



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE
NEW BEDFORD, MA

ZONING BOARD OF APPEALS

2014 DEC 10 P 2:40

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

Appeal Nr. 4167

Petition for a Special Permit

Date: 11/20/14

The undersigned petitions the Board of Appeals to grant a Special Permit 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: 619-621 Summer St. New Bedford MA 02746

Assessor's Map(s): 90 Lot(s) 161

Registry of Deeds Book: 9402 Page: 219-220-221

Zoning District: mix use Business + Residential

Applicant's Name (printed): Joseph F. Meniz

Mailing Address: 100 ADAMS ST. New Bedford MA 02746
(Street) (City) (State) (Zip)

Contact Information: 508-989-2712 Telephone Number
jmcabinets@yahoo.com Email Address

Applicant's Relationship to Property: Owner Contract Vendee Other

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

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.

12/19/14
Date

[Signature]
Signature of Applicant

2. Dimensions of Lot(s) 46' 99' Area 4,242
Frontage Depth Sq. Ft.

3. Number of buildings on lot 1

4. Size of existing buildings 30' x 51' 1,504^{sq}'

5. Size of proposed buildings Same

6. Present use of premises Business use

7. Proposed use of Premises Residential use

8. Extent of proposed alterations Rehab interior

9. Existing number of dwelling units & bedrooms Office space Proposed 2 units w/ 1 bed ea

10. For commercial uses, please complete the following:

	Existing	Proposed
a) Number of customers per day:	<u>-</u>	<u>-</u>
b) Number of employees:	<u>-</u>	<u>-</u>
c) Hours of operation:	<u>-</u>	<u>-</u>
d) Days of operation:	<u>-</u>	<u>-</u>
e) Hours of deliveries:	<u>-</u>	<u>-</u>
f) Frequency of deliveries:	<input type="checkbox"/> Daily	<input type="checkbox"/> Weekly
	<input type="checkbox"/> Monthly	<input type="checkbox"/> Other: <u>-</u>

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? no

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

14. Provisions of the Zoning Ordinance under which a petition for a Special Permit is made
Both office space have been for rent, no luck
of renting because it's not a high visible area
for business. Need to convert to residential 1 bed apartments

15. Explain the need for the Special Permit and what modifications are proposed
Due to renting units it is very difficult to rent.

APPENDIX

- (1) Owner's/Landlord's Name Jeff. Howe
- (2) Title Reference to Property 619-621 SUMMER ST NEW BEDFORD

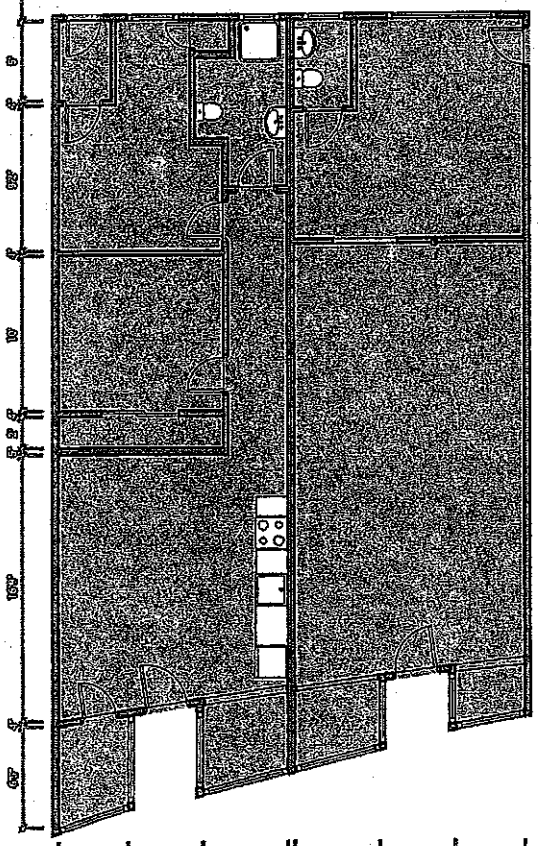
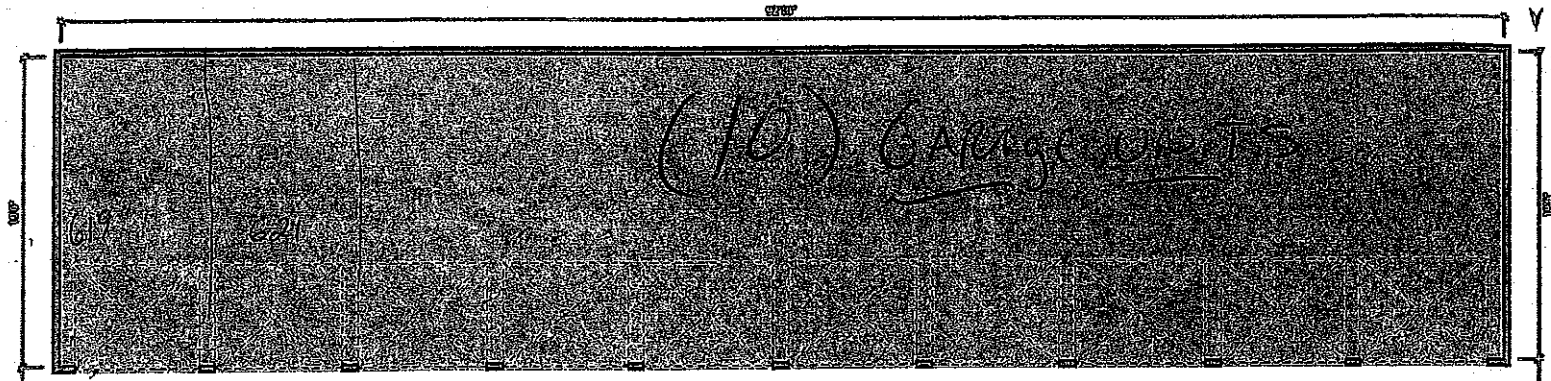
(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

- (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.

ZBA SPECIAL PERMIT APPLICATION SUBMITTAL CHECKLIST

The following documentation must be submitted, in duplicate (1 Original and 11 Copies), containing all items described below:

- Completed & Signed Application
- (a) Existing Conditions Site Plan, drawn to a scale not less than 1 inch: 40 feet, (For example, drawings at 1" : 10', 1" : 20' or 1" : 30' scale are acceptable) identifying positioning of existing structures must be provided. Site Plan must show footprint and dimensions of Rear, Front and Side distances between structure(s) and boundary lines.
 - (b) Site Plan Identifying Proposed Plans, showing all proposed alterations or additions with side, front and rear set property lines identified.
 - (c) Sub-Division Plans if Applicable
- A Certified Abutter's List
(Compiled by Planning Dept. and Certified in Assessor's Office)
- Plot Plan (Available at Inspectional Services Dept.)
- Filing Fee (Check made out to the City of New Bedford)
- Copy of Building Permit Rejection Packet
(Containing Rejected Building Permit and all information submitted with Building Permit Application)
- Appendix (Owner's Signature & Attached Deed for all Involved Parcels)
- Development Impact Statement (DIS)
(per Chapter 9 §5350 of the City of New Bedford Zoning Code)



#619

#621

Summer St → N

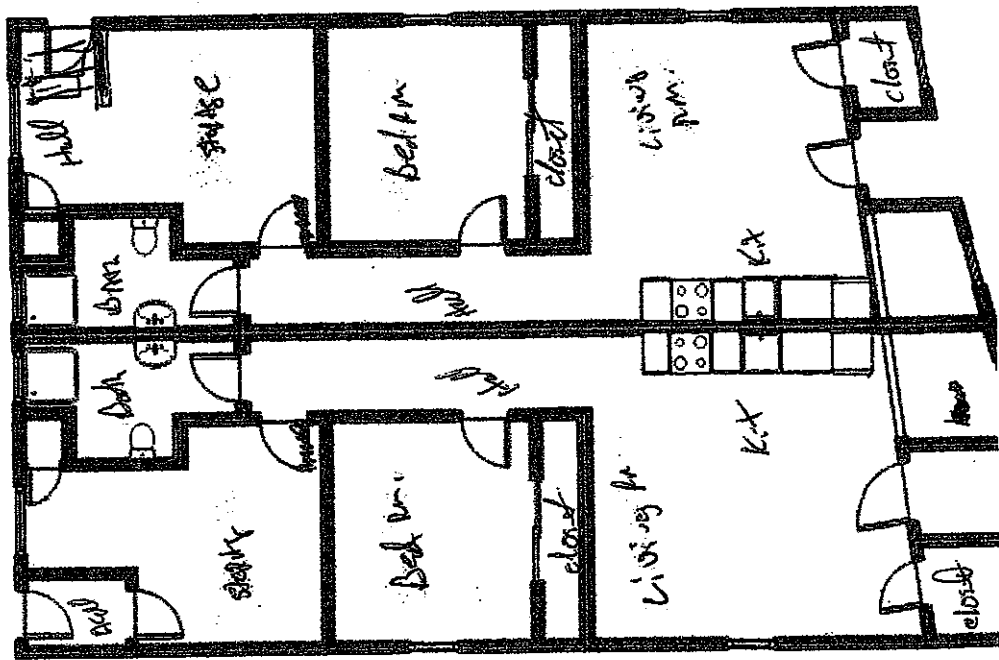
New (had) use
for Resq-13

See plan 2

619-621 SUMMER ST

N.B.
508-989-0712

RECEIVED
AUG 15 2014
By: [Signature]



ZBA VARIANCE APPLICATION SUBMITTAL CHECKLIST

The following documentation must be submitted, in duplicate (1 Original and 11 Copies), containing all items described below:

Completed & Signed Application

(a) Existing Conditions Site Plan, drawn to a scale not less than 1 inch: 40 feet, (For example, drawings at 1" : 10', 1" : 20' or 1" : 30' scale are acceptable) identifying positioning of existing structures must be provided. Site Plan must show footprint and dimensions of Rear, Front and Side distances between structure(s) and boundary lines.

(b) Site Plan Identifying Proposed Plans, showing all proposed alterations or additions with side, front and rear set property lines identified.

~~(c) Sub-Division Plans if Applicable~~

A Certified Abutter's List
(Compiled by Planning Dept. and Certified in Assessor's Office)

Plot Plan (Available at Inspectional Services Dept.)

Filing Fee (Check made out to the City of New Bedford)

Copy of Building Permit Rejection Packet
(Containing Rejected Building Permit and all information submitted with Building Permit Application)

Appendix (Owner's Signature & Attached Deed for all Involved Parcels)

- Deed at Request of Deeds
- Site Plan Drawn to SCALE

100 Adams Street, New Bedford, MA and 621 Summer Street, New Bedford, MA

MASSACHUSETTS QUITCLAIM DEED

I, **Gail Monahan, Trustee of the Gilbert Quintin Supplemental Needs Trust**, w/d/t dated October 23, 2008 and duly filed with Barnstable County Probate Court as Docket No. 08P1146PG1 and established by said Court under decree dated August 28, 2008 as a disability trust meeting the requirements set forth in 42 USC § 1396(d)(4)(A), Of 390 Bumfagon Road, Loudon, New Hampshire

For consideration paid, and in full consideration of Two Hundred Fifty-Five Thousand and 00/100 (\$255,000.00)

grant to **J. Moniz Realty, LLC**, a Massachusetts limited liability company with a mailing address of 100 Adams Street, New Bedford, Massachusetts,

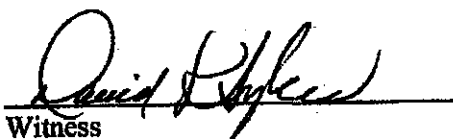
with *quitclaim covenants*

The property in said New Bedford, Bristol County, Massachusetts with an address of:

**100 Adams Street, New Bedford, Massachusetts and
621 Summer Street, New Bedford, Massachusetts**

SEE ATTACHED EXHIBIT "A" - PROPERTY DESCRIPTION

Witness my hand and seal this 10th day of June, 2009.

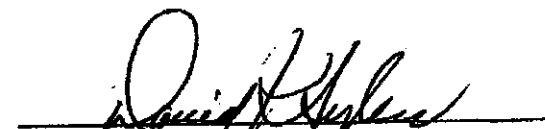

Witness


Gail Monahan, Trustee

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 10th day of June, 2009, before me, the undersigned notary public, personally appeared the above-named Gail Monahan, proved to me through satisfactory evidence of identification which was a New Hampshire driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.


Notary Public-
My Commission Expires:



DAVID K. SYKES
Notary Public
Commonwealth of Massachusetts
My Commission Expires Oct. 13, 2011

EXHIBIT "A" - PROPERTY DESCRIPTION

The land with the buildings thereon, in New Bedford, Bristol County, Massachusetts, bounded and described as follows:

Beginning at the northeast corner of the lot to be conveyed at the point of intersection of the south line of Adams Street with the west line of Summer Street; thence

SOUTHERLY in said west line of Summer street, ninety-three and 19/100 (93.19) feet; thence

WESTERLY in line of land now or formerly of M. Cohen, ninety-nine and 35/100 (99.35) feet; thence

NORTHERLY ninety-one and 29 (91.29) feet to a point in the south line of said Adams Street; and thence

EASTERLY in said south line of Adams Street, seventy-eight and 62/100 (78.62) feet to the point of beginning.

Containing twenty-nine and 78/100 (29.78) square rods, more or less.

Said property is also shown as Parcels 160 and 161 as shown on Assessor's Map 90 in the records of the City of New Bedford.

Being the same premises conveyed to this Grantor by deed of Gilbert M. Quintin, a/k/a Gilbert Quintin, dated March 27, 2009 and recorded with Bristol County (Southern District) Registry of Deeds in Book 9325, Page 133.

REG OF DEEDS
REG #07
BRISTOL S

06/10/09 1:51PM 01
000000 #6379

FEE \$1162.80

CASH \$1162.80

**CERTIFICATE OF TRUSTEE
PURSUANT TO
MASSACHUSETTS GENERAL LAWS, CHAPTER 184, SECTION 35**

The undersigned Trustee hereby certifies as follows:

1. This Certificate of Trust, pursuant to Massachusetts General Law, Chapter 184, Section 35, relates to the Gilbert Quintin Supplemental Needs Trust dated August 23, 2008, as amended.
2. The name of the Settlor is Gilbert Quintin and the Current Trustee is Gail Monahan.
3. The undersigned hereby represents that the statements contained in this Certificate of Trust are true and correct and that the trust has not been terminated and remains in full force and effect.
4. The Trustee of the Trust has authority to act with respect to real estate owned by the Trust, and has full and absolute power under said Trust to acquire or convey any interest in real estate or improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the Trustee for a conveyance thereof.
6. The undersigned hereby represents that there are no additional facts which constitute conditions precedent to acts by the Trustee(s) or which are in any other manner germane to the affairs of the Trust in connection with the actions taken by the Trustee.

Executed under the penalties of perjury this 10th day of June, 2009.



Witness

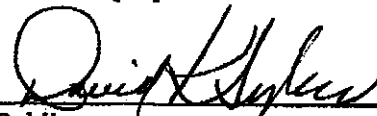


Gail Monahan, Trustee

COMMONWEALTH OF MASSACHUSETTS

Bristol County, ss:

On this 10th day of June, 2009, before me, the undersigned notary public, personally appeared Gail Monahan, proved to me through satisfactory evidence of identification, which was a driver's license, 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.



Notary Public:
My Commission Expires: 10/13/2011

A true copy of instrument as recorded in
Bristol County (S.D.) Registry of Deeds
in Book 9402 Page 219

ATTEST:

REGISTER



DAVID K. SYKES
Notary Public
Commonwealth of Massachusetts
My Commission Expires Oct. 13, 2011

[Back to Search](#)

[Print Page](#)

Location: 621 SUMMER ST

Parcel ID: 90 161

Zoning: MUB

Fiscal Year: 2014

Current Owner Information:
J MONIZ REALTY LLC

Current Sales Information:
Sale Date: 06/10/2009
Sale Price: \$255,000.00

Card No. 1 of 1

100 ADAMS STREET

Legal Reference: 9402-219

Grantor: MONAHAN,GAIL "TRUSTEE"

NEW BEDFORD , MA 02746

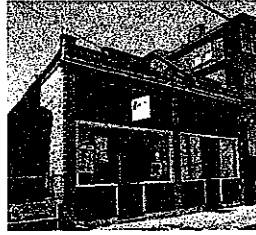
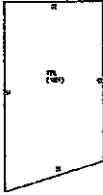
This Parcel contains 0.097 acres of land mainly classified for assessment purposes as RETAIL with a(n) GENERAL RETAIL style building, built about 1910, having Conc Blk exterior, Rolled Composition roof cover and 1504 Square Feet, with 1 unit(s), total room(s), total bedroom(s) 0 total bath(s), 0 3/4 baths, and 2 total half bath(s).

Building Value: 38000

Land Value: 61900

Yard Items Value: 0

Total Value: 99900



Fiscal Year 2014		Fiscal Year 2013		Fiscal Year 2012	
Tax Rate Res.:	15.16	Tax Rate Res.:	14.33	Tax Rate Res.:	13.76
Tax Rate Com.:	31.08	Tax Rate Com.:	29.54	Tax Rate Com.:	28.44
Property Code:	325	Property Code:	325	Property Code:	325
Total Bldg Value:	38000	Total Bldg Value:	39300	Total Bldg Value:	43900
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	61900	Total Land Value:	61900	Total Land Value:	65700
Total Value:	99900	Total Value:	101200	Total Value:	109600
Tax:	\$3,104.89	Tax:	\$2,989.45	Tax:	\$3,117.03

4/6/60

DEPARTMENT SIGN-OFF SHEET

ZONING BOARD OF APPEALS SPECIAL PERMIT REVIEW

<u>DEPARTMENT</u>	<u>COPIES</u>	<u>SIGNATURE</u>	<u>DATE</u>
BOARD MEMBERS CITY HALL, ROOM 303	5	<i>[Signature]</i>	12/8/14
CITY PLANNING CITY HALL, ROOM 303	1	<i>[Signature]</i>	12/8/14
CITY CLERK (Original) CITY HALL, ROOM 118	1	<i>[Signature]</i>	12/8/14
CITY SOLICITOR CITY HALL, ROOM 203	1	<i>[Signature]</i>	12/8/14
INSPECTIONAL SERVICES CITY HALL, ROOM 308	1	<i>[Signature]</i>	12/8/14
PUBLIC INFRASTRUCTURE 1105 SHAWMUT AVENUE	1	<i>[Signature]</i>	12/8/14
CONSERVATION COMMISSION CITY HALL, ROOM 304	1	<i>[Signature]</i>	12/8/14
FIRE DEPARTMENT 1204 PURCHASE STREET	1	<i>[Signature]</i>	12/8/14

PLANNING
DEC 08 2014
DEPARTMENT

CITY CLERKS OFFICE
NEW BEDFORD, MA

PLANNING

OCT 24 2014


2014 DEC -8 P 2:09

DEPARTMENT

CITY CLERK
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, , 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: 10/24/2014

SUBJECT PROPERTY:

MAP 90 LOT 161

LOCATION 619-621 Summer st.

OWNER'S NAME Joseph F. Moniz (J Moniz Realty LLC)

MAILING ADDRESS 100 Adams st. New Bedford MA 02746

CONTACT PERSON Joseph F. Moniz

TELEPHONE NUMBER 508-989-2712

EMAIL ADDRESS jmoniz@yahoo.com

REASON FOR REQUEST: variance for building.

October 24, 2014

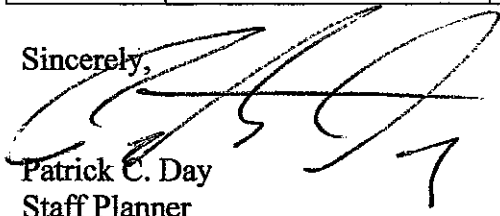
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 621 Summer Street (90-161). 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.

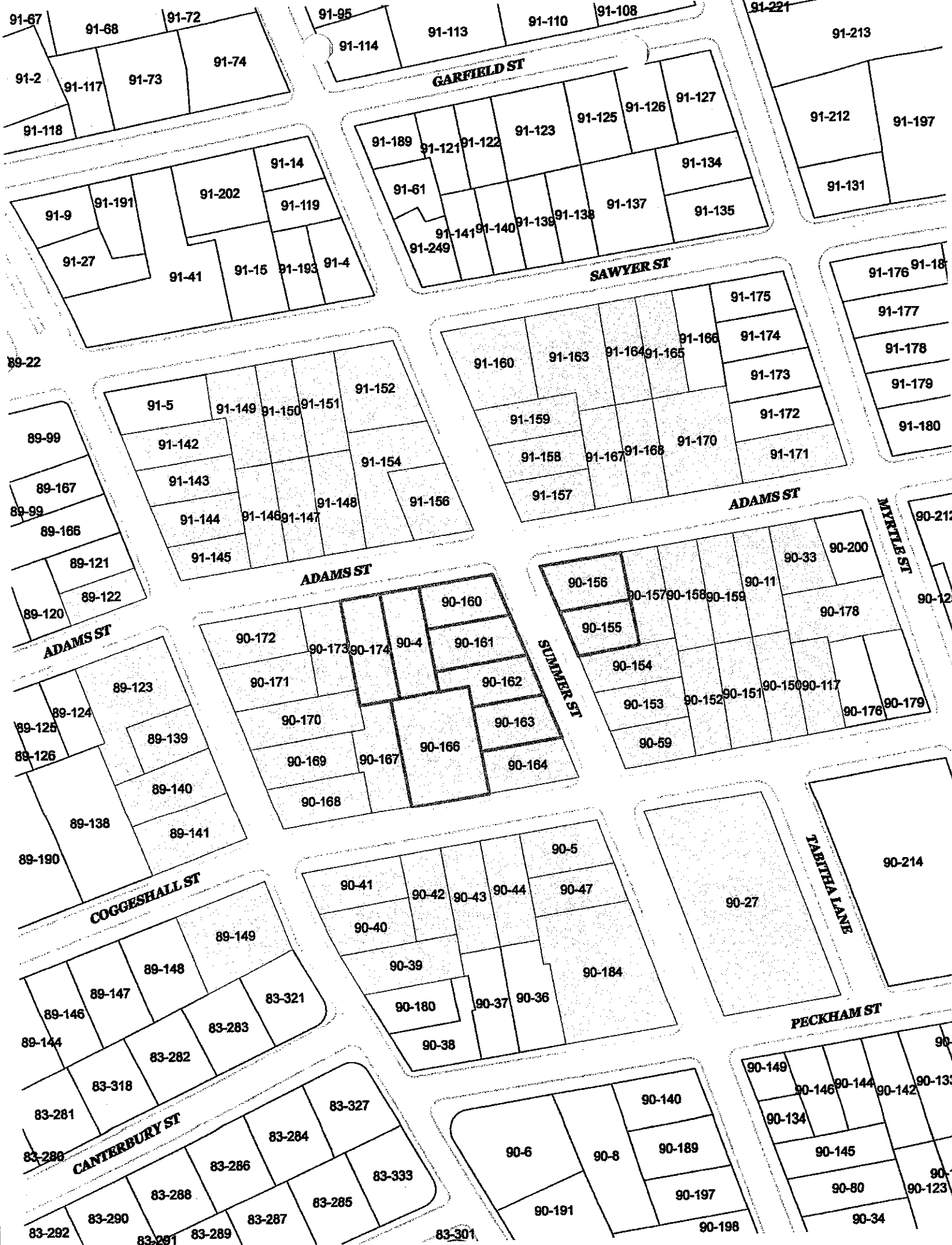
Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
90-166	595-COGGESHALL ST 597	FERREIRA FERNANDO J, 595 COGGESHALL ST NEW BEDFORD, MA 02746
90-163	613 SUMMER ST	RUSSELL LOUISE M "TRUSTEE", SLIM REALTY TRUST BOX 79455 NORTH DARTMOUTH, MA 02747
90-162	617 SUMMER ST	COMMUNITY ACTION FOR BETTER HOUSING INC, 1600 BAY STREET FALL RIVER, MA 02724
90-160	100-ADAMS ST 104	J MONIZ REALTY LLC, 100 ADAMS STREET NEW BEDFORD, MA 02746
90-161	621 SUMMER ST	J MONIZ REALTY LLC, 100 ADAMS STREET NEW BEDFORD, MA 02746
90-155	622 SUMMER ST	DESOUSA LUIS S, DESOUSA JOAO A 622 SUMMER STREET NEW BEDFORD, MA 02740 02746
90-174	114 ADAMS ST	FERREIRA JOSHUA, 114 ADAMS STREET NEW BEDFORD, MA 02746
90-4	110 ADAMS ST	FREITAS JOSE SOUSA, FREITAS MARIA E 110 ADAMS ST NEW BEDFORD, MA 02746
90-156	628 SUMMER ST	SANTOS OSCAR, 628 SUMMER STREET NEW BEDFORD, MA 02746

Sincerely,



Patrick C. Day
Staff Planner



91-67 91-68 91-72
91-2 91-117 91-73 91-74
91-118

91-95 91-113 91-110 91-108
91-114

91-221 91-213
91-212 91-197
91-131

91-14
91-9 91-191 91-202 91-119
91-27 91-41 91-15 91-193 91-4

GARFIELD ST
91-189 91-121 91-122 91-123 91-125 91-126 91-127
91-61 91-134
91-141 91-140 91-138 91-138 91-137 91-135
91-249

SAWYER ST
91-175
91-174
91-173
91-172
91-171
91-160 91-163 91-164 91-165 91-166
91-159 91-158 91-167 91-168 91-170
91-157

91-176 91-18
91-177
91-178
91-179
91-180

89-22 89-99 89-167 89-166 89-121 89-120 89-122
91-5 91-149 91-150 91-151 91-152
91-142 91-143 91-144 91-146 91-147 91-148 91-154 91-156

ADAMS ST
90-212 90-210 90-209 90-208 90-207 90-206 90-205 90-204 90-203 90-202 90-201 90-200
90-178 90-179 90-178 90-179 90-178 90-179
90-156 90-157 90-158 90-159 90-11 90-33 90-200
90-155 90-154 90-153 90-152 90-151 90-150 90-117 90-178 90-176 90-179
90-59

ADAMS ST
89-124 89-123 89-125 89-126 89-139 89-140 89-138 89-141 89-190

ADAMS ST
90-172 90-171 90-170 90-169 90-168 90-173 90-174 90-4 90-161 90-162 90-163 90-164 90-166 90-167 90-166 90-164

SUMMER ST
90-156 90-155 90-154 90-153 90-59 90-11 90-150 90-117 90-178 90-176 90-179

COGGESHALL ST
89-146 89-147 89-148 89-149 83-281 83-318 83-282 83-283 83-321

90-41 90-42 90-43 90-44 90-47 90-40 90-39 90-180 90-38 90-37 90-36 90-184 90-5

90-27 90-214
TABITHA LANE

CANTERBURY ST
83-280 83-281 83-282 83-283 83-284 83-285 83-286 83-287 83-288 83-289 83-290 83-291 83-292 83-327 83-328 83-329 83-330 83-331 83-332 83-333

PECKHAM ST
90-149 90-146 90-144 90-142 90-133 90-134 90-145 90-80 90-123 90-191 90-189 90-197 90-188 90-34 90-6 90-8 90-140 90-198