



City of New Bedford ZBA VARIANCE APPLICATION

CASE # *4235*

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 type="checkbox"/>	<input type="checkbox"/>	A <u>Completed and Signed Application</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input 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 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 type="checkbox"/>	<u>Sub-Division Plans</u> if Applicable.	<input type="checkbox"/>	<input type="checkbox"/>
<input 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 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 type="checkbox"/>	<input type="checkbox"/>	Copy of <u>Building Permit Rejection Packet</u> (Containing Rejected Building Permit and all information submitted with Building Permit Application)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input 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 _____ of the city's Division of Planning.
 Staff review found the application packet to be complete incomplete on this date: _____

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#	47	LOT(S)#	5
REGISTRY OF DEEDS BOOK:		PAGE #	
PROPERTY ADDRESS:	128 Union Street		
ZONING DISTRICT:	MUB		
OWNER INFORMATION			
NAME:	128 Union Street LLC DBA DIC		
MAILING ADDRESS:	128 Union Street, New Bedford, MA 02740		
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):	Poyant Signs		
APPLICANT'S RELATIONSHIP TO THE PROPERTY: <i>Check one:</i>	OWNER <input type="checkbox"/>	CONTRACT VENDEE <input checked="" type="checkbox"/>	OTHER Describe <input type="checkbox"/>
MAILING ADDRESS (IF DIFFERENT):	125 Samuel Barnett Blvd. New Bedford, MA 02745		
TELEPHONE #	508-965-9861		
EMAIL ADDRESS:	spoyantmoran@poyantsigns.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.


5-27-18

 Signature of Applicant/s 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.

 See attached letter
 Signature of Owner/s Date

APPLICATION SPECIFICS

DIMENSIONS OF LOT/S:	FRONTAGE	DEPTH	AREA in SQ FT		
EXISTING BUILDING/S	# OF BLDGS	EXISTING SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE
	# OF DWELLING UNITS		# OF BEDROOMS		
PROPOSED BUILDING/S	# OF BLDGS	PROPOSED SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE
	# OF DWELLING UNITS		# OF BEDROOMS		EXTENT OF PROPOSED ALTERATIONS
EXISTING USE OF PREMISES:					
PROPOSED USE OF PREMISES:					
EXPLAIN WHAT MODIFICATIONS YOU ARE PROPOSING THAT NECESSITATE THE REQUESTED VARIANCE:	<p>An addition of a 27 # sign cabinet to an existing monument sign. The existing sign was approved under a previous permit.</p>				

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"/> DAILY	<input type="checkbox"/> WEEKLY
	<input type="checkbox"/> MONTHLY	<input type="checkbox"/> OTHER	<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:

already filed for site plan review as required for all ground signs by code

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)			
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	1		1 w/ additional cabinet
Height of Ground Sign	4' 1/2' h		7' 1/2' h
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 _____

(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

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.

B

That due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the Zoning Ordinance or By Law would involve substantial hardship, financial or otherwise, to the petitioner or appellant.

C

That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance or Bylaw.

D

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/mgl/>

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:

The existing building is a large structure in size which requires proportionate signage. In addition, the proximity of the building to the street limits the visibility of the structure until the driver is at the building.

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:

Without the new addition to the ground sign, drivers & pedestrians will not be clear as to the name of the building

C

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

The proposed addition is low to the ground & not obtrusive to the landscape. It is modest compared to other sign structures on abutting properties

D

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

The new sign does not interfere with any safety concerns for drivers nor does it block or interfere with any other sign or structure that it abuts.

118624

Record and return to:



EK 11623 PG 206
03/04/16 02:39 002 4935
Bristol Co. S.D.

This space reserved for Recorder's use only

DEED

SANTANDER BANK, N.A., successor to Sovereign Bank, N.A., successor to Sovereign Bank, successor to Compass Bank for Savings, a national banking association ("**Grantor**"), for consideration paid, and in full consideration of **THREE MILLION ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$3,100,000.00)**, grants to **128 UNION STREET, LLC**, a Massachusetts limited liability company with an address of 117 Hathway Road, Dartmouth, Massachusetts 02747 ("**Grantee**"), with quitclaim covenants,

Two parcels of land, with all buildings and improvements thereon, located in New Bedford, Bristol County, Massachusetts, and more particularly bounded and described as follows:

Parcel One: Unregistered Land

Beginning at a stone bound in the southerly sideline of Union Street, said bound being the northwest corner of the parcel to be described; thence,

North 81°59'06" East, 161.71 feet by the southerly sideline of Union Street to a point; thence,

By a curve to the right having a radius of 12.00 feet, a distance of 15.38 feet to a point in the westerly sideline of Second Street; thence; 15.38

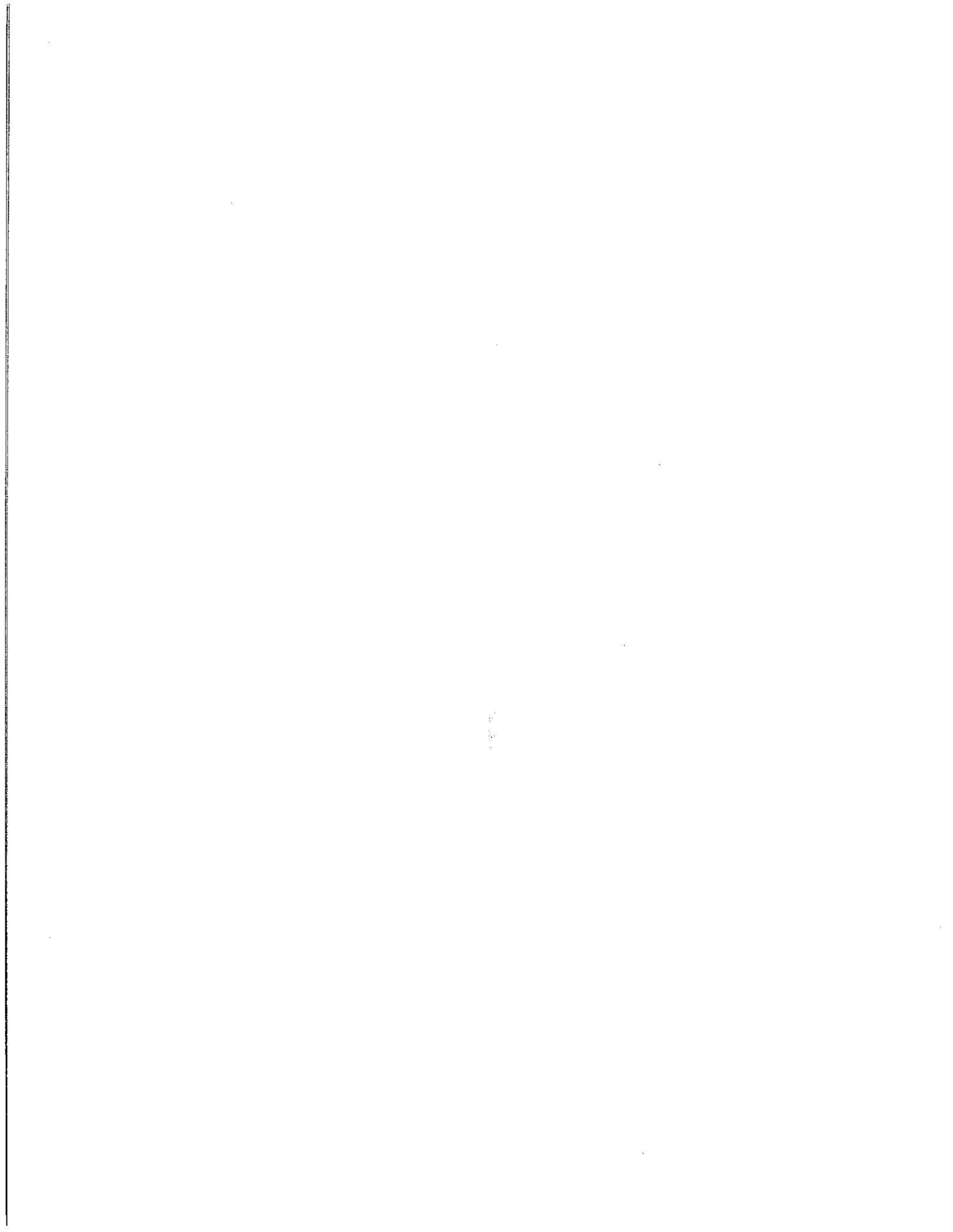
By a curve to the right having a radius of 91.80 feet, a distance of 27.11 feet to a point; thence;

South 07°44'18" East, 425.00 feet to a point in the northerly sideline of School Street. Said last two courses being by the westerly sideline of Second Street; thence;

South 81°27'30" West, 186.89 feet by the northerly sideline of School Street to a point in the easterly sideline of Acushnet Avenue; thence;

North 08°01'37" West, 449.73 feet by the easterly sideline of Acushnet Avenue to a stone bound; thence;

Property address: 128 Union Street, New Bedford, Massachusetts



By a curve to the right having a radius of 12.00 feet, a distance of 18.83 feet to a stone bound and the point of beginning.

Containing 86,569 square feet, more or less. Meaning and intending to describe Lot 1 on a plan entitled "Approval Not Required Plan of Land in New Bedford, Massachusetts, prepared for Compass Bank, scale 1" = 30", Aug. 10, 1998", prepared by SITEC, Inc. and recorded in the Bristol County (S.D.) Registry of Deeds in Plan Book 141, Page 46.

The above-described premises includes registered land as set forth in Certificate of Title No. 18588, as hereinafter described and conveyed.

For Grantor's title see that certain deed dated November 23, 1998, and recorded with the South Bristol Registry of Deeds in Book 4272, Page 206.

Parcel Two: Registered Land

- EASTERLY by land now or formerly of the city of New Bedford, thirteen and 30/100 (13.30) feet;
- SOUTHERLY by land now or formerly of Carlo D. Piani, six and 83/100 (6.83) feet;
- WESTERLY by land now or formerly of Fannie Zeitz, Trustee, thirteen and 30/100 (13.30) feet, and
- NORTHERLY by land now or formerly of Edith L. Mainc, et al, six and 83/100 (6.83) feet.

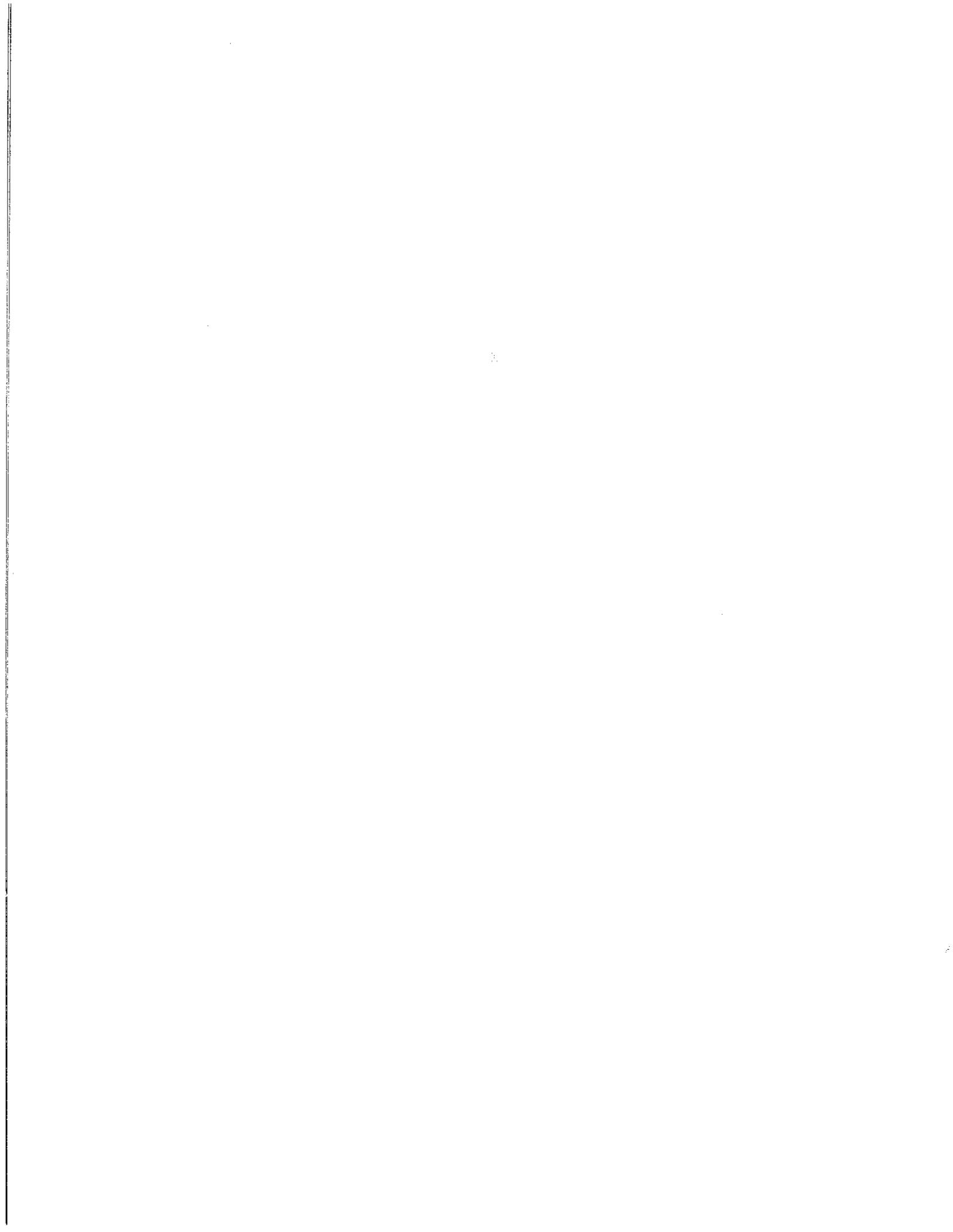
All said boundaries are determined by the Court to be located as shown on plan 12795A, drawn by Frank M. Metcalf, Civil Engineer, dated Mar. 8, 1928, as modified and approved by the Court, filed in the Land Registration Office at Boston, a copy of a portion of which is filed in Bristol County (S.D.) Registry of Deeds, in Land Registration Book 10, Page 3, with Certificate of Title No. 2132.

1M468 UNAVAILABLE

FOR TITLE see Certificate of Title No. 18588.

Subject to the covenants and stipulations referred to in Paragraphs A and B, Subparagraphs 1.a, 1.b and 1.c of Paragraph C, as set forth in a deed from New Bedford Redevelopment Authority to Malcolm W. Frasier, dated February 4, 1972 and recorded in the Bristol County (S.D.) Registry of Deeds, Land Court Department as Document No. 11625.

Subject to the outstanding Notice of Decision on Zoning Variance Petition from the City of New Bedford, Board of Appeals to erect a 5-6 story office building dated October 2, 1998 and recorded on December 4, 1998 in the Bristol County (S.D.) Registry of Deeds in Book 4272, Page 204.



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BK 11623 PG 208

Subject to an outstanding Grant of Easement to the New England Telephone and Telegraph Company dated January 22, 1999 and recorded on January 28, 1999 in the Bristol County (S.D.) Registry of Deeds in Book 4322, Page 138.

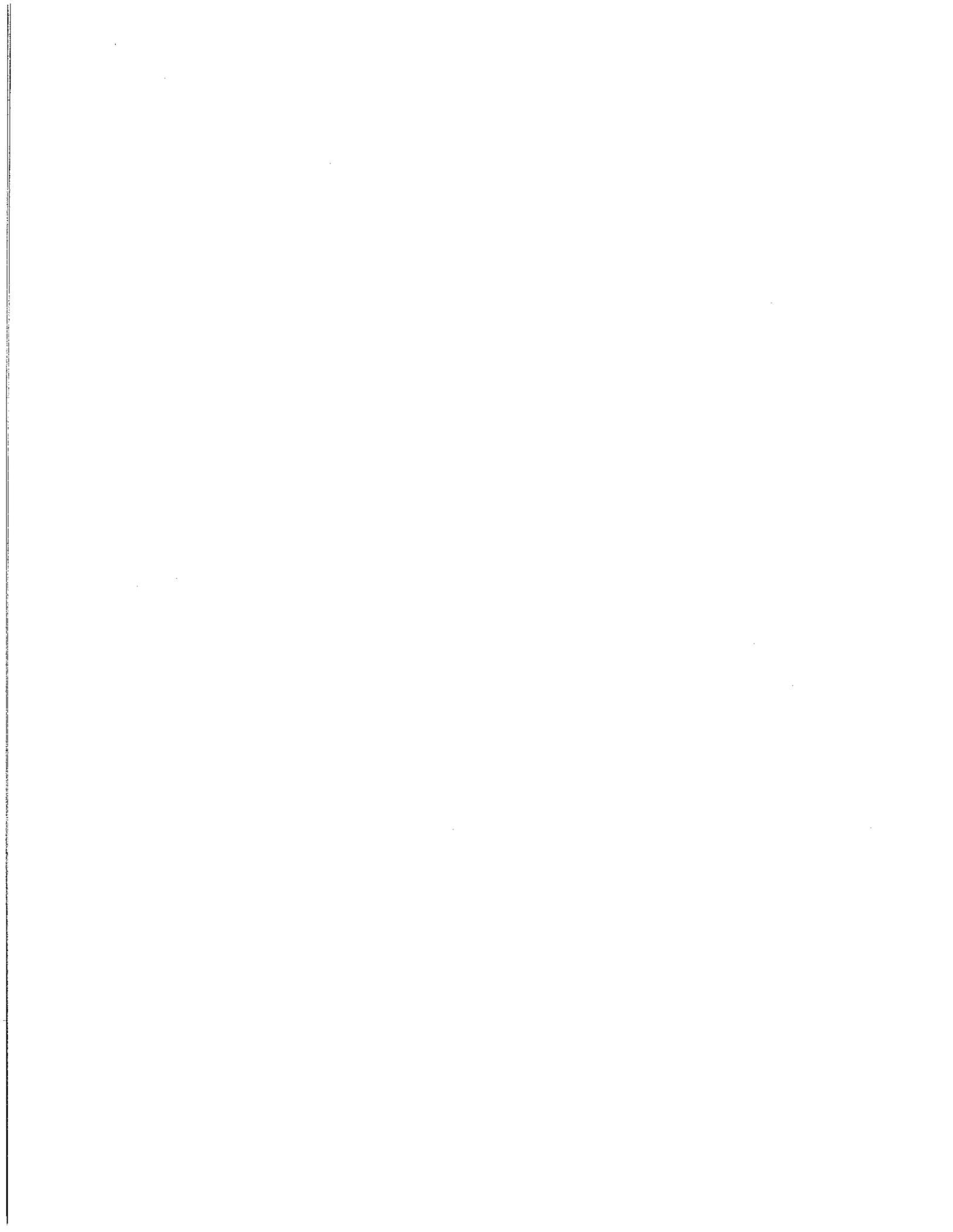
Subject to an outstanding Notice of Lease to Joseph Barry, Co. LLC dated October 13, 2010 and recorded on October 15, 2010 in the Bristol County (S.D.) Registry of Deeds in Book 9859, Page 186.

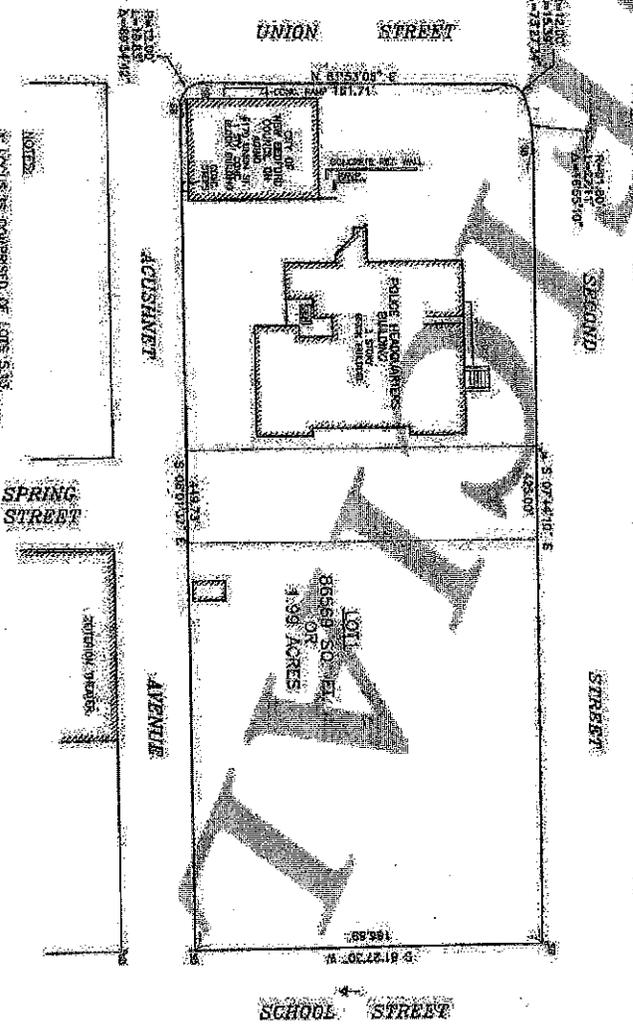
This is not a transfer of all or substantially all of the assets of the Grantor located in the Commonwealth of Massachusetts.

The Grantee assumes and agrees to pay the real estate taxes coming due on the premises conveyed hereunder for the tax period ending June 30, 2017.

[SIGNATURE FOLLOWS ON NEXT PAGE]

ORIGINAL





NOTES:
 1. LOT 11 IS DOWNPRESSED OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

OWNER/APPLICANT:
 COMPASS BANK
 791 PARKWAY STREET
 NEW BEDFORD, MA 02740

NEW BEDFORD, MASSACHUSETTS

SCALE 1"=50'
 PREPARED BY
SITEC
 1500 WASHINGTON STREET
 NEW BEDFORD, MA 02740

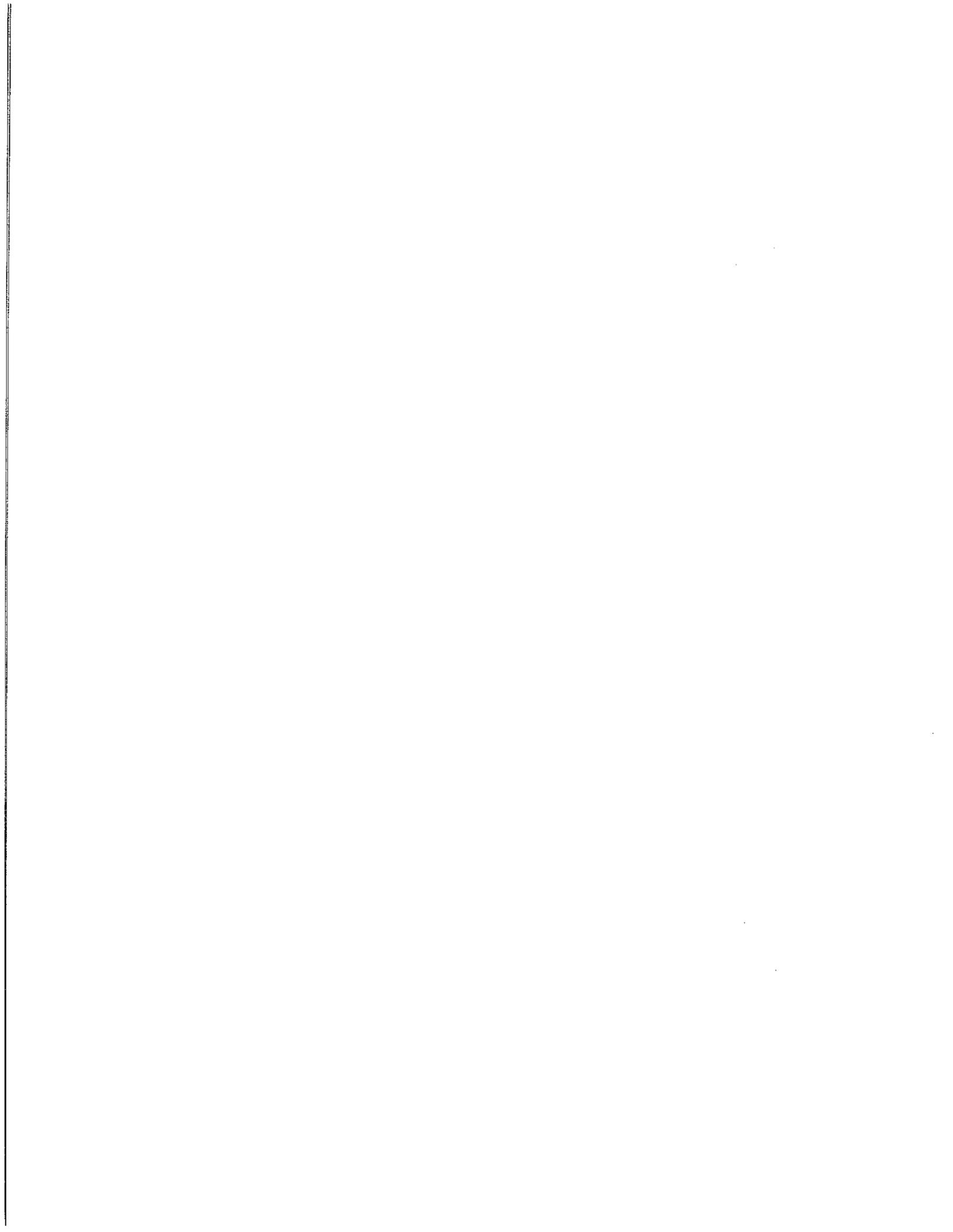
APPROVAL NOT REQUIRED
 PLAN OF LAND



DATE: 10/15/74
 THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND MAPS OF THE STATE OF MASSACHUSETTS.

1. If there is any error in this plan, it shall be the responsibility of the owner and not the surveyor.

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND MAPS OF THE STATE OF MASSACHUSETTS.



118624

BK 11623 PG 209

Executed as an instrument under seal this 2nd day of March, 2016.

SANTANDER BANK, N.A.

91679
110296
114089

By Patricia B. Davis
Patricia B. Davis, Senior Vice President

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On March 2, 2016, before me, the undersigned notary public, personally appeared Patricia B. Davis, Senior Vice President of Santander Bank, N.A. (the "Principal"), and acknowledged to me that the Principal signed the preceding or attached document voluntarily for its stated purpose. The Principal proved to me through satisfactory evidence of identification that the Principal is the person whose name is signed on the preceding or attached document. The satisfactory evidence of identification provided to me was:

- A current document issued by a federal or state government agency bearing the photographic image of the Principal's face and signature; or
- On the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the Principal; or
- Identification of the Principal based on the notary public's personal knowledge of the identity of the Principal; or
- The following evidence of identification: _____

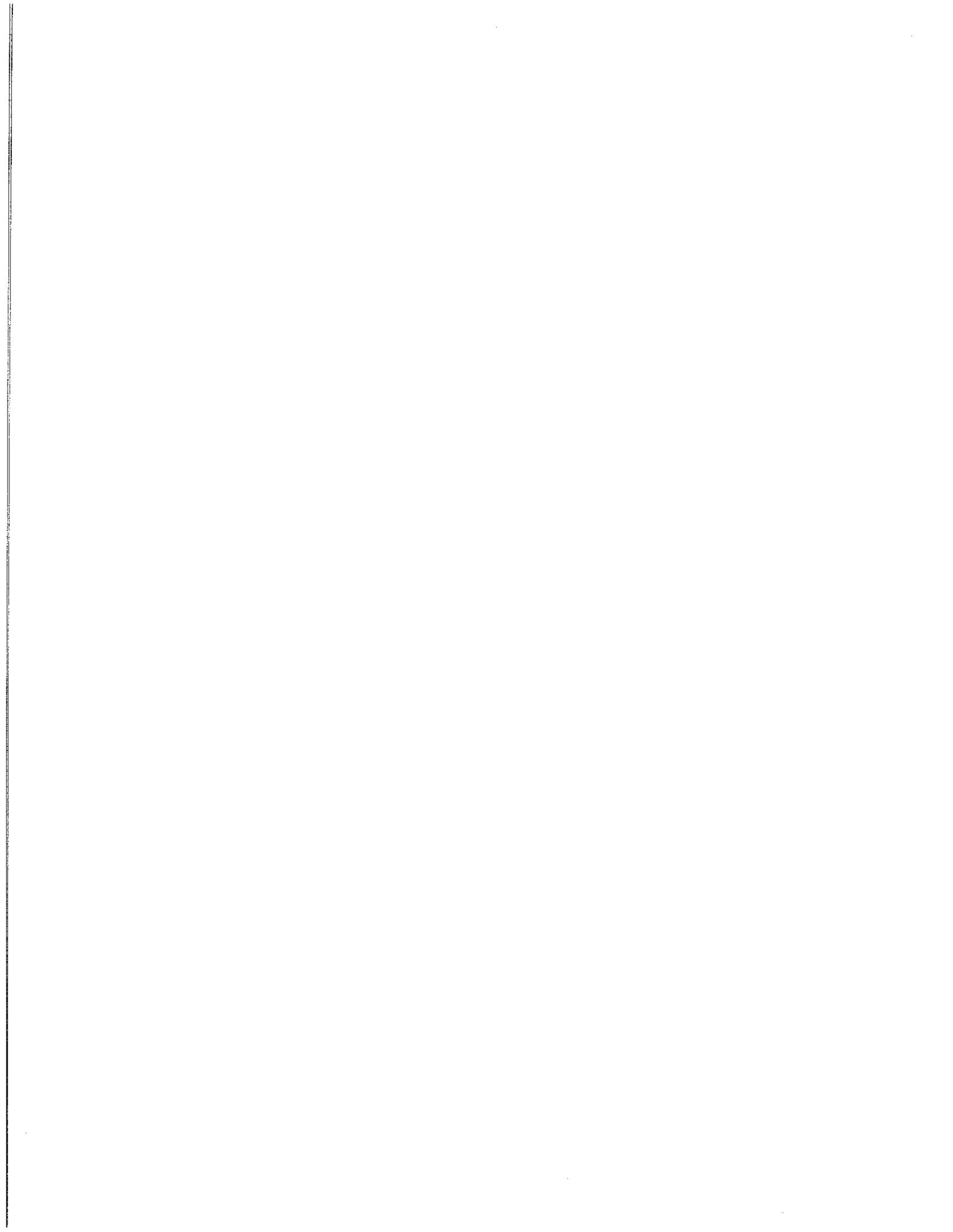
[Signature]
Notary Public

Printed Name: _____

My Commission Expires: _____



(Seal)





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 #	47	LOT(S)#	5
ADDRESS: 128 UNION ST			
OWNER INFORMATION			
NAME: DEMIELLO INTERNATIONAL CENTER			
MAILING ADDRESS: 138 UNION STREET			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): POYANT SIGNS INC. LEONARD M. POYANT			
MAILING ADDRESS (IF DIFFERENT): 125 SAMUEL BARNET BLVD. NEW BEDFORD, MA 02745			
TELEPHONE #	CELL 508-989-1927		
EMAIL ADDRESS:	LPOYANT@POYANTSIGNS.COM		
REASON FOR THIS REQUEST: Check appropriate			
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input checked="" type="checkbox"/>	PLANNING BOARD APPLICATION		
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (Please explain):		

PLANNING
MAY 13 2016

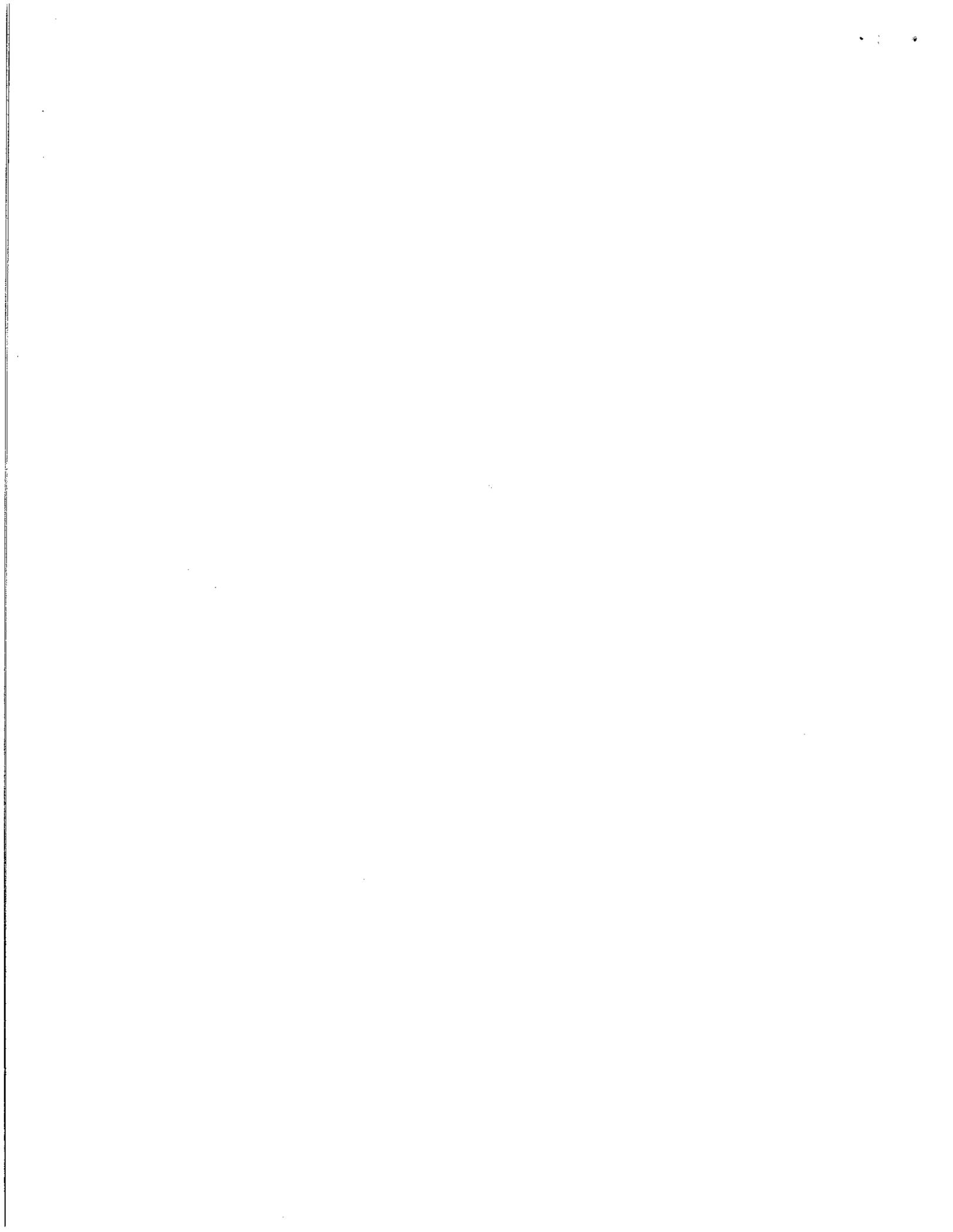
Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

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		5/16/2016
Printed Name	Signature	Date

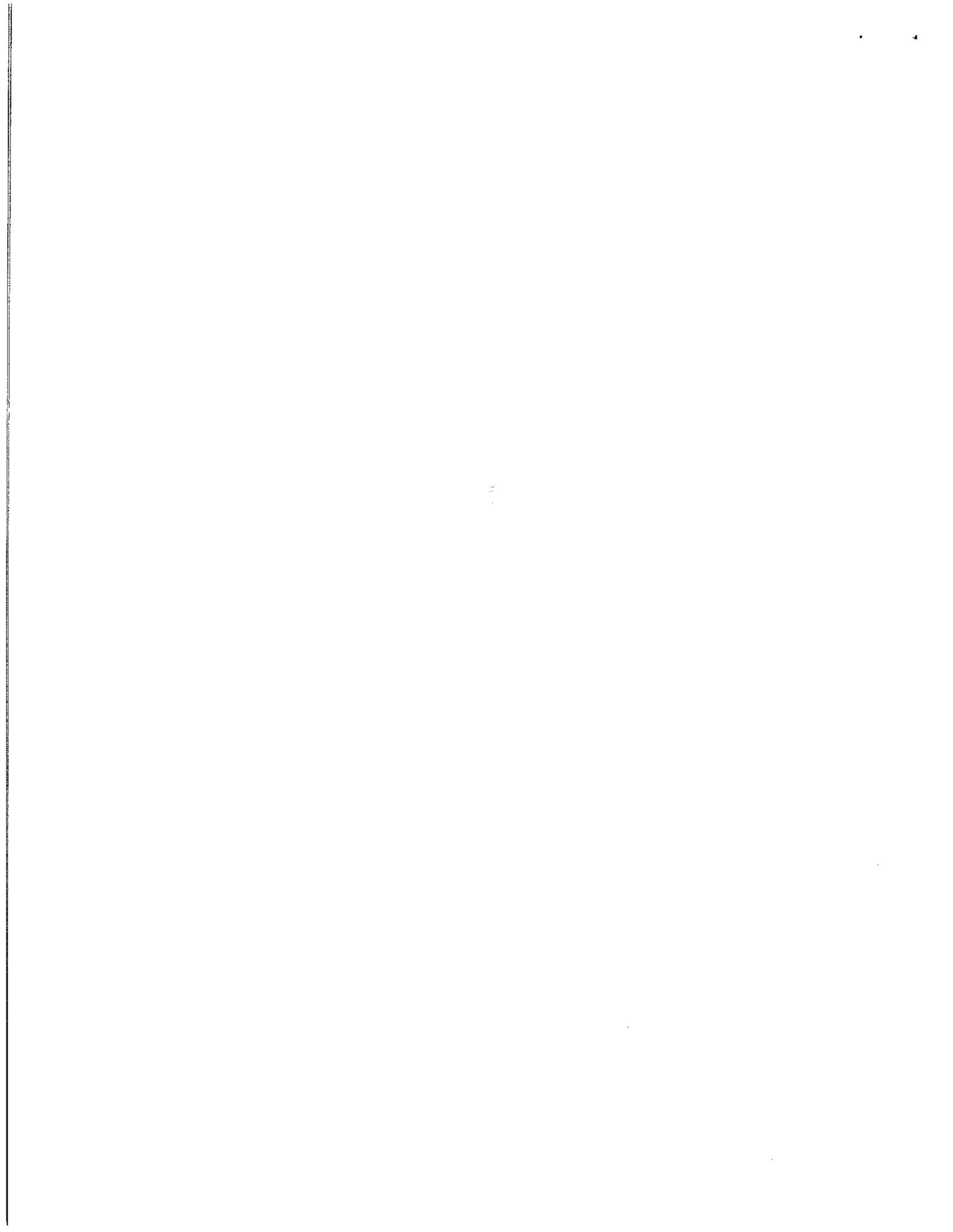


May 13, 2016
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 128 Union Street (47-5). 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
47-2	289 ACUSHNET AVE	VERITAS RESTAURANT & LOUNGE INC, 289 ACUSHNET AVENUE NEW BEDFORD, MA 02740
47-3 <i>ES</i>	PURCHASE ST	S BNK NB UNION LLC, C/O WHELEN ASSOCIATES 70 N SECOND STREET NEW BEDFORD, MA 02740
47-100	48 S SECOND ST <i>60</i>	HARBORVIEW TOWERS LIMITD PARTNERSHIP, 885 2ND AVENUE-31ST FL-SUITE C NEW YORK, NY 10017
47-45	680 PURCHASE ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740
53-215	121 UNION ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-216	117 UNION ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-29	143 UNION ST	MUSE PETER J 'TRS', BUDDYMAX REALTY TRUST 149 BRANDT ISLAND ROAD MATTAPOISETT, MA 02739
53-41	115 UNION ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-143	141 UNION ST	NEPREO INC, C/O NEW ENGLAND PHOENIX CO INC <i>Waterfront Area</i> 337 FREEPORT STREET <i>128 Union St.</i> BOSTON, MA 02122 <i>New Bedford, MA 02740</i> <i>League of New Bedford, Inc</i>
53-144	139 UNION ST	CELTIC COFFEE HOUSE LLC 42 NORTH WATER STREET <i>Same as above ↑</i> NEW BEDFORD, MA 02740
53-145	133 UNION ST	Lajoie MICHAEL P "TRUSTEE", M B M REALTY TRUST 28 WATERFALL ROAD ACUSHNET, MA 02743
53-146	127 UNION ST <i>-129</i>	PIVA PAUL A, 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-154	93 UNION ST	ST ANNE CREDIT UNION, 93 UNION STREET NEW BEDFORD, MA 02740

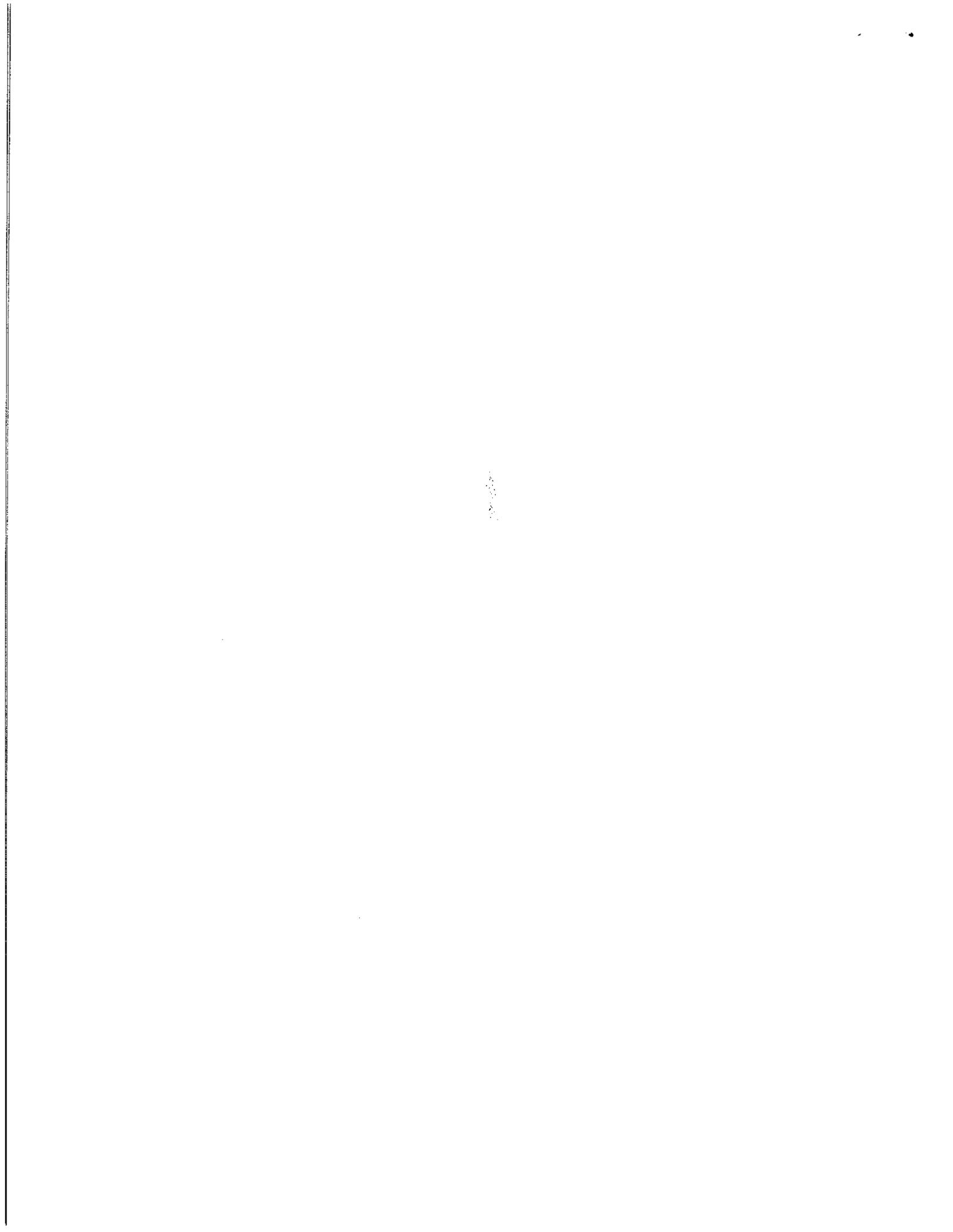


May 13, 2016
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 128 Union Street (47-5). 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
47-1	174 UNION ST	S BNK NB UNION LLC, C/O WHELAN ASSOCIATES 70 N SECOND STREET NEW BEDFORD, MA 02740
47-21	25 S WATER ST	N B YOUNG MENS CHRISTIAN, ASSOCIATION 25 SOUTH WATER ST NEW BEDFORD, MA 02744
47-46	668 PURCHASE ST - 670	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-5	128 UNION ST	COMPASS BANK FOR SAVINGS, C/O TRAMMELL CROW/SOVEREIGN BANK P O BOX 14115 READING, PA 19612-4115
47-89	280 ACUSHNET AVE - 282	HARBORVIEW TOWERS LIMITED PARTNERSHIP, 885 2ND AVENUE-31ST FL-SUITE C NEW YORK, NY 10017





Legend
 [Shaded Box] 47-5

