

Received a	the Office of the City Clerk
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Time:	11 do AM
Received	Eleborah M. Pedercine
Foe-	412500

CITY OF NORTH ADAMS, MASSACHUSETTS

Planning Board

SPECIAL PERMIT APPLICATION

ALL REQUIRED INFORMATION MUST BE SUBMITTED BY THE APPLICATION DUE DATE OR THE APPLICATION WILL NOT BE PROCESSED.

	Name of applicant: Benjamin Westbrook
	Name of property owner (if different): Benjamin Westbrook
	Name of legal counsel (if appropriate):
	Address of project: 165 East Main Street
	Zoning district(s) of project: Central Business District
	Use classification of project (consult use schedule): #34: Art studio or shop for custom work
_	The record title to project address stands in the name(s), address(es):
	Benjamin Westbrook and Carolyn Clayton, 165 East Main Street, North Adams, MA 01247
134	by a deed duly recorded in the Northern Berkshire Registry of Deeds in Book 923 Page 267
	A COPY OF THE PROPERTY DEED MUST BE ATTACHED TO THIS APPLICATION FOR THE APPLICATION TO BE PROCESSED.
	Type of special permit:
	a. Use permits:
	□ Nursery schools/day care
	☐ Theaters, taverns ☐ Shopping centers
	☐ Industrial uses
	☐ Solid waste facilities
	☐ Solid waste facilities ☐ Research, experimental and testing laboratories
	 □ Solid waste facilities □ Research, experimental and testing laboratories □ Other:
	☐ Solid waste facilities ☐ Research, experimental and testing laboratories ☐ Other: b. Site plan approval:
	 □ Solid waste facilities □ Research, experimental and testing laboratories □ Other:
	☐ Solid waste facilities ☐ Research, experimental and testing laboratories ☐ Other: ☐ b. Site plan approval: ☐ A change of use ☐ A change of land use
	 □ Solid waste facilities □ Research, experimental and testing laboratories □ Other:

9,	If the si	site plan approval is required:										
	 ☑ Site plan materials are attached with application. See application checklist. ☑ Narrative is attached. See attached checklist for criteria to be explained within narrati ☑ Please check here if the property in any district* will be creating or maintaining more (10) new parking spaces. If yes, please provide detailed parking plan pursuant to Sect Street Parking" in the North Adams Zoning Ordinance. 											
	Ø	Please check here if the proposed project will require additional signage. Please provide elevation renderings of proposed signage. Please note if the dimensions, setback, duratic scale, or components of the signage will require a special permit by the Zoning Board of Appeals.	m,									
		Please check here if any part of the new construction will be sited within two hundred (2 feet of a river.** If yes, please provide a drainage plan for the site that ensures that safe into catch basins, culverts, swales, etc.	200) runoff									
10.	Determ	rmination of applicability from the Conservation Commission is:										
		In progress. Hearing is scheduled for:										
		Not required. Please explain why:										
	48/00/00/AN		***									
11.	Is a req	equest for a Determination of Applicability from the Massachusetts Department of ronmental Protection necessary? If yes, request was filed (date):	onacchia con tastanon — talka questa (m. 1944)									
12.	Are the	re there other boards to which this proposed project would be providing information? If yes, please list pard and date of hearing/meeting:										
13.	show o	ld you be willing to add a bike rack to the exterior of your business? If yes, pl on your site plan where the bike rack would be located.	ease									
Sign App	ature of lication	of Property Owner (REQUIRED) n will not be processed without it.										
	V	Ba Wy 2/7/2021	was a second									
Sign	ature of.	f Applicant Date										
		Westbrook 917-406-1194 Phone Number										
Print	ed Name	me rnone Number										
165	East M	Main Street, North Adams, MA 01247										
Add	ress of A	Applicant										

*Excluding CBD districts

^{**}A river is defined as any natural flowing body of water that empties to any ocean, lake, or other river and which flows throughout the year. For additional information, please consult the Office of Community Development for information on the "Rivers Protection Act", Chapter 258, MGL c. 131 40.

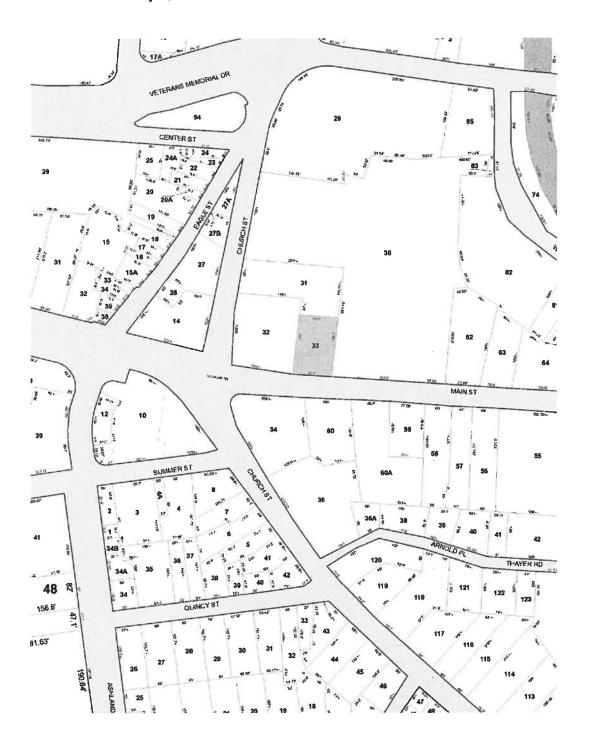
HAMMER ON STEEL

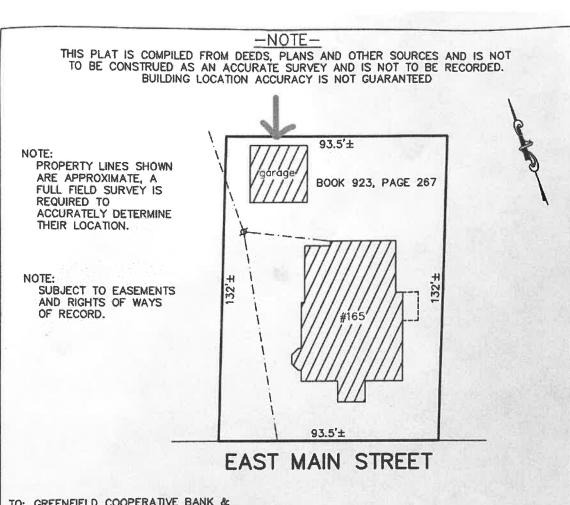
Ben Westbrook, artist blacksmith hammeronsteel.com



165 E. Main Street North Adams, MA

2. Assessors Map (certificate of title attached)

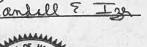




TO: GREENFIELD COOPERATIVE BANK & FIRST AMERICAN TITLE INSURANCE COMPANY

TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF
I HEREBY REPORT THAT I HAVE EXAMINED THE PREMISES AND BASED ON EXISTING
MONUMENTATION ALL VISIBLE EASEMENTS, ENCROACHMENTS AND BUILDINGS ARE LOCATED ON
THE GROUND AS SHOWN AND THAT THE BUILDINGS ARE ENTIRELY WITHIN THE LOT LINES,
EXCEPT AS NOTED. I FURTHER REPORT THAT THE PROPERTY IS NOT LOCATED WITHIN
A FLOOD PRONE AREA AS SHOWN ON FEDERAL FLOOD INSURANCE MAPS FOR
COMMUNITY #250034

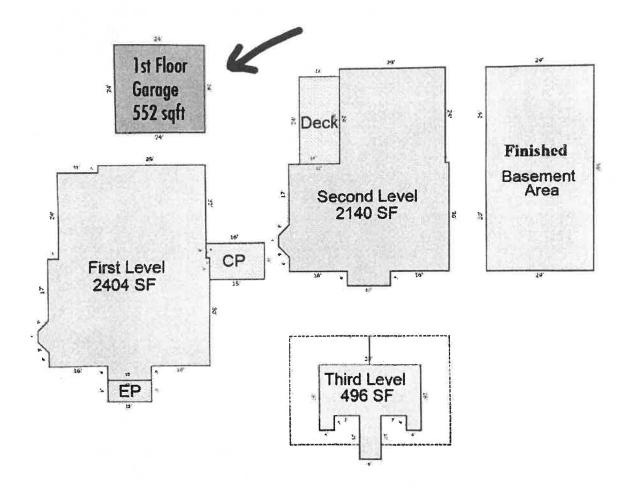
SURVEYOR: Randell & Igs



THIS PLAT FOR MORTGAGE LOAN PURPOSES ONLY AND DOES NOT CONSTITUTE A PROPERTY SURVEY

-MORTGAGE LOAN INSPECTION PLAT-NORTH ADAMS, MASSACHUSETTS PREPARED FOR

BENJAMIN M. WESTBROOK & CAROLYN CLAYTON
SCALE: 1"=30' AUGUST 24, 2017
HAROLD L. EATON AND ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
235 RUSSELL STREET - HADLEY - MASSACHUSETTS

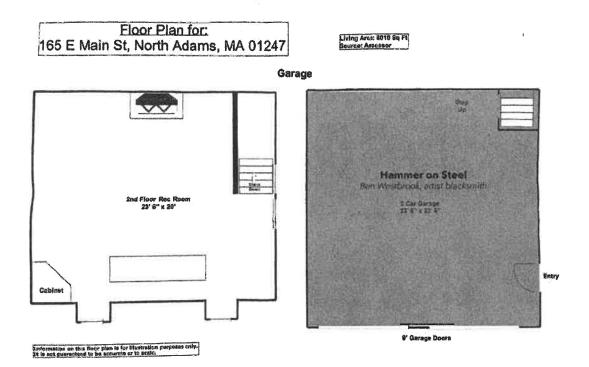


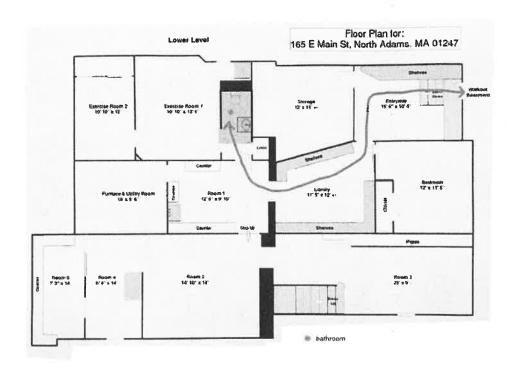
4. Narrative

I intend to convert the first floor of my two-car garage into my fabrication studio. As a craftsman, I create furniture, home goods and custom architectural elements primarily from iron and steel, with some copper and bronze and wood thrown in along the way. I've been a blacksmith for twenty years, and in business for the last eighteen. Since moving to North Adams, I've been on functional hiatus while working on our house and our baby. I look forward to getting official and opening back up for business. That being said, the majority of my work comes from existing contacts and the internet, and as such I do not intend to be "open to the public" much, if at all. Clients may book appointments to commission work through my website and by phone. I'm a sole-proprietor and work by myself (i.e. no employees).

The physical changes required to the building itself will be the addition of a heating system and a ventilation system, a window, and the conversion of one garage door into an architecturally-appropriate windowed wall. Parallel to this project, I will need to add a small shed to the side of the main building to house the things that would otherwise be kept in the garage: snowblower, lawn mower, bikes, etc. I will be applying separately for a building permit to undertake those projects.

5. Interior Site Plan





6. Signage

The sign will be hung from the existing lower sign post in the front yard.

Dimensions: 28"x 28" max



7.8.9.10.

N/A - No changes will be made to the exterior of the main building from it's current state as a residence (besides a small hang sign detailed above). We will not have public parking.

11. Rubbish Removal

Rubbish removal will be the same as our residence. Casella Waste Systems collects our trash and recycling bi-weekly on Monday.

12. Hours of Operation

Not open to the public. Work hours vary but are consistently 10-15hrs per week during business hours.

13. N/A

14. Traffic

We don't expect a change or increase in traffic.

15.16.17 N/A

18. Change of Use Detail

We are applying for a change of use the 552 sqft first floor of the garage from a residential space to a commercial space. The building is zoned as mixed-use commercial and residential.

19. Exterior Lighting/Parking

No exterior lighting will change. The parking lot will remain residential only.

20. Deliveries

We don't expect to be receiving deliveries in a different fashion than we currently do for our residence through the post office, UPS and Fedex. Steel will be delivered when needed by RI Baker on a flatbed truck that can pull through the driveway.

21. N/A

Loan Number: 0010015956

CERTIFICATE OF TITLE

To: Greenfield Cooperative Bank

Mortgagor(s): Benjamin M. Westbrook, Carolyn Clayton

Subject Property: 165 East Main Street

North Adams, Massachusetts 01247

I have examined the title to the premises described in a mortgage dated AUGUST 25, 2017 given to the Greenfield Cooperative Bank by the mortgagors in the records of the Registry of Deeds and of the Probate Court for the County of Berkshire and I hereby certify that at the time I recorded said mortgage the Mortgagor(s) holds a good and sufficient record title to the premises, free from all encumbrances, excepting only matters which are expressly enumerated in the Certificate of Title or in Schedule "A" attached to this Certificate of Title, and the Mortgagee holds a good and sufficient record first mortgage to the premises, subject only to matters excepted by this Certificate and said Schedule.

I certify that I have given the Mortgagor(s) a Certificate of Title which complies with M.G.L., Chapter 93, Section 70, as revised by Chapter 448 of the Acts of 1980.

As to the Mortgagor(s), my liability in connection with the rendering of this Certificate is limited to the original principal amount of the consideration shown on the deed, as to the Mortgagee, my liability is limited to the original principal amount secured by the mortgage. This Certificate of Title is effective for the benefit of the Mortgagee only as long as the original debt secured by the mortgage remains unpaid.

This Certificate of Title expressly excludes any opinion as to the effect on the title of the following listed exceptions.

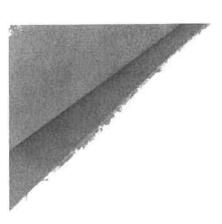
1) Real Estate Taxes, betterments and other municipal assessments and sewer and water use charges which are a lien against the property, but which are not evidenced by instruments recorded with the aforesaid Registry of Deeds.

Information provided by the Town/City of North Adams indicates that the real estate tax bill due August 1, 2017 has been paid.

- 2) Any existing federal or state laws, Municipal Ordinances or By-Laws which may affect the use and physical condition of the premises, including but not limited to existing zoning and subdivision control laws and regulations, State Sanitary Code, State Building Code and Lead Paint Law.
- 3) Defects, liens, encumbrances, easements, adverse claims or other matters affecting the title which either have not been recorded with the aforesaid Registry of Deeds or Registry of Probate or are not required to be so recorded to affect the title.
- 4) Any state of facts or error of description which may be revealed by a personal inspection or accurate survey of the premises.
- 5) Rights of tenants, lessees, occupants or other parties in possession.

6) Any opinion to the physical condition of the pr	remises.	
Date 8/25/2017	Certifying Attorney Patrick A. Corliss, Esq.	Miles and which the second sec
I/We hereby acknowledge that I/we have received	a copy of this Certificate of Title.	
Mortgagor Benjamin M. Westbrook Da		25/2017 Date
Mortgagor Da	ate Mortgagor	Date
Mortgagor Da	ate Mortgagor	Date
Note: Search of title should commence with a source instrument to be a warranty or quitclaim deed wh Certification must be date on which mortgage is re-	te of title recorded at least 50 years prior to date, withich on its face does not suggest a defect in said tecorded in the Registry of Deeds. A Certificate of	title. Date of

Note: Search of title should commence with a source of title recorded at least 50 years prior to date, with the earliest instrument to be a warranty or quitclaim deed which on its face does not suggest a defect in said title. Date of Certification must be date on which mortgage is recorded in the Registry of Deeds. A Certificate of Title need be made to the Mortgagor(s) only when the Mortgagor(s) is required or agrees to payor be responsible for any fee or expense charged or incurred by any attorney acting for or on behalf of the Mortgagee in connection with the rendering of a certification of title to the mortgaged premises.



SCHEDULE "A"

Restrictions under a Variance granted by the North Adams Board of Appeals dated July 22, 1985 and recorded with the Berkshire County Northern District Registry of Deeds at Book 749, Page 92, insofar as the same may be of current force and effect.

Restrictions under a Variance granted by the North Adams Board of Appeals dated July 22, 1985 and recorded with the Berkshire County Northern District Registry of Deeds at Book 1000, Page 699.

Taking by the City of North Adams for the relocation of Main Street, darted June 8, 1954, and recorded at Book 507, Page 306; as revised by a Taxing dated August 31, 1954, and recorded at Book 508 Page 316.

Bk: 01633 Pg: 291

PROPERTY: 165 East Main Street, North Adams, MA 01247

Bk: 1633 Pg: 291 Doo: DEED NB Page: 1 of 3 08/25/2017 04:05 PM

OUITCLAIM DEED

That we, EUGENE E. MESSENGER, D.D.S. and DONNA M. MESSENGER, husband and wife, both of Clarksburg, Berkshire County, Massachusetts, for monetary consideration paid in the amount of TWO HUNDRED SEVENTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$277,000.00), grant to BENJAMIN M. WESTBROOK and CAROLYN E. CLAYTON, husband and wife, whose post office address is 213 S. Hamilton Street, #B, Ypsilanti, MI 48197, to hold as TENANTS BY THE ENTIRETY, with QUITCLAIM COVENANTS, the land with any and all buildings thereon situate on the northerly side of Main Street, so-called, in North Adams, Berkshire County, Massachusetts, bounded and described as follows:

MASSACHUSETTS EXCISE TAX Northern Berkshire ROD #3 001 Date: 08/25/2017 04:05 PM Ctri# 032512 20670 Doc# 00005142 Fee: \$1,263.12 Cons: \$277,000.00 WITNESS our hands and seals this 31 day of August, 2017.

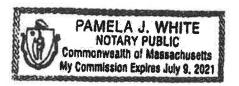
Eugene E. Messenger, D.D.S.

Donna M. Messenger

COMMONWEALTH OF MASSACHUSETTS

Berkshire County, ss.

On this 21 day of August, 2017, before me, the undersigned notary public, personally appeared Eugene E. Messenger, D.D.S. and Donna M. Messenger proved to me through satisfactory evidence of identification, being (check whichever applies): \Box driver's license or other state or federal government document bearing a photographic image, \Box oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge or the identity of the signatory, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose, as their free act and deed.



Notary Public
My Commission expires:

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END OF DOCUMENT Northern Berkshire Registry of Deeds

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