



*City of New Bedford*  
**ZBA VARIANCE APPLICATION**

**CASE # 4225**

**1. SUBMITTAL CHECKLIST**

The following documentation must be submitted, in duplicate (1 Original and 11 Copies):

Have you included...		Planning staff review finds...
Yes No		Yes No
<input checked="" type="checkbox"/> <input type="checkbox"/>	A <u>Completed and Signed Application</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>	An <u>Existing Conditions Site Plan</u> , 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.	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>	A <u>Proposed Site Plan</u> showing all proposed alterations or additions with side, front and rear set property lines identified.	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> <input checked="" type="checkbox"/>	<u>Sub-Division Plans</u> if Applicable.	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>	A <u>Certified Abutter's List</u> prepared by planning staff and certified by the Assessor's Office.	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>	<u>Plot Plan</u> as provided through Department of Inspectional Services or through the Assessor's Office (in person or online through parcel lookup).	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> <input type="checkbox"/>	<u>Filing Fee</u> in check form made payable to the City of New Bedford.	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>	Copy of <u>Building Permit Rejection Packet (Containing Rejected Building Permit and all information submitted with Building Permit Application)</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/>	<u>Owner's Verification</u> including owner's signature and parcel deed for all involved parcels.	<input checked="" type="checkbox"/> <input type="checkbox"/>

**Official Use Only:**

Review of submittal compliance performed by [Signature] of the City's Division of Planning.  
 Staff review found the application packet to be  complete  incomplete on this date: 2/22/16

**This is page 1 of your ZBA Application BUT YOU DO NOT NEED 11 COPIES OF IT; just the original is enough.**  
 Please remove the instruction pages when submitting your completed application packet but keep this as your first page.

**If your petition is denied**, after the official decision is recorded with the City Clerk, there is a twenty (20) day period you may appeal to the Massachusetts Superior Court. (*The 20 day appeal period begins from the date of the decision's filing with the City Clerk, not the date of the decision.*) The procedures for appeal are set forth in Massachusetts General Laws Chapter 40A Section 17.

### **WHAT IF I NEED TO REQUEST A POSTPONMENT?**

All requests for postponement will be considered on the scheduled hearing date. The petitioner must appear before the Board. If that is not possible an appointed representative of the petitioner must appear with a signed letter of authorization to act on their behalf. The appointed representative must be authorized to sign an extension of time limits of approximately 30-90 days. If the Board grants the postponement, an agreed upon hearing date will be set and announced at that time, to accommodate the petitioner and the abutters. The Board will not re-advertise or re-notify abutters of the newly scheduled hearing. The Notice of Hearing will be posted at the City Clerk's Office at City Hall for informational purposes.

### **CAN I WITHDRAW MY APPLICATION?**

You may withdraw your application without prejudice prior to the publication of the notice of a public hearing. If you withdraw prior to the publication of the notice, your filing fee is refundable.

If the public hearing notice has been published, the ZBA must approve your request to withdraw without prejudice at the scheduled hearing date. Once the notice has been published—even if it is only once—no part of the filing fee is refundable.

## 2. VARIANCE SPECIFICS

The undersigned petitions the New Bedford Zoning Board of Appeals [ZBA] to grant a VARIANCE in the manner and for the reasons set forth here under the provisions of the city's zoning ordinance to the following described premises:

### APPLICATION SUMMARY (PLEASE PRINT)

SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	132-J	LOT(S)#	30
REGISTRY OF DEEDS BOOK:	10070	PAGE #	169
PROPERTY ADDRESS: 32 Lauren Drive			
ZONING DISTRICT: RA			
OWNER INFORMATION			
NAME: Vincent R. Coccoli, Jr. Veronika Solomos			
MAILING ADDRESS: 32 Lauren Dr. New Bedford, MA 02745			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: Check one:	OWNER <input checked="" type="checkbox"/>	CONTRACT VENDEE <input type="checkbox"/>	OTHER Describe <input type="checkbox"/>
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #	(401) 226-5161		
EMAIL ADDRESS:	vincent.coccoli jr@gmail.com		

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 ZBA 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.

Vincent R. Coccoli, Jr.  
Signature of Applicant/s

3/13/2016  
Date

**If the applicant differs from the owner, this section must be completed/signed by the property owner/s:**

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the variance must be recorded and acted upon within one year.

Vincent R. Coccoli, Jr.  
Signature of Owner/s

3/16/2016  
Date

**APPLICATION SPECIFICS**

DIMENSIONS OF LOT/S:	FRONTAGE 75	DEPTH 108	AREA in SQ FT 8205		
EXISTING BUILDING/S	# OF BLDGS 1	EXISTING SIZE 38 X 28	TOTAL SQ FT BY FLOOR 936	NUMBER OF FLOORS 2	TOTAL SQ. FT ENTIRE STRUCTURE 1872
	# OF DWELLING UNITS 1		# OF BEDROOMS 3		
PROPOSED BUILDING/S	# OF BLDGS 1	PROPOSED SIZE 38 X 28	TOTAL SQ FT BY FLOOR 936	NUMBER OF FLOORS 3	TOTAL SQ. FT ENTIRE STRUCTURE 1872
	# OF DWELLING UNITS 1		# OF BEDROOMS 3		EXTENT OF PROPOSED ALTERATIONS FINISHED BASEMENT
EXISTING USE OF PREMISES:	EXISTING USE OF SINGLE FAMILY HOME				
PROPOSED USE OF PREMISES:	SINGLE FAMILY WITH FINISHED BASEMENT				
EXPLAIN WHAT MODIFICATIONS YOU ARE PROPOSING THAT NECESSITATE THE REQUESTED VARIANCE:	Adding Bathroom (1/2), Game Room / Family Room, Utility Room / Storage Room				

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

	EXISTING	PROPOSED
NUMBER OF CUSTOMERS PER DAY		
NUMBER OF EMPLOYEES		
HOURS OF OPERATION		
DAYS OF OPERATION		
HOURS OF DELIVERIES		
FREQUENCY OF DELIVERIES (Check frequency)	<input type="checkbox"/> DAILY <input type="checkbox"/> WEEKLY <input type="checkbox"/> MONTHLY <input type="checkbox"/> OTHER	<input type="checkbox"/> DAILY <input type="checkbox"/> WEEKLY <input type="checkbox"/> MONTHLY <input type="checkbox"/> OTHER

If you are also requesting site plan review and special permit/s from the planning board, please specify here:

n/a

Complete each item that is relevant to your variance request:

	Existing	Allowed/ Required	Proposed
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)	2 stories	2.5 stories	3 stories
Front Setback (ft)			
Side Setback (ft)			
Side Setback (ft)			
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			

### 3. PARCEL LEGAL DOCUMENTATION

Title Reference to Property

DEED

(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 three items to your application and indicate they are attached:

- A notarized authorization letter on letterhead from the owner to tenant/buyer for application of this permit.

If the Applicant is Not the Owner, Provide:

- A copy of the Purchase & Sale Agreement or lease, where applicable.

- A 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.

## 4. REQUIRED FINDINGS FOR GRANTING A VARIANCE

Massachusetts General Law Chapter 40A Section 10 requires the "permit granting authority" (which, in this instance is the Zoning Board of Appeals) to make ALL the following findings before a variance can be granted:

A	B	C	D
That there are circumstances relating to the soil conditions, shape or topography which especially affect the land or structure in question but which do not affect generally the zoning district in which the land or structure is located.	That due to those circumstances especially affecting the land or structure in question enforcement of the provisions of the Zoning Ordinance or By-law would involve substantial hardship (in fact or otherwise) to the petitioner or appellant.	That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance or By-law.	That desirable relief may be granted without substantial detriment to the public good.

The full text of M.G.L. Chapter 40A, Section 10 can be viewed at: <http://www.mass.gov/legis/laws/mal/>

Because the ZBA must be able to articulate each of these four findings in order to grant a variance, you must make your case as to WHY your application meets each of these four points. **This is an extremely important question and it is recommended that you answer this VERY carefully.** You may use an additional sheet if needed.

**A** Describe any circumstances relating to soil conditions, shape or topography which especially affect the land or structure in question but that doesn't generally affect the zoning district in which your premises is located:

DUE TO SHAPE OF SUBJECT LOT, ANY ADDITION TO THE EXISTING  
STRUCTURE TO INCREASE LIVING SPACE ISNT FEASIBLE. IN THIS SITUATION  
WE ARE JUST TRYING TO FINISH THE BASEMENT

**B** Describe how circumstances unique to your land or structure would mean a substantial hardship to you if the city were to literally enforce the zoning ordinance:

JUST TRYING TO CREATE MORE SPACE BECAUSE MY "PARENT" IS CROWDING  
RAPIDLY AND CANT BUILD ANYWHERE ELSE. WE LOOKING TO FINISH BASEMENT FIK  
CHANGE ROOM FOR MY DAUGHTER

**C** Describe how granting you relief would not take away from the purpose of the city's zoning ordinance:

THE HOUSE WOULD RETAIN ALL OF IT'S EXTERNAL APPEARANCE, BEING THAT  
OF A SINGLE FAMILY HOME IN A RES. A DISTRICT. ALL WHEN TRYING TO DO IS  
FINISH BASEMENT SO I CAN GIVE MY DAUGHTER A CHANGE ROOM AND SPACE TO PLAY.

**D** Describe why nobody else would be hurt if the city granted your requested zoning relief:

IT WOULD HAVE NO BEARING ON ANY NEIGHBORS SINCE THERE WOULD BE  
NO EXPANSION OR ALTERATION OF THE EXTERIOR STRUCTURE. WE ARE JUST TRYING TO  
BE ABLE TO FINISH BASEMENT SO OUR DAUGHTER CAN HAVE A CHANGE ROOM.



*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).

SUBJECT PROPERTY	
MAP #	132J30
LOT(S)#	
ADDRESS:	32 LAUREN DR NEW BEDFORD, MA, 02745
OWNER INFORMATION	
NAME:	VINCENT COCCOLI JR
MAILING ADDRESS:	32 LAUREN DR NEW BEDFORD, MA 02745
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT):	
MAILING ADDRESS (IF DIFFERENT):	
TELEPHONE #	401-226-5111
EMAIL ADDRESS:	VINCENT-COCCOLI.JR@CMAI.COM
REASON FOR THIS REQUEST: Check appropriate	
<input checked="" type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION
<input type="checkbox"/>	PLANNING BOARD APPLICATION
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION
<input type="checkbox"/>	LICENSING BOARD APPLICATION
<input type="checkbox"/>	OTHER (Please explain):

PLANNING DEPARTMENT  
 FEB 29 2016 5:15 PM

CITY CLERK'S OFFICE  
 2016 MAR 22 A 10:05

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

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 Assistant to the City of New Bedford's Board of Assessors, I 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

Carlos Amado

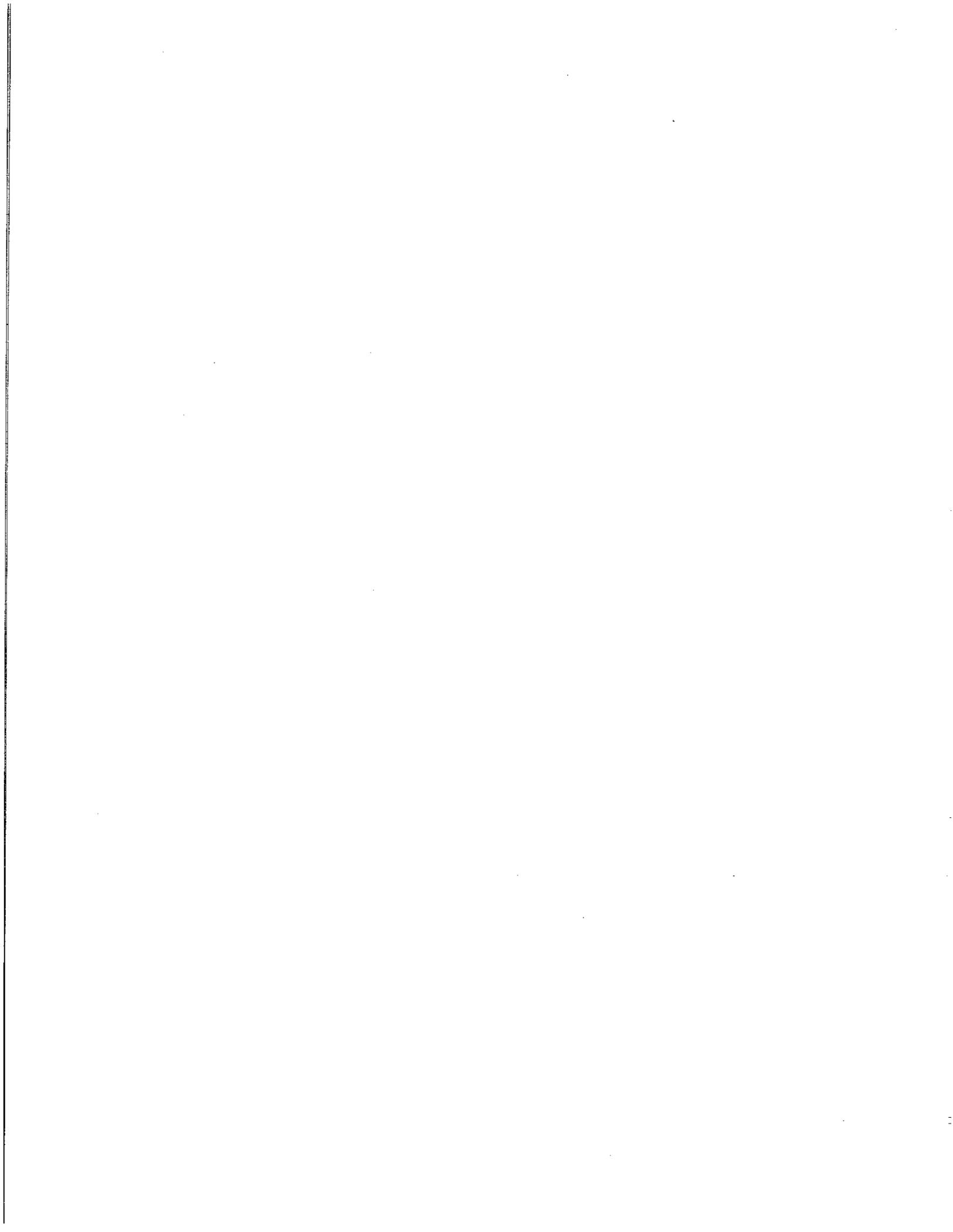
Printed Name

*Carlos Amado*

Signature

3/1/2016

Date



February 29, 2016

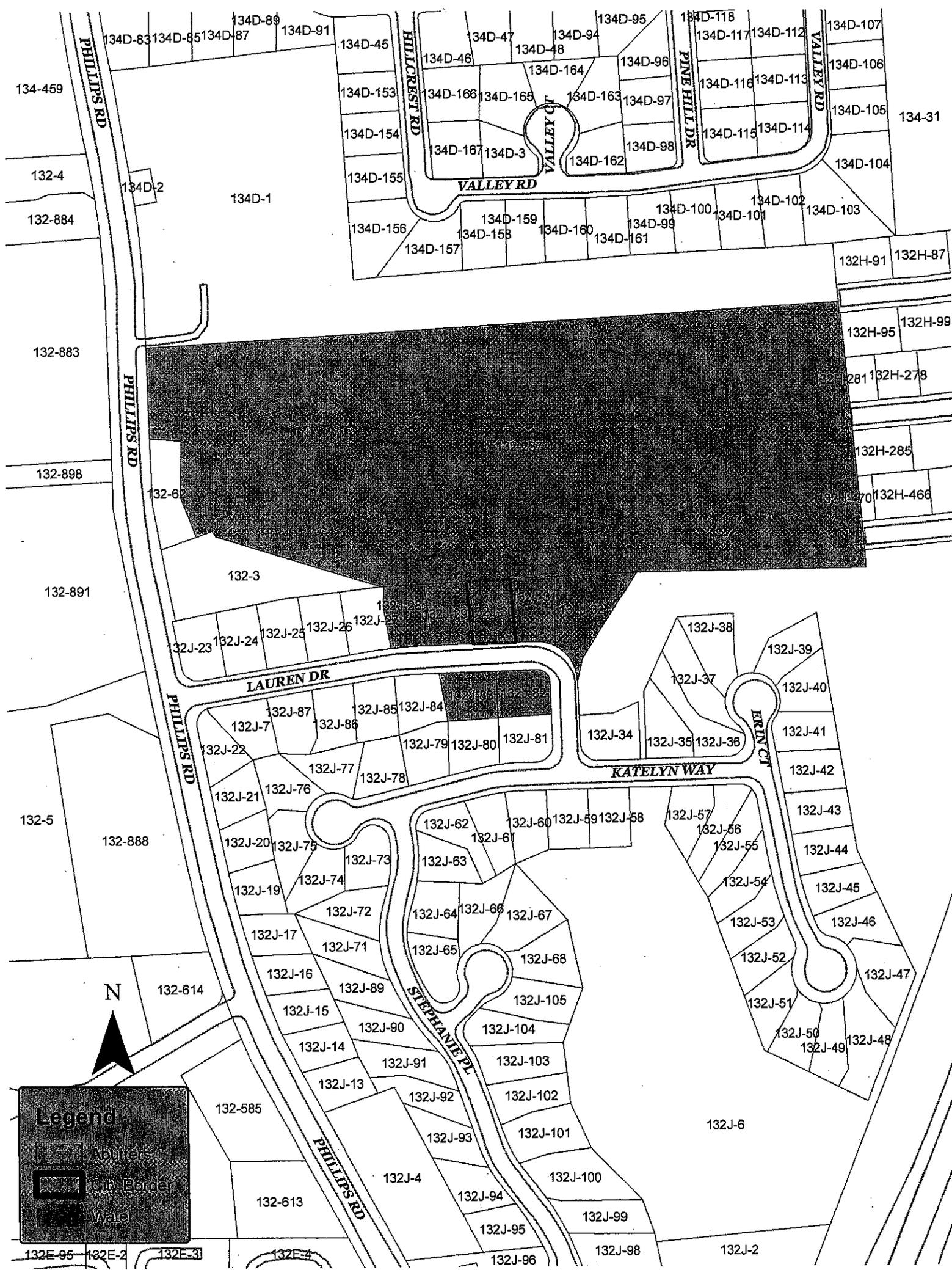
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 32 Lauren Drive (132J-30). 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
132-237 	PHILLIPS RD	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
132J-83	37 LAUREN DR	FONSECA ALLAN W, FONSECA LENORE 37 LAUREN DRIVE NEW BEDFORD, MA 02745
132J-82	29 LAUREN DR	MATOS ARTUR J "TRUSTEE", MATOS PATRICIA D "TRUSTEE" 29 LAUREN DRIVE NEW BEDFORD, MA 02745
132J-28	48 LAUREN DR	COSTA PAUL M, COSTA ISABEL 48 LAUREN DRIVE NEW BEDFORD, MA 02745
132J-29	40 LAUREN DR	BARBOSA NELSON G, BARBOSA PATRICIA M 40 LAUREN DRIVE NEW BEDFORD, MA 02745
132J-30	32 LAUREN DR	SOLOMOS VERONIKA, COCCOLI VINCENT R JR 32 LAUREN DRIVE NEW BEDFORD, MA 02745
132J-31	24 LAUREN DR	BURGOS RAFAEL, 24 LAUREN DRIVE NEW BEDFORD, MA 02745
132J-32	16 LAUREN DR	SANTOS STEPHANIE M, 16 LAUREN DRIVE NEW BEDFORD, MA 02745





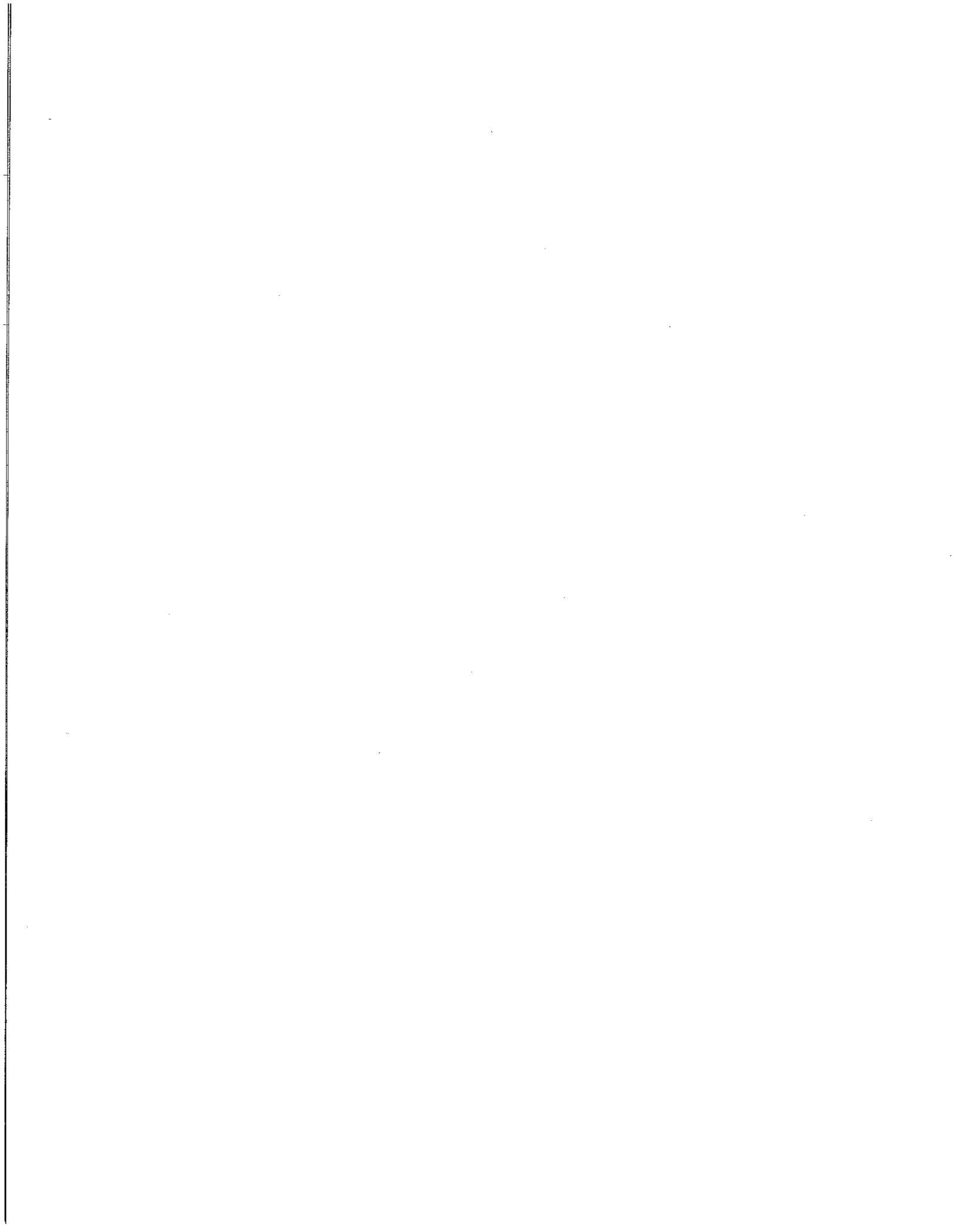
N

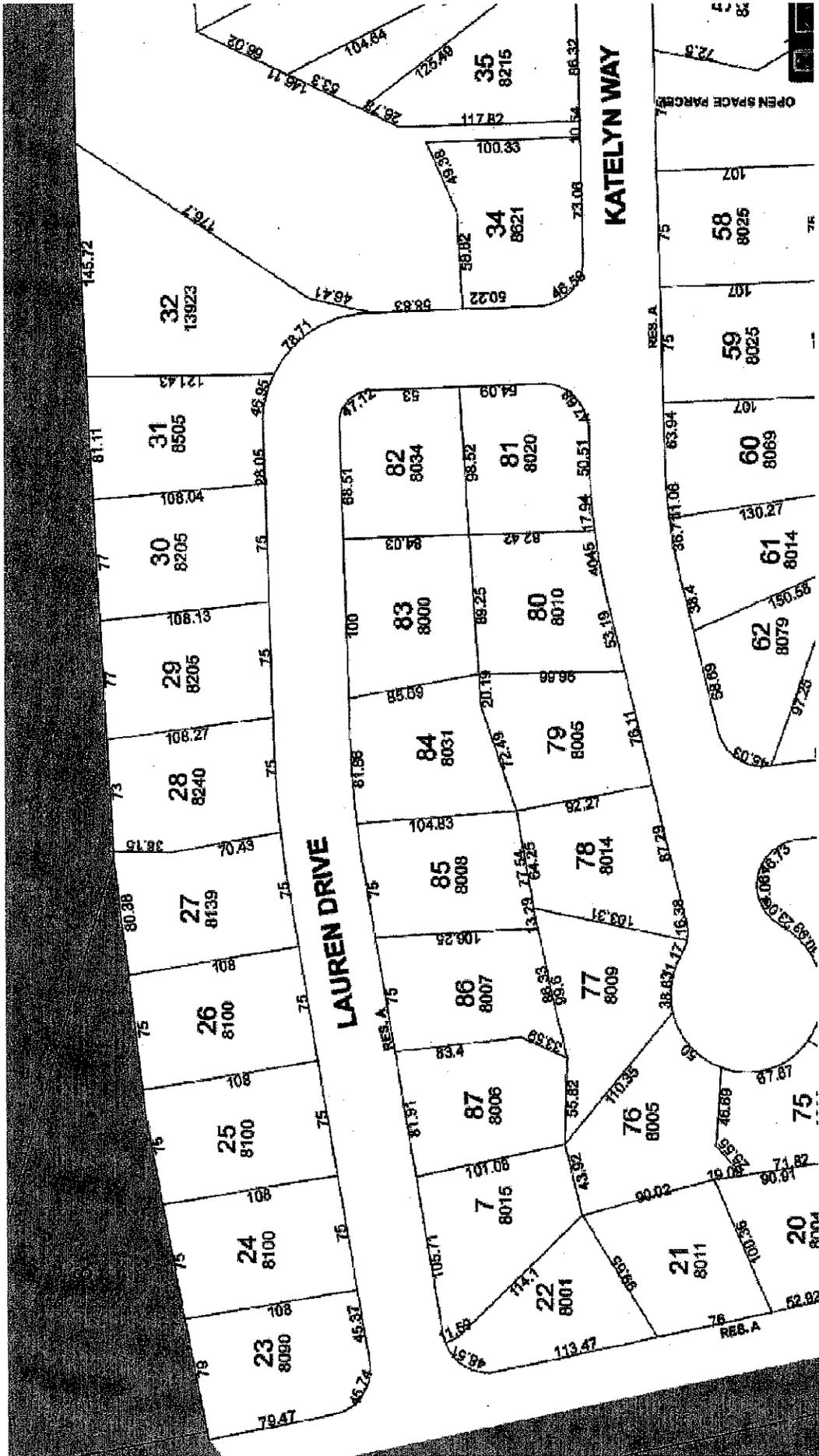


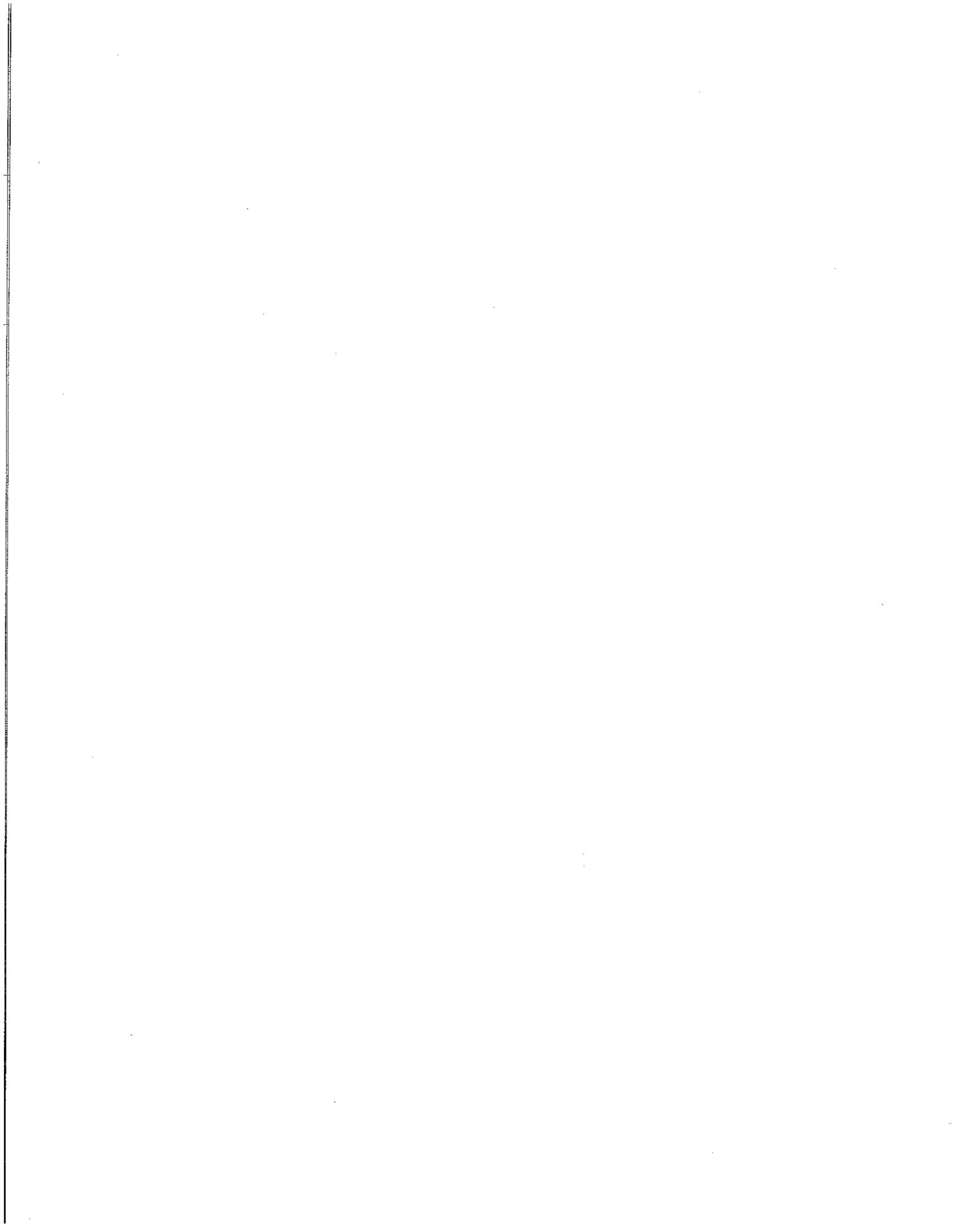
**Legend**

-  Abutters
-  City Border
-  Water

132E-95 132E-2 132E-3 132E-4

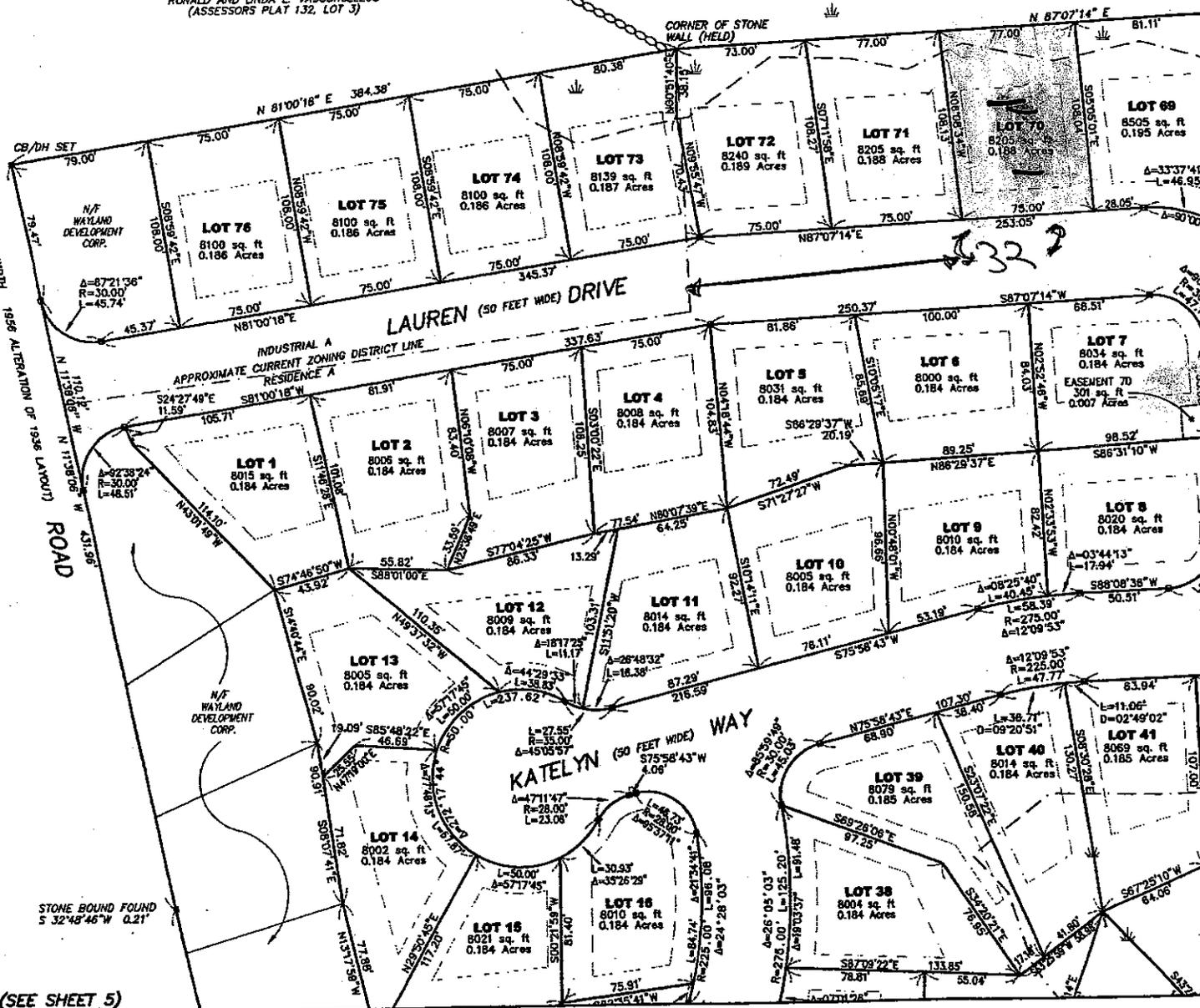


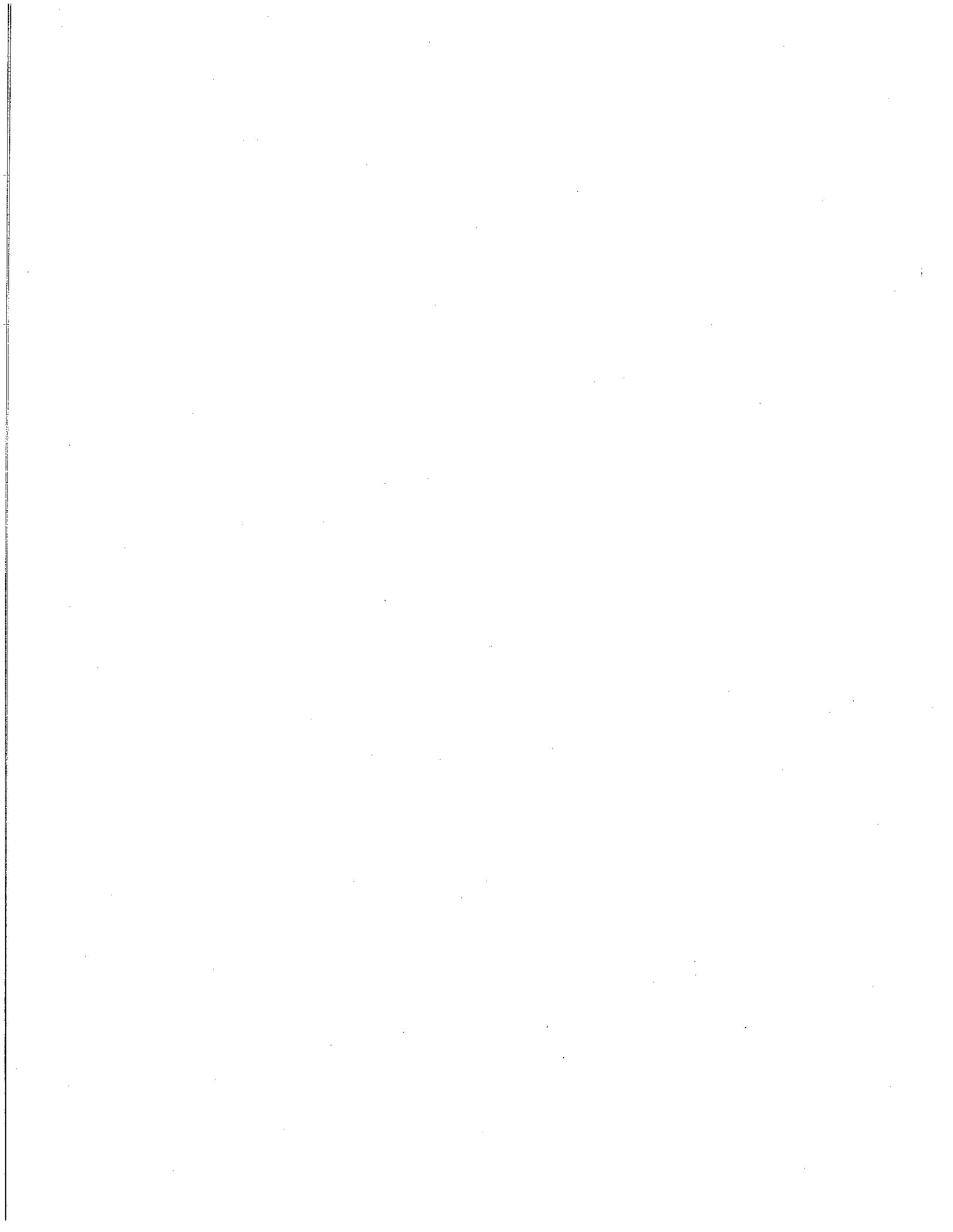




N/F  
RONALD AND LINDA L. VASCONCELLOS  
(ASSESSORS PLAT 132, LOT 3)

PHILLIPS  
(PUBLIC-VARIABLE WIDTH  
1986 ALTERATION OF 1936 LAYOUT)





Property Address:  
32 Lauren Drive, New Bedford,  
Massachusetts 02745

BK 10075 PG 169  
06/03/11 03:40 DOC. 11512  
Bristol Co. S.D.

## Deed

I, Lisa Defrias, of 32 Lauren Drive, New Bedford, Massachusetts 02745

in consideration of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00 )

grant to Veronika Solomos and Vincent R. Coccoli, Jr., as Joint Tenants of 25 Heywood Street, New Bedford, Massachusetts 02745

with **QUITCLAIM COVENANTS**

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

**BEGINNING** at a point in the northerly sideline of Lauren Drive, said point being the southwesterly corner of Lot 69 as shown on the plan of land hereinafter referenced and the southeasterly corner of the premises herein described; thence

**NORTH 05° 05' 01" WEST** by the westerly sideline of the said Lot 69, one hundred eight and 04/100 (108.04) feet to a point for a corner and land now or formerly of the City of New Bedford as shown on said Plan; thence

**SOUTH 87° 07' 14" WEST** by said last-named land, seventy-seven and no/100 (77.00) feet to a point for a corner and the northeasterly corner of Lot 71 as shown on said Plan; thence

**SOUTH 06° 08' 34" EAST** by the easterly sideline of the said Lot 71, one hundred eight and 27/100 (108.27) feet to a point for a corner in the northerly sideline of the said Lauren Drive; and thence

**NORTH 87° 07' 14" EAST** by said Lauren Drive sideline, seventy-five and no/100 (75.00) feet to a point for a corner, the southwesterly corner of the said Lot 69, and the point of beginning.

**CONTAINING** 8205 square feet (0.188 acres), more or less, and being shown as Lot 70 on a plan entitled "Woodford Estates Definitive Subdivision Plan of Land in the City of New Bedford, Bristol County, Massachusetts Prepared for Wayland Development Corp., Date: February 6, 2002, Revised April 10, 2002, Scale: 1" = 40'", drawn by Prime Engineering, Inc. of Lakeville, MA, and filed in the Bristol County S.D. Registry of Deeds in Plan Book 149, Page 110.

Subject to and together with the benefit of a Declaration of Property Restrictions for Subdivision known as "Woodford Estates", New Bedford, Massachusetts by Long Realty, Inc. dated March 11, 2003, recorded in the Bristol County S.D. Registry of Deeds in Book 6058, Page 316.



Subject to and together with a Declaration of Restrictive Covenant by Wayland Development Corp., Long Realty, Inc. and Phillips Road, Inc. dated July 19, 2002, recorded in said Registry in Book 5612, Page 130.

Subject to and Easement from Wayland Development Corp. and Long Realty, Inc. to Verizon New England, Inc. and Commonwealth Electric Company dated September 10, 2002, recorded in said Registry in Book 5690, Page 278.

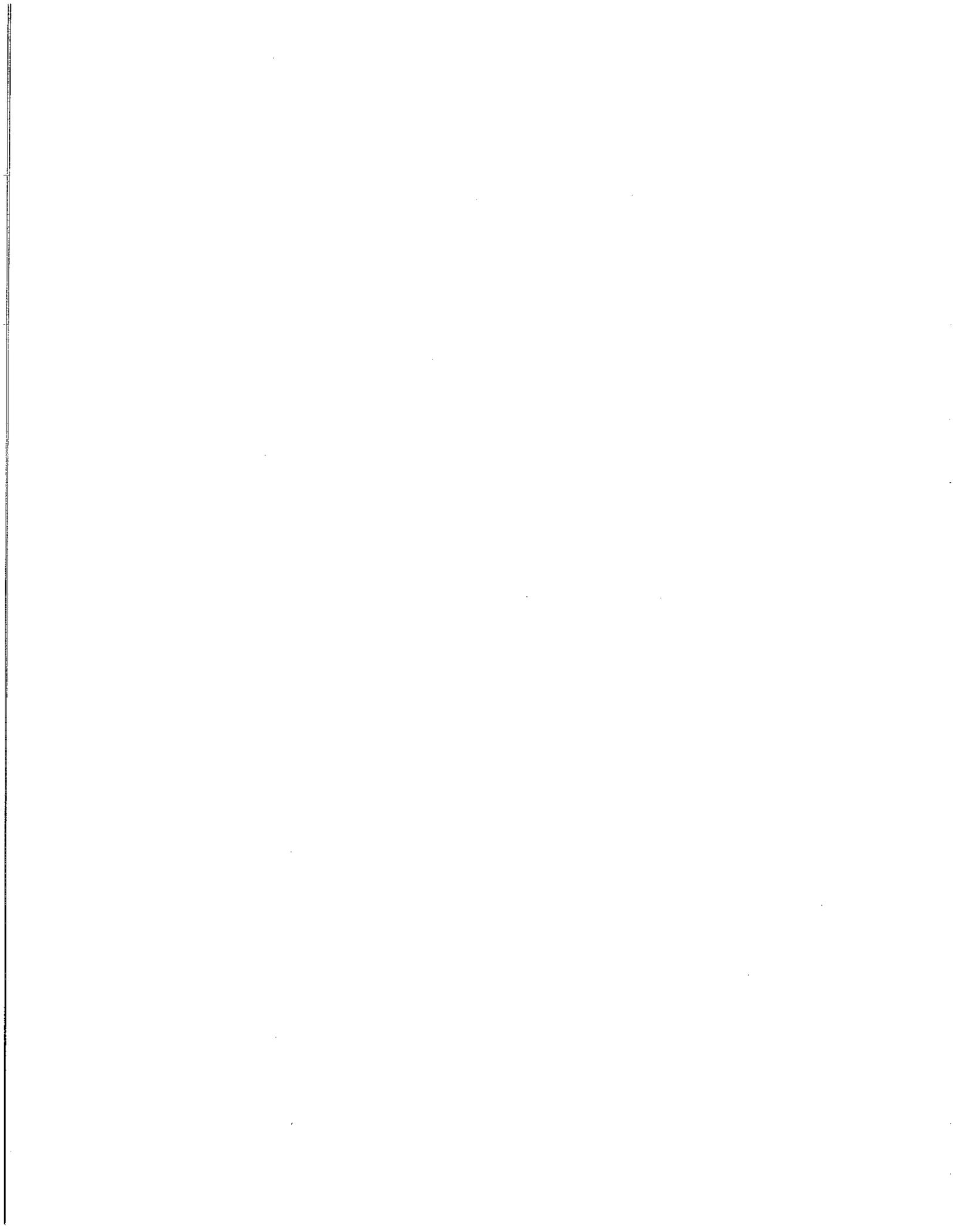
Being the same premises conveyed to the grantor by deed dated April 29, 2004 and recorded with the Bristol County S.D. Registry of Deeds in Book 6930, Page 341.

REG OF DEEDS  
REG #07  
BRISTOL S

06/03/11 3:40PM 01  
000000 #1641

FEE \$1140.00

CASH \$1140.00



Executed as a sealed instrument this Third day of June, 2011.

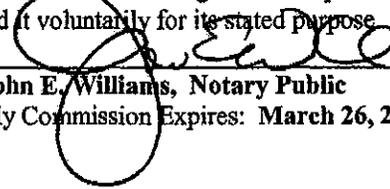


Lisa Defrias

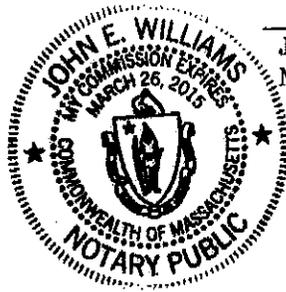
Commonwealth of Massachusetts

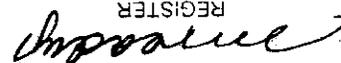
Bristol, ss:

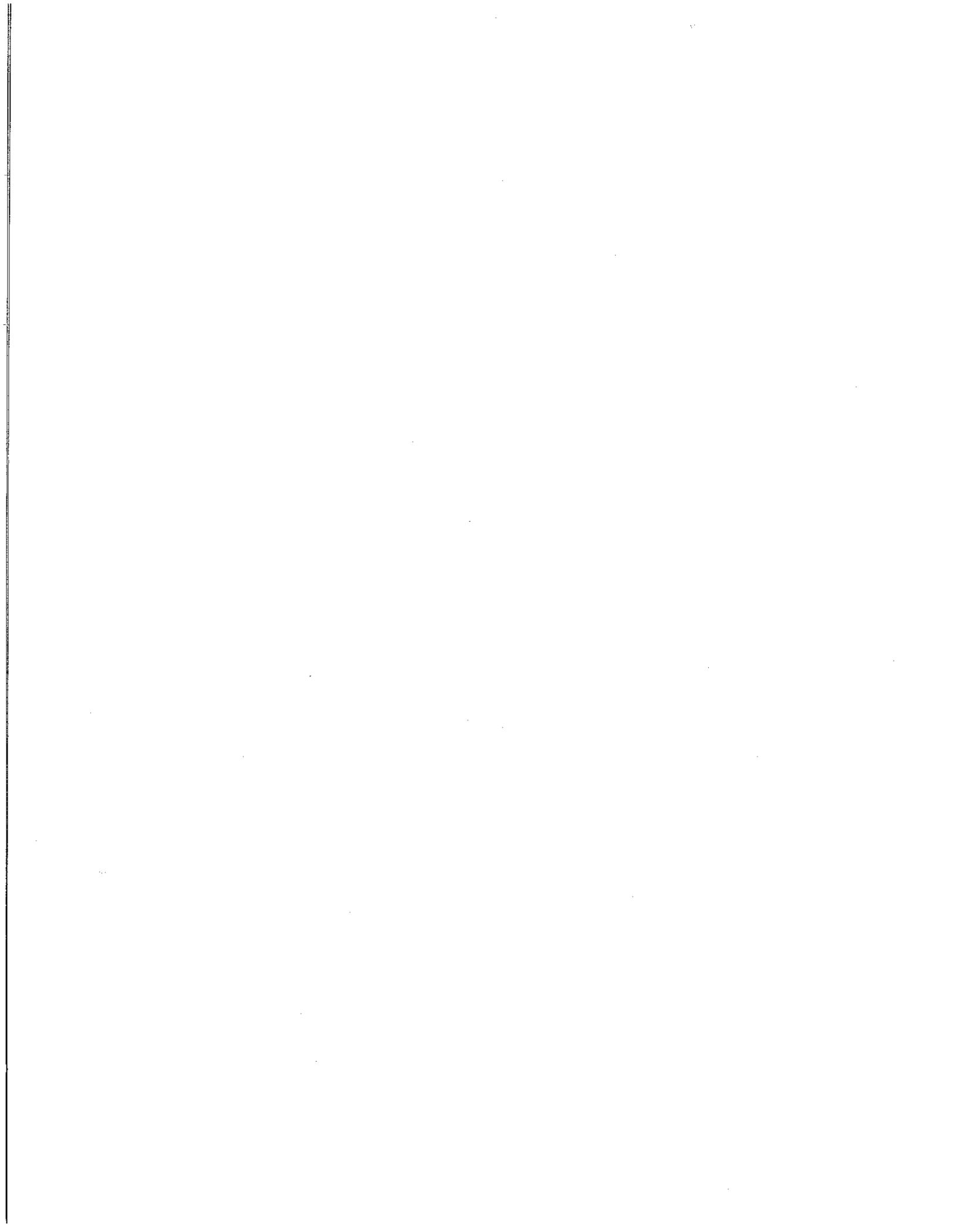
On this Third day of June, 2011, before me, the undersigned notary public, personally appeared Lisa Defrias, proved to me through satisfactory evidence of identification, which were  Driver's License;  State ID;  Passport;  Other Government Issued ID;  Other, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose



John E. Williams, Notary Public  
My Commission Expires: March 26, 2015



A true copy of instrument as recorded in  
Bristol County (S.D.) Registry of Deeds  
in Book 10075 Page 169  
ATTEST  
  
REGISTER



LAURAN DRIVE 32

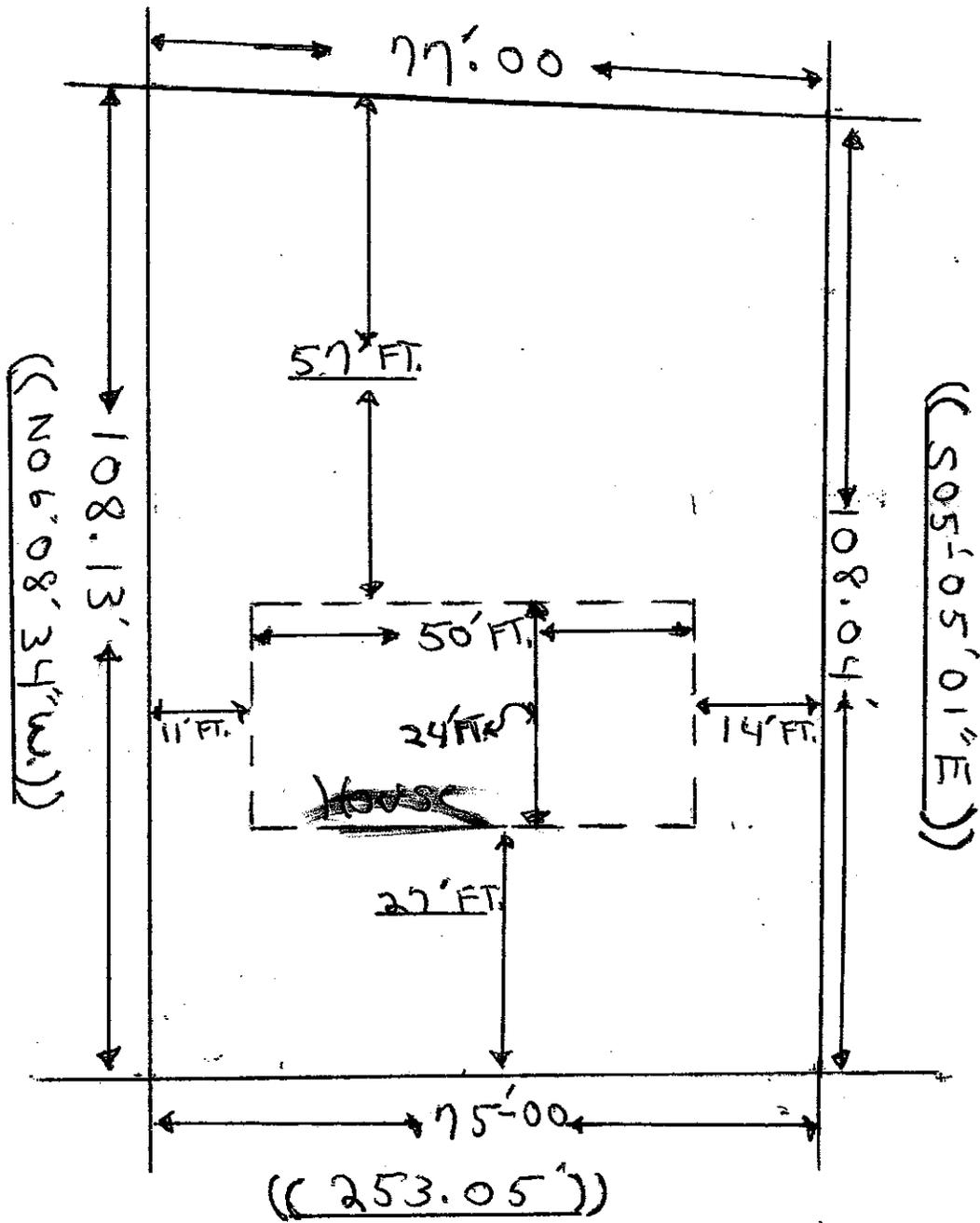
LOT NUMBER 70

8205-SQ. FT. = 0.188 ACRES

PLOT PLAN 3/10/16



(( N 87° 07' 14" E ))



0'-5'-10'-15'-20'

SCALE 1/4" = 5' FT.

