

For Official Use:

Date of Receipt: _____
File Number: _____
Completed: _____

Received By: _____
Date of Approval: _____
Not Completed: _____

Part A. General Information

1. NAME OF REGISTERED OWNER Swaminarayan Realty, LLC
Address 122 Main Street
City Sturbridge State MA Zip Code 01566
Telephone No. 617-899-3911
Email Address rasmpatel@yahoo.com

2. NAME OF APPLICANT/ AGENT Swaminarayan Realty, LLC
Address 122 Main Street
City Sturbridge State MA Zip Code 01566
Telephone No. 617-899-3911
Email Address rasmpatel@yahoo.com

3. MATTERS RELATED TO THE APPLICATION SHOULD BE ADDRESSED TO (check one or more):
 Owner Applicant/Agent

4. PROOF OF OWNERSHIP ACCOMPANYING APPLICATION: (check one):
 Copy of front page of deed Parcel Registry

Part B. Details of Application

5. Location of Subject Property

Municipal Address: 122 Main Street

Lot(s): _____ Plan: _____

Assessment Lot Number(s): Map 215 Parcel 3438-122

6. Is the subject property subject to any easements, rights-of-way, or other rights over adjacent properties (i.e. mutual driveway)?

Yes

No

7. Existing use of Property: Convenience Store/Gas Station

8. Date of construction of all existing and proposed buildings and structures on the subject property: 1955

Services available to the subject property:	Existing	Proposed
Type of water services (i.e. municipal water or private well)	Municipal	Municipal
Type of sewage disposal (i.e. municipal sewage disposal or private septic system)	Municipal	Municipal
Type of storm drainage (i.e. sewers, ditches, swales or other means)	Overland Flow	Overland Flow

9. Nature of Relief Requested:

Special Permit pursuant to Article/Section 20.05 of the Zoning Ordinance/Bylaw which authorizes Change in non-conforming structure to permit relocation of canopy in front yard setback

Detailed explanation of request:

The petitioner is seeking permission to relocate the canopy for the fuel islands in order to reposition parking adjacent to the convenience store.

10. Evidence to support grant of special permit:

Because of the reasons set forth below, the special permit request will be in harmony with the intent and purpose of the Zoning Ordinance/Bylaw:

The canopy structure consists of 4 support columns that would provide the structural support for an upgraded canopy. The original canopy and its location prohibits safe ADA compliant and general customer parking in front of the store. The new location would not be materially different from the existing conditions and there will be no obstruction of sight lines at the facility entrance drive. Additionally, a safer pedestrian access route to the upgraded commercial building will be provided with a new walkway and ADA compliant parking resulting in a net benefit to the general public that will frequent this site.

Because of the reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance/Bylaw as follows:

The relocated canopy would not be more detrimental to the Zoning District than the existing structure and as referenced above, will result in improved onsite parking and pedestrian access. In addition to the canopy relocation the Petitioner is planning to increase the landscaping and also eliminate some impervious surfaces adjacent to the wetland area. The granting of the Special Permit would also be consistent with the intent of the Zoning relative to the front yard setback due to the fact that there will be no impact on sight lines.

AUTHORIZATION (Must be signed by applicant)

I hereby request that the Town of Sturbridge Zoning Board of Appeals review this application for Special Permit and/or Finding, including all plans, documents and information herewith. I represent to the best of my knowledge and belief, this application is being submitted in accordance with the Regulations of the Zoning Board of Appeals of the Town of Sturbridge.

MP Patel
Signature of Applicant

01-04-2021
Date

AUTHORIZATION (Must be signed by owner)

I am the record owner of the property for which this application is being filed and as such, I am familiar with the work proposed to be carried out on my property.

I hereby give permission for this application to be filed with the full understanding that certain restrictions may be placed on the property relative to the approval of the proposed work.

I further certify that under the penalties of perjury, I am authorized to sign this application.

MP Patel
Signature of Owner

01-04-2021
Date

If someone is representing the applicant or the owner, the applicant must designate such representative below:

Name of Representative: Steven Gioiosa, P.E. SITEC, Inc

Address of Representative: 449 Faunce Corner Road, Dartmouth, MA 02747

Telephone No.: 508-998-2125

Relationship of representative to owner or applicant: Engineer

If representing a group, corporation or other organization please attach a copy of the vote authorizing you to act on behalf of such organization for the purposes of this application.



Bk: 56876 Pg: 242
Page: 1 of 3 03/22/2017 11:52 AM WO

After Recording Return to:
Stewart Title Guaranty Company
One Washington Mall, Suite 1400
Boston, MA 02108
Attn: Stacey Hanrahan

QUITCLAIM DEED

DRAKE PETROLEUM COMPANY, INC., a Massachusetts corporation, with an address of 800 South Street, Suite 500, Waltham, MA 02453 (the "Grantor"), for consideration of Four Hundred Eighty Thousand and No/100 Dollars (\$480,000.00), the receipt and sufficiency of which hereby is acknowledged, hereby GRANTS unto SWAMINARAYAN REALTY LLC, a Massachusetts limited liability company with an address of 37 Quirk Street, Watertown, MA 02472 (the "Grantee"), WITH QUITCLAIM COVENANTS a certain tract or parcel of land more particularly described on Exhibit A attached hereto and incorporated herein for all purposes (the "Property"), together with all buildings and improvements thereon standing, located in the Town of Sturbridge, County of Worcester and State of Massachusetts,

This conveyance is made subject to real estate taxes and municipal charges which are not yet due and payable.

Said premises are conveyed subject to and with the benefit of all easements, rights, restrictions, liens, agreements and other matters of record insofar as the same are still in force and applicable.

Said premises are also conveyed subject to that certain Grant of Access License, Declaration of Restrictive Covenants, Agreement Regarding Institution Controls and Declaration of Covenant Not to Sue by and between Grantor and Grantee recorded herewith.

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

Being the same premises conveyed to The Grove Corporation by virtue of a Deed from George W. Curboy dated April 5, 1968 and recorded with the Worcester County Registry of Deeds (the "Registry") in Book 4840, Page 136. See also (i) Certificate of Merger from The Grove Corporation into Kenyon Oil Company, Inc. recorded with the Registry in Book 16396, Page 39; and (ii) Certificate of Merger from Kenyon Oil Company, Inc. into Drake Petroleum Company, Inc., recorded with the Registry in Book 32687, Page 187.

[remainder of page left blank; signature page follows]

MASSACHUSETTS EXCISE TAX
Worcester District HOD #20 001
Date: 03/22/2017 11:52 AM
Ctrl# 165895 19974 Doc# 00028583
Fee: \$2,188.80 Cons: \$480,000.00

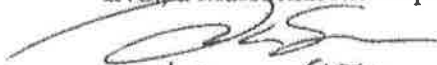
3

Property Address: 122 Main Street, Sturbridge, Massachusetts

Executed under seal this 21st day of March, 2017.

GRANTOR:

DRAKE PETROLEUM COMPANY,
INC., a Massachusetts corporation



By: Andrew Sifka
Its: Executive Vice President

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

On this 20th day of March, 2017, before me, the undersigned notary public, Andrew Sifka personally appeared, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as Executive Vice President for Drake Petroleum Company, Inc. as the voluntary act of the corporation.



Notary Public

(AFFIX SEAL)

My commission expires:



EXHIBIT A

Legal Description

Property Address: 122 Main Street, Sturbridge, Massachusetts

The land in Sturbridge, Worcester County, Massachusetts, situated on the easterly side of Massachusetts State Highway, Route # 131, with the buildings and other improvements thereon, bounded and described as follows:

Beginning at a Massachusetts Highway Bound on Route 131 and at the northwest corner of premises;

Thence N 69 ° 18' 50" E for a distance of 185.00 feet to an iron pipe at the corner of granted premises;


Thence S 20 ° 41' 10" E for a distance of 340.0 feet to an iron pipe at other corner of granted premises;

Thence S 69 ° 18' 50" W for a distance of 185.00 feet to the corner of granted premises and Highway Route 131;

Thence by said Route 131, N 20 ° 41' 10" W, for a distance of 340.0 feet to the point of beginning.

Being the premises as designated on a plan of "Land in Sturbridge, Mass. surveyed for The Grove Corporation dated March 16th, 1968, H.A. Racicot, L.S." recorded in Plan Book 316, Plan 115.

3537253.1

Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
415-03438-128	ATM ASSOCIATES LLC	421 MAIN STREET	STURBRIDGE	MA	01566	128 MAIN STREET
262-03541-049	BEAUDOIN STEPHEN P	49 FAIRVIEW PARK ROAD	STURBRIDGE	MA	01566	49 FAIRVIEW PARK ROAD
415-03438-138	BREAKAWAY REALTY LLC	PO BOX 980	FISKDALE	MA	01518	138 MAIN STREET
415-03448-120	CHAD REALTY LLC	PO BOX 1138	STURBRIDGE	MA	01566	120 MAIN STREET
262-03538-063	CHAMPIGNY HENRY J III	63 FAIRVIEW PARK ROAD	STURBRIDGE	MA	01566	63 FAIRVIEW PARK ROAD
415-03448-119	CHUNG MAY REALTY CO INC	P.O. BOX 487	STURBRIDGE	MA	01566	119 MAIN STREET
415-03448-121	CHUNG MAY REALTY CO INC	P.O. BOX 487	STURBRIDGE	MA	01566	121 MAIN STREET
415-03484-113	COMTOIS STEPHEN J II	35 WEBBER ROAD	BROOKFIELD	MA	01506	113 MAIN STREET
262-03531-061	FITTS DANIEL	61 FAIRVIEW PARK ROAD	STURBRIDGE	MA	01566	61 FAIRVIEW PARK ROAD
415-03448-118	HARRINGTON MEMORIAL HOSP	100 SOUTH STREET	SOUTHBRIDGE	MA	01550	118 MAIN STREET
262-03541-039	LANDRY MARK A	39 FAIRVIEW PK RD	STURBRIDGE	MA	01566	39 FAIRVIEW PARK ROAD
415-03438-127	MAPLE HILL REALTY LLC	97 ARNOLD ROAD	FISKDALE	MA	01518	127 MAIN STREET
415-03437-133	MAPLE HILL REALTY LLC	97 ARNOLD ROAD	FISKDALE	MA	01518	133 MAIN STREET
415-03438-135	MAPLE HILL REALTY LLC	97 ARNOLD ROAD	FISKDALE	MA	01518	135 MAIN STREET
262-03531-053	MARCOUX MARIE E	53 FAIRVIEW PARK ROAD	STURBRIDGE	MA	01566	53 FAIRVIEW PARK ROAD
262-03438-75A	NBM REALTY LLC	PO BOX 638	STURBRIDGE	MA	01566	75A FAIRVIEW PARK ROAD
262-03541-043	RICH KRISTINE	43 FAIRVIEW PARK ROAD	STURBRIDGE	MA	01566	43 FAIRVIEW PARK ROAD
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List - Board of Selectmen - Underground Storage Tanks- 300'						
RE: 122 MAIN STREET						
Certified Copy						
Assessor: 						
Date: 12-28-2020						

