

Middlesex North Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/1/2022 1:21:54 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
59227	DECISION		19231/216	09/02/2005	
Property-Street Address and/or Description					
81-91-101 MILL ST					
Grantors					
DRACUT TOWN PLANNING, FKBE 1 LLC					
Grantees					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



2005 00059227

Bk: 19231 Pg: 216 Page: 1 of 14
Recorded: 09/02/2005 03:05 PM

14
100-2 Pg 1:05
100-2 Pg 1:05
**TOWN OF DRACUT
PLANNING BOARD
NOTICE OF SPECIAL PERMIT**

**FKBE 1, LLC
c/o FRANK J. GORMAN, SR.
1934 LAKEVIEW AVENUE
a/k/a 81-91-101 MILL STREET
DRACUT, MA 01826**

Notice is hereby given that a **special permit** has been granted for the following;

To transfer the existing special permit for the Beaver Brook Mill to FKBE 1, LLC and to divide the Mill property into two separate lots.

To: FKBE 1, LLC c/o Frank J. Gorman, Sr.
Address: 1105 Lakeview Avenue
City/Town: Dracut State: MA

Land Affected on Assessors Map 32 Lot 245-1 & 66 & Map 25 Lot 1-A

by the Town of Dracut Planning Board affecting the right of the owner with respect to the use of the premises on: 81-91-101 Mill Street

the record title standing in the name of: FKBE 1, LLC

by ~~as~~ deed duly recorded in the Registry of Deeds in Book 18616 Page 98

~~as~~ The application is attached and the decision of the Board is on file in the Office of the Town Clerk.

~~as~~ Certified this 12th Day of August, 2005.

~~as~~ For the Board:

Philippe Thibault
Philippe Thibault, Chairman

Robert T. Donnelly
Robert Donnelly, Alternate Clerk

12 Pg 2:23

Appeal of the decision, if any, shall be made pursuant to G.L.c. 40A, §17, and shall be filed in the Town Clerk's Office within twenty (20) days of the date the notice of decision is so filed.

ENV.

2000 SEP -2 PM 1:06
KATHLEEN M GRAHAM
TOWN OF DRACUT
PLANNING BOARD
SPECIAL PERMIT

FKBE 1, LLC
c/o FRANK J. GORMAN
1934 LAKEVIEW AVENUE
a/k/a 81-91-101 MILL STREET
DRACUT, MA 01826

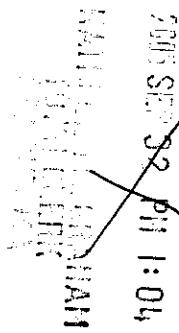
Appeals of the decision must be taken under Chapter 40A, within twenty (20) days of the filing with the Town Clerk's Office, 62 Arlington Street, Town Hall, Dracut, MA.

I certify that no appeal has been received within the 20 days of the filing of this notice in my office, or that if any appeal has been filed that it has been dismissed, or denied.

Kathleen M. Graham

Kathleen M. Graham,
Town Clerk - or
Jayne Boissoneault,
Assistant Town Clerk

Time Stamp and Seal of the Town of Dracut



Received and entered with the Registry of Deeds in the County of Middlesex District having jurisdiction in Dracut

Book No. _____, Page _____
(Copy of Recording to be attached)

Note: Building Permits, or Certificates of Occupancy, shall not be issued until such time as the attestation is made and recording provided.

RECEIVED
2005 SEP 32 PM 1:04
KATHLEEN MCKEEAN
TOWN OF DRACUT, MASSACHUSETTS
PLANNING BOARD

Application #PB05-17

Copies of this Record of Proceedings with all attachments, and plans referred to in the decision, if any, must be filed with the Town Clerk.

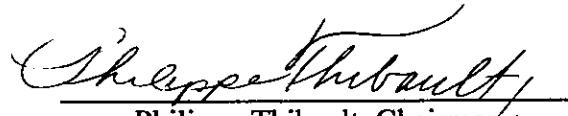
I, Robert T. Donnelly, Robert Donnelly, Alternate Clerk of the Board, hereby certify that the following is a detailed record of all its proceedings relative to this application submitted by: FKBE 1, LLC (the applicant), 1105 Lakeview Avenue, Dracut, MA; for a special permit and site plan review under Section 4.16.00 of the Zoning Bylaws for property located at 1934 Lakeview Avenue, a/k/a 81-91-101 Mill Street.

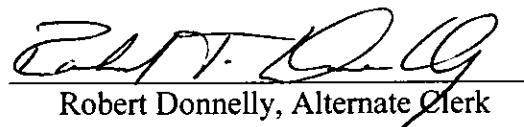
The applicant desires to transfer the existing special permit for the Beaver Brook Mill to FKBE 1, LLC and to divide the Mill property into two separate lots.

1. On July 13, 2005, an application of which is marked "A" is made part of this record and was presented to the Board.
2. A notice of public hearing, a true copy of which is marked "B" is made a part of this record, was published, posted and mailed to the "Parties in Interest" as indicated below:
 - a. Published in The Lowell Sun, a newspaper of general circulation in the Town on Wednesday, July 27, 2005 and again on Wednesday, August 3, 2005;
 - b. Posted in a conspicuous place in the Town Hall on Tuesday, July 19, 2005;
 - c. Mailed on July 22, 2005, postpaid to the applicant, abutters and owners of land within 300 feet of the property line as named in the certificate from the Assessors office, a true copy of which is marked "C" is made a part of this record, and to the Board of Selectmen, Building Inspector and the Planning Board of every abutting municipality.
3. On August 10, 2005, a hearing was held in the Lakeview Junior High School Community Room, at which opportunity was given to all those interested to be heard in favor, or opposition, to said application. The following evidence was presented at the hearing:
 - a. A letter dated July 21, 2005, from Attorney James A. Hall, Town Counsel.
4. Following the hearing the Board made the following findings regarding the land in question and the proposed use;
 - a. The presented proposal is in harmony with the purpose and intent of the Mill Overlay District By-law and Special Permit By-law.
 - b. The Board finds that the proposed project will not be detrimental or injurious to the neighborhood in which it is to take place based on the information presented.
 - c. The Mill Overlay District is appropriate for the site in question.
 - d. The submitted application package and presentation complies with the requirements of the Mill Overlay District By-law.

5. The Board **voted unanimously** at their meeting on August 10, 2005 to transfer the existing Special Permit for the Beaver Brook Mill to FKBE 1, LLC and to divide the Mill property into two separate lots, noted as Lot #1-A being Commercial and Lot #1-D being Residential and set forth the following conditions.
 - a. **The applicant must comply with all conditions established in the original Special Permit for the Beaver Brook Mill, as recorded at the Middlesex North Registry of Deeds in Book #18715, Page 1 to 81.**
 - b. The project is to be completed in a timely manner.
 - c. Based on the recommendations of the Engineering Department, Public Safety Officials and the Department of Public Works.

THE DRACUT PLANNING BOARD,


Philippe Thibault, Chairman


Robert Donnelly, Alternate Clerk

PB05-17

APPLICATION FOR HEARING

Town of Dracut
Planning Board

SPECIAL PERMIT

Name of Applicant F.K.B.E. I, LLC c/o Frank J. Gorman, Sr.

Address 1105 Lakeview Avenue Dracut, MA 01826, Tel# 978-957-6666

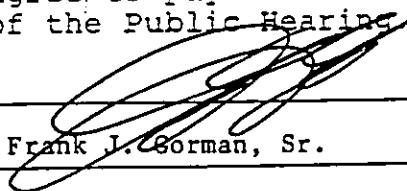
Location of Property 1934 Lakeview Avenue, 81-91-101 Mill Street

Applicant is: Owner, Tenant, Licensee, Prospective Purchaser,
Other (state) Owner

Nature of Application: To split up 6.7 lot into two separate lots to be able to acquire bank financing, amend previous special permit issued on 2/21/03, and recorded in the Middlesex County Registry of Deeds under Book # 18715, Page 1.

Applicable Section of Zoning By-Law: 4.16.00

I hereby request a hearing before the Planning Board with reference to the above noted application for Special Permit and agree to pay all costs of mailing and advertising the notice of the Public Hearing.

Signed: 

Print: Frank J. Gorman, Sr.

Title: Owner

\$150.00

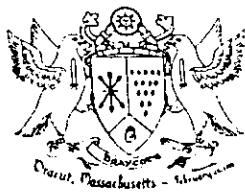
Received from the above noted name the amount of _____
for the Planning Board.

7/13/05

Date of Submission to the Board at Meeting of: 7/13/05

Dracut Planning Board
Special Permit #PB05-17

Attachment "A"



Town of Bracut

DRACUT, MASSACHUSETTS 01826

454-2594

PLANNING BOARD

**LEGAL NOTICE
TOWN OF DRACUT
PLANNING BOARD**

Notice is hereby given that the Dracut Planning Board will conduct a public hearing on Wednesday, August 10, 2005, commencing at 8:30 PM, in the Lakeview Jr. High Community Room. Said hearing is being held on the petition of F.K.B.E. 1, LLC, requesting to amend the Special Permit to have 2 separate lots in accordance with Sect. 4.16.00 of the Town of Dracut Zoning By-laws for property located at 1934 Lakeview Ave., 81-91-101 Mill St.

THE DRACUT PLANNING BOARD

Philippe Thibault,
Chairman

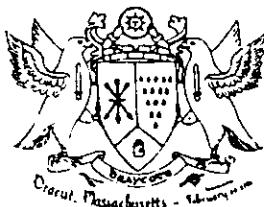
11w

2305 JUL 19 AM 9:56

THE LOWELL SUN; to be advertised: Wednesday, July 27, 2005
Wednesday, August 3, 2005

Dracut Planning Board
Special Permit #PB05-17

Attachment "B"



Municipal Government Town of Dracut

TOWN HALL
62 ARLINGTON STREET
DRACUT, MASSACHUSETTS 01826

PLANNING BOARD
MAP 32 LOT 245-1 & 66
JUNE 30, 2005

OFFICE OF THE
BOARD OF ASSESSORS
TEL. (978) 453-2451
FAX (978) 452-7924

KATHLEEN M. ROARK, CHIEF ASSESSOR
THOMAS W. KEEFE, ASSESSOR
MARILYN L. PROVENCHER, ASSESSOR

ABUTTERS- FRANK GORMAN
91 & 88 MILL STREET

MILL STREET

91 FKBE I, LLC m/a 1105 Lakeview Avenue, Dracut
88 FKBE I, LLC m/a 1105 Lakeview Avenue, Dracut
52 Robert Bump m/a 107 Kendall Road, Tewksbury, MA 01876
44 Claire Dube & Richard R. Dube m/a 3 Belknap Terrace, Hudson, NH 03051
34 William S., Jr. & Laurie Boumil
29 #01 David Smith
#02 Alvin R. Dares & Jennifer T. Kalicki
#03 Vickie L. Lane
#04 Stephen Leslie
#05 Karen A. Roy & Richard J. Dukeshire m/a 33A Mill Street, Dracut
#06 Richard A. Wedge m/a 33 B Mill Street, Dracut
#07 Deborah A. Tabares m/a 35A Mill Street, Dracut
#08 Deborah M. Smith m/a 41 Northern Blvd., Newbury, MA
#37A Richard L. Fox m/a 229 Billerica Road, Chelmsford, MA 01824
#10 Maria Alice Tsicoulias m/a Via Fontana Vecchia #40
Priverno, Italy 04015
#39A Richard L. Fox m/a 229 Billerica Road, Chelmsford, MA 01824
#12 Joseph Lisi
45 Miguel Diaz
51 Jan Szymanski, Jr. m/a 131 Totman Road, Dracut
59 #101 Linda Tousignant, Trustee/Tousignant Family Trust
#102 Loretta A. Purcell & Gloria J. Brown
#103 Charles & Lucille Kleczkowski m/a P.O. Box 70, Dracut
#104 Raymonde LeGrand & Rolande Cloutier
#105 Mary L. Long
#106 Ronald G. Lafond
#107 Robert A. & Denise R. Christian
#108 Arthur Poisson m/a 711 North County Road,
Palm Beach, FL 33480
#109 Diane J. Little
#110 Gerald T. & Helen B. Foley
#201 Nathan & Mary L. Rosnov
#202 Steven J. & Cynthia Gray
#203 Robert J. & Jane M. McHugh/Brian J. McHugh

Dracut Planning Board
Special Permit #PB05-17

Attachment "C" (Pg.1/7)

MILL STREET

59 #204 Chris C. & Carole Rodis m/a 170 Royal Palm Way,
Boca Raton, FL 33432-7940
#205 Charles T. Ras & Stephanie Ras-Schoeffel
#206 John V. & Cynthia A. Ahearn
#207 Rita J. Croisetiere
#208 Floyd & Celeste Montgomery
#209 Maurice L. & Pauline M. Hamel, Trustees
#210 Doris Hall
#301 Robert J. & Charlotte E. Toomey
#302 Thomas O'Connor, Trustee
#303 Charles M. & Lucille Kleczkowski m/a P.O. Box 70, Dracut
#304 Charles M. & Lucille Kleczkowski m/a P.O. Box 70, Dracut
#305 Timothy J. Gallagher m/a 11 Louis Allen Drive, Danbury, CT 06811
#306 James P. Abbott & William J. Casagrande
m/a 41 Pershing Road #1, Jamaica Plain, MA 02130-2015
#307 Ina I. Hakkila
#308 Walter R. & Eleanor E. Welcome
#309 Todd R. McDuffee
#310 Laurette Y. Vengren

ORCHARD STREET

20 P. Gregory & Ellen T. Dillon
26 Richard C., Jr. & Catherine Gray
34 Matthew R. & Marie C. Matchett
46 Robert & Rose M. Martineau

LAKEVIEW AVENUE

1990 Town of Dracut/Fire Department m/a 62 Arlington Street, Dracut
1982 Paul & Irene Dumont Trust c/o Gary Dumont
1974 Paul & Irene Dumont Trust/Dumont Realty Trust
m/a 506 Nashua Road, Dracut
1968 William A. Day
1962 Robert A. & Sarah K. Burnaby
1960 Phung D. Cao
1949 Brian F. & Mary E. Allegresso m/a 26 Arkansas Drive, Dracut
1951 Norman Rosenblatt m/a P.O. Box 977, Manoment Beach, MA 02553
1951 Butterworth & Company
1959 Paul Farris
1973 Marie A. Nolin & Marie E. Langlois m/a 1973 Lakeview Avenue, Dracut
1995 Souverign Bank c/o Trammell Crow
m/a P.O. Box 14115, Reading, Pennsylvania 19612
1890 John J., Sr. & Carole A. Barrett
1900 Paul A. LeClerc, Jr. m/a 77 Lowell Boulevard, Methuen 01844
1884 Donald P. Vigeant
1868 Roman Catholic Archbishop/St. Mary's Assumption Parish
1856 Michael & Carol Tsitsianopoulos

Dracut Planning Board
Special Permit #PB05-17

DALLAS DRIVE

13 #101 Mary Jane Mullen
#102 Ralph J. & Rita T. Jacques/Aline Noel
#103 Thaddeus J. & Rita L. Bukala/Maurice Woods
#104 Elizabeth A. Therien
#105 Christine Waterhouse, Trustee/The Chris M. Waterhouse Trust
#106 David & Judith Josephson
#107 James B. Nyberg, Trustee/JJC Nominee Trust
m/a 5 Ponderosa Drive, Hudson, NH 03051
#108 Maureen T. Madden-Kershaw
#109 Michelle A. St. Jean
#110 Ruth Y. Bastein, Trustee/13 Dallas Drive #110 Realty Trust
#201 Labbe Family Revocable Trust/Alberick & Rita Labbe, Trustees
#202 Angele C. Cote
#203 Paul F. Caselle, Trustee/The Dallas Drive Realty Trust
#204 Michael J. & Carol J. Langlois
#205 Henrietta Zananiri
#206 Robert L. & Therese Y. Lajeunesse
#207 Mary Trombly
#208 Lillian Vinal
#209 Patricia M. Reardon
#210 Robert S. & Helen B. Gibson/Donald Gibson
#301 Edward B. & Doris Carboneau
#302 Abir Nehme
#303 Theresa Coronella
#304 Clifford E. Pelland, Jr.
#305 Rita M. Shoemaker & Anthony J. Shoemaker
#306 Brendon T. Bailey
#307 Mary Alice C. Burns
#308 Paul L. & Estelle Maille/Paul R. Maille
#309 Hector & Normande Montminy, Trustees/Montminy Nominee Trust
#310 Alyce M. Flocker
14 #101 Doris J. Fontaine
#102 Conrad R. Rondeau
#103 Gertrude E. Durkee
#104 Jeannine D. Tousignant & Armand R. Tousignant
#105 Kenneth DiPoto, Trustee/14 Dallas Drive #105 Realty Trust
m/a 61 Heather Road, Dracut
#106 Howard T. & Gail A. Trombly
#107 John F. Guilfoyle & John P. Guilfoyle
#108 Marlene E. Vezina
#109 Katherine B. Chao & Andy A. Chung
#110 Clare Kennedy
#201 Joseph R. Breton
#202 Richard E. & Mary H. Pynn
#203 Marcel & Faye Napert
#204 Madeline R. Silveira
#205 Lucien R. & Pauline S. Rondeau
#206 Francis & Adeline M. Bettencourt
#207 Paul F. Caselle, Trustee
#208 Doris M. Poisson, Etals, Trustees/22 Second Avenue Realty Trust

Dracut Planning Board
Special Permit #PB05-17

DALLAS DRIVE

#209 James J. & Diana Davis
#210 Susan J. Pulizotto
#301 David M. Voyer
#302 Joan P. Tanguay
#303 Edmond L. Cormier, Jr.
#304 Jack B. & Rene Maib
#305 Louis & Marie Dalpe
#306 Thomas W. & Joan M. Keefe
#307 Pravir & Panna Desai, Trustees/P & P Real Estate Trust
#308 Annette Lachapelle
#309 Gerald T. & Judith A. Wilson
#310 Raymond Marcouillier
21 #101 Carleton F. McCauley
#102 Roger R. Soulard, Sr.
#103 Lorrain Grenon
#104 Henry E. & Glenda J. Breault, Trustees/The H & G Breault Family Trust
#105 Roger J. Brousseau
#106 John A. & Dorothy A. Flynn
#107 Raymond W. & Evelyn R. Laurencelle, Trustee/Laurencelle Family Trust
#108 Lidia B. & Victor Melo
#109 Mary R. Savard
#110 Leon R. Gagne
#201 Wilmer J. & Lorraine P. Rondeau
#202 Roger R. & Doris S. Breault
#203 William A., Sr. & Terese M. Kealy
#204 Brenda M. Allard
#205 Gloria E. Maher
#206 Charles J. Coughlin
#207 Gerard & Gloria Gagnon
#208 Albert F. & Kathleen M. Blazon
#209 Claire McDermott
#210 Frederic H. & Pauline L.A. Boudries
#301 Georgia Shuster & Charles Panageotopoulos
#302 John E. MacNicholl, Trustee/Mary Slusher Trust
#303 Lucian T. & Rita J. Villandry/Debra J. Williams
#304 Robert & Rose Babcock
#305 Antoinette R. Jones & Robert W. Jones
#306 Pauline R. & Gerard J. Boule
#307 George & Helen Kalogeropoulos
#308 Shirley A. Kane
#309 Carol A. Fisher
#310 Gladys L. Jenkins & Joan Helena Andrews

BARRY AVENUE

14 Martha B. Paquette
5 Gary G. & Paul R. Dumont/G & D Realty Trust m/a 551 Nashua Road, Dracut
9 Leo E. & Deborah A. Trager
6 Brian T. & Doreen Farrell

Dracut Planning Board
Special Permit #PB05-17

COBURN AVENUE

40 Rudolphe W. & Murielle T. Ouellette
27 David J. & Deborah L. Desimone
25 Mark A. & Laura M. Lavoie

WATER STREET

24 Barry & Linda A. Gougeon m/a 1037 Mammoth Road, Dracut

COTTAGE STREET

21 Randall E. & Sharon L. Burns
15 Theresa Dillon
9 Michael J. & Teresa S. Thomas
3 Paul D. & Karen E. Vergakes

PEARL STREET

31 Gerald Lussier & Douglas Dooley m/a 34 Broadway Road, Dracut
41 Gerald Lussier & Douglas Dooley m/a 34 Broadway Road, Dracut
51 Kevin M. & Michelle T. Brissette
61 Raymond G. & Doris I. Frechette, Trustees/61 Pearl Street Realty Trust II
19 Gerald Lussier & Douglas Dooley m/a 34 Broadway Road, Dracut

MAMMOTH ROAD

1019 David S. & Rebecca L. Leigh
1037 Barry F. & Linda A. Gougeon
1007 Daniel Psonios m/a 209 Mammoth Road, Pelham, NH 03076

TENNIS PLAZA ROAD

124 #01 Anthony A. Rogers, Jr.
#02 Paul J. Sicard
#03 Gerard G. & Laurie St. Armand
#04 Bradford A. Waite
#05 Carole A Mathews
#06 Jeffrey S. Ropiak
#07 Peter M. Dembitzky
#08 Chris W. Dery
#09 Beverly A. Turcotte
#10 Ann Marie Ormond
#11 Christine Gallagher
#12 Martha A. McNamara
#13 Andrea Zwicker
#14 Michael D. Barry
#15 Paul R. Allard
#16 Jatinder K. & Kanchan Lumb
#17 Kevin T. Barrett
#18 Robert & Nancy Rich
#19 Roger N. & Julie N. Maxfield

Dracut Planning Board
Special Permit #PB05-17

TENNIS PLAZA ROAD

124 #20 Brad P. Murphy & Shawn Murphy
#21 Donna S. Desrosiers
#22 John D. & Virginia A. Marshall
#23 Gerard G. & Laurie M. St. Armand
#24 Elizabeth J. Reidy & Ryan C. Torpey
#25 Laura E. Crabb
#26 Laura E. Bryant
#27 Jeanne A Nadeau
#28 William McNally
#29 Scott J. & Tina McKenney
#30 Jennifer R. Spanos
#31 William J. & Gale Boyce
#32 Samir C. Chakar
#33 Adeline T. Mendes
#34 Jillian Schofield
#35 Catherine T. Henrick & David J. Twiss
#36 Thomas M. Halloran & Rachael E. Fay
#37 Dianne E. Long
#38 Greg Kwor
#39 Janice L. Jaraslow
#40 Layne R. Keith & Bethany L. Dowell
#41 Mark Stys
#42 Matthew C. Lannon
#43 Katherine A. Andrade
#44 Susan M. Matthews
#45 Karen Millerick
#46 Glen W. Smith
#47 Diane K. Wade
#48 David A. Laikos
#49 Kenneth R. Pepe & Sharyn M. Tighe
#50 Deborah McGill
#51 Owen W. Welch
#52 Charles E. Blackburn
#53 Stephen G. Kirsch
#54 Brian & Janet Savoia
#55 William P. Graziano
#56 Heather M. Halloran & Michael T. Monahan
#57 William L. & Helen M. Phinney
#58 Marc & Carylon T. Harvey
#59 Gail Motyka
#60 Robert F. & Carol A. Valente m/a 40 Egerton Road, Arlington, MA 02464

PROPERTY ABUTS BEAVER BROOK

Dracut Planning Board
Special Permit #PB05-17

Attachment "C" (Pg.6/7)

DRACUT BOARD OF ASSESSORS

Kathleen M. Roark
Kathleen M. Roark, Chief Assessor

Thomas W. Keefe
Thomas W. Keefe, Assessor

Marilyn L. Provencher
Marilyn L. Provencher, Assessor

Dracut Planning Board
Special Permit #PB05-17

Attachment "C" (Pg.7/7)

QUA, HALL, HARVEY & WALSH

ATTORNEYS AT LAW
25 FLETCHER STREET
CHELMSFORD, MASSACHUSETTS 01824

RICHARD B. WALSH
JAMES A. HALL
EDWARD F. FINNEGAN
JAMES P. HALL*
LAURIE A. HOGAN**
MICHAEL F. MCCALL**
RAYMOND T. WEICKER***

(978) 250-4255
FACSIMILE (978) 244-1452

FRANCIS M. QUA (1914-1977)
JOHN HARVEY (1929-1977)
HOWARD J. HALL (1937-1966)
RICHARD T. HALL (1960-1998)

ALSO ADMITTED TO PRACTICE IN
• NEW HAMPSHIRE, MAINE and
WASHINGTON, D.C.
** NEW HAMPSHIRE
*** NEW YORK and NEW JERSEY

July 21, 2005

Mr. Philippe Thibault, Chairman
Planning Board
Town of Dracut
11 Spring Park Avenue
Dracut, Massachusetts 01826

Re: **Beaver Brook Mill**
Special Permit Application
Frank Gorman

Dear Chairman Thibault:

I am in receipt of your letter dated July 18, 2005, relative to the above-captioned matter.

I can confirm to you that I did discuss this matter with Mr. Gorman's attorney, but I do not recall speaking with Mr. Gorman.

From what little background I know about the situation, it seems reasonable to me for Mr. Gorman to file for a new special permit, whereby he completes the work in two phases -- one phase as residential; the other phase as commercial. He could do this by having a new special permit issued and a new plan of land approved, whereby he could separately mortgage the commercial area from the residential portion of the development. Of course, the Board would have to require of Mr. Gorman assurances and/or a bond to guarantee that both projects would be completed in a timely fashion so that the Board would not be left with approving the residential portion of the project and be left with an empty commercial building or vice versa.

If you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,



James A. Hall

JAH/ljc