: Bristol SD Book: 10050 Page: 175  
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.

Jan. 20, 2015 Thomas A. Polvino  
Date Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

CITY CLERKS OFFICE  
NEW BEDFORD, MA  
2015 JAN 23 P 12:11  
CITY CLERK

## APPENDIX

- (1) Owner's/Landlord's Name Thomas Polvino & Anna Polvino  
(2) Title Reference to Property 28 Alva Street, New Bedford, MA

(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

We, DAVID P. MOURA and NANCY L. MOURA, of 28 Alva Street, New Bedford, Massachusetts 02740

for consideration paid, and in full consideration of Two Hundred Fifteen Thousand Dollars (\$215,000.00)

grant to THOMAS POLVINO and ANNA G. POLVINO, husband and wife, of 20828 Valley Forge Circle, King of Prussia, Pennsylvania 19406

held as Tenants by the Entirety

with QUITCLAIM COVENANTS

the land, with any building(s) thereon, located in New Bedford, Bristol County, Massachusetts, more particularly bounded and described as follows:

BEGINNING at the northwest corner of the land herein conveyed at a point in the easterly line of Alva Street, distant southerly therein seventy-seven and 17/100 (17.17) feet from its intersection with the southerly line of Grant Street, and at the southwest corner of Lot 17A on plan of land hereinafter mentioned;  
thence EASTERLY in line of last-named lot, seventy-seven and 5/10 (77.5) feet to land of parties unknown;  
thence SOUTHERLY in line of last-named land, seventy-seven and 16/100 (77.16) feet to Lot 19 on said plan;  
thence WESTERLY in line of last-named lot, seventy-seven and 5/10 (77.5) feet to the said easterly line of Alva Street; and  
thence NORTHERLY in the said easterly line of Alva Street, seventy-seven and 16/100 (77.16) feet to the point of beginning.

CONTAINING twenty-one and 97/100 (21.97) square rods, more or less.

BEING shown as LOT 18 on Plan of Cornell Development, Section 2, New Bedford, Massachusetts, filed in the Bristol County (S.D.) Registry of Deeds in Plan Book 46, Page 43.

Property Address: 28 Alva Street, New Bedford, Massachusetts 02740

Being the same premises conveyed to the Grantors herein by deed dated December 12, 2005, and recorded at the Bristol County (S.D.) Registry of Deeds in Book 7916, Page 60.

WITNESS our hands and seals this 29<sup>th</sup> day of April, 2011.

Sara B O'Leary David P. Moura  
Witness DAVID P. MOURA

Sara B O'Leary Nancy L. Moura  
Witness NANCY L. MOURA

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

April 29, 2011

Then personally appeared the above-named DAVID P. MOURA and NANCY L. MOURA, who proved to me through satisfactory evidence of identification which was MA Drivers Licenses to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose before me,

Sara B O'Leary  
Sara B. O'Leary, Notary Public  
My commission expires: 11/16/2012

REG OF DEEDS  
REG #07  
BRISTOL S

04/29/11 1:48PM 01  
000000 #1409

FEE \$980.40  
CASH \$980.40

# 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, *Carol A. Ferrello*, 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: 1/23/2015

CITY CLERKS OFFICE  
NEW BEDFORD, MA  
2015 JAN 23 P 12:11  
CITY CLERK

SUBJECT PROPERTY:

MAP 55 LOT 246

LOCATION 28 Alva Street, New Bedford, MA 02740

OWNER'S NAME Thomas Polvino & Anna Polvino

MAILING ADDRESS 28 Alva Street, New Bedford, MA 02740

CONTACT PERSON Thomas Polvino *Brian Conceicao*

TELEPHONE NUMBER 774-628-9289 \*Please Call 508-742-7360 when Ready

EMAIL ADDRESS \_\_\_\_\_

REASON FOR REQUEST: Zoning Variance

**PLANNING**

**JAN 23 2015**

**DEPARTMENT**



January 23, 2015

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 28 Alva Street (55-246). 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
55-246	28 ALVA ST	POLVINO THOMAS, POLVINO ANNA G 28 ALVA ST NEW BEDFORD, MA 02740 - 1702
55-244	19 ALVA ST	DELUZ MICHAEL, 19 ALVA STREET NEW BEDFORD, MA 02740-1703
55-243	13 ALVA ST	TAVEIRA PATRICIA M, 13 ALVA ST NEW BEDFORD, MA 02740 -1703
55-248	14 ALVA ST	SILVA GEORGE M, SILVA DIANE L 14 ALVA ST NEW BEDFORD, MA 02740 -1702
62-143	45 ALVA ST	SERGI ROY A, SERGI CATHERINE J 45 ALVA STREET NEW BEDFORD, MA 02740 -1704
55-228	77 CORNELL ST	SILVIA JAMES E, 77 CORNELL ST NEW BEDFORD, MA 02740 -1748
62-128	89 CORNELL ST	JANSEN RICHARD G, JANSEN TARA 89 CORNELL ST NEW BEDFORD, MA 02740 -1748
62-130	126 GRANT ST	MONTEIRO STELLA E, C/O KENNETH MONTEIRO P O BOX 1112 NEW BEDFORD, MA 02741 -1112
55-247	24 ALVA ST	SEMIAO LIONEL, SEMIAO ALDINA 24 ALVA ST NEW BEDFORD, MA 02740 -1702
55-245	27 ALVA ST	VIEIRA MARIA O, VIEIRA ANTONIO M 27 ALVA STREET NEW BEDFORD, MA 02740 -1703
55-227	83 CORNELL ST	ORLOWSKI RYAN T, 83 CORNELL ST NEW BEDFORD, MA 02740 -1748
62-131	33 ALVA ST	ORLOWSKI CHRISTOPHER M, MENDES DEBRA 33 ALVA STREET NEW BEDFORD, MA 02740 -1703
62-144	50 ALVA ST	LEITE GREG, 50 ALVA ST NEW BEDFORD, MA 02740 -1705



54-88

RESTING ST

62-247

62-249

62-198

62-142

62-143

62-131

55-245

55-244

55-243

55-241

ALVA ST

ALVA ST

62-146

62-145

62-144

62-164

62-165

62-130

55-246

55-247

55-248

55-249

62-127

62-128

55-227

55-228

55-229

55-230

55-231

62-167

62-129

62-120

62-126

55-232

55-233

55-234

55-235

55-236

62-74

62-33

62-32

55-266

55-267

55-268

55-269

62-34

62-31

55-265

DUKE ST

62-35

62-30

55-264

55-277

62-36

62-29

55-263

55-262

62-37

62-28

55-276

62-38

62-27

55-275

55-258

55-274

55-2

DUKE ST

[Back to Search](#)

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Location: 28 ALVA ST

Parcel ID: 55 246

Zoning: RA

Fiscal Year: 2014

Current Owner Information:  
 POLVINO THOMAS  
 POLVINO ANNA G  
 28 ALVA ST

Current Sales Information:  
 Sale Date: 04/29/2011  
 Sale Price: \$215,000.00  
 Legal Reference: 10050-175  
 Grantor: MOURA, DAVID P

Card No. 1 of 1

NEW BEDFORD, MA 02740

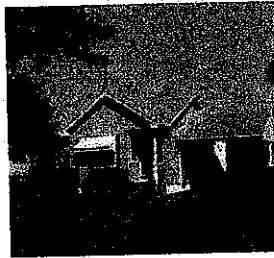
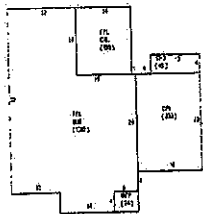
This Parcel contains 0.136 acres of land mainly classified for assessment purposes as Single Fam with a(n) RANCH style building, built about 1958, having Aluminum exterior, Asphalt Shingles roof cover and 1258 Square Feet, with 1 unit(s), 6 total room(s), 3 total bedroom(s) 2 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value: 111100

Land Value: 85900

Yard Items Value: 300

Total Value: 197300



Fiscal Year 2014

Tax Rate Res.:	15.16
Tax Rate Com.:	31.08
Property Code:	101
Total Bldg Value:	111100
Total Yard Value:	300
Total Land Value:	85900
Total Value:	197300
Tax:	\$2,991.07

Fiscal Year 2013

Tax Rate Res.:	14.33
Tax Rate Com.:	29.54
Property Code:	101
Total Bldg Value:	90600
Total Yard Value:	300
Total Land Value:	100700
Total Value:	191600
Tax:	\$2,745.63

Fiscal Year 2012

Tax Rate Res.:	13.76
Tax Rate Com.:	28.44
Property Code:	101
Total Bldg Value:	87600
Total Yard Value:	300
Total Land Value:	102900
Total Value:	190800
Tax:	\$2,625.41

