



CITY OF NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON ORDINANCES
DATE: DECEMBER 15, 2025
TIME: 7:05 P.M.
PLACE: CITY COUNCIL CHAMBERS, ROOM 214

PRESENT: COUNCILLORS RYAN PEREIRA, CHAIR; IAN ABREU;
SHANE BURGO; NAOMI CARNEY; LEO CHOQUETTE;
JOSEPH LOPES; SHAWN OLIVER

ABSENT: COUNCILLORS DEREK BAPTISTE; MARIA GIESTA;
BRIAN GOMES; LINDA MORAD

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Councillor Pereira called the Ordinance Committee meeting to order, took attendance and explained that the meeting was being recorded and live streamed. The Clerk read Communications into the record from Councillors Baptiste, Giesta, Gomes and Morad explaining their absence. The Communications were received and placed on file by Councillor Abreu and seconded by Councillor Burgo.

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PUBLIC HEARING, CONTINUED, on a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 9, Comprehensive Zoning by adding Section 4200D – Solar Energy Systems. (Matter ID #1484) (Referred – September 25, 2025.) (Duly advertised in The Standard Times on November 6, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

AN ORDINANCE, (Matter ID #1485) (Referred – September 25, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, Section 4000, by inserting Section 4200D – Solar Energy Systems, including the associated use regulation table, for the purpose of regulating solar energy systems in residential and non-residential zoned districts; the Planning Board voted to send a **FAVORABLE RECOMMENDATION** for the Ordinance amendment. (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

The Chair reopened the Public Hearing.

The Chair recognized Anne Louro, Acting Director for the Planning Department, and Michael McCarthy, Assistant City Planner, who delivered a presentation on solar panel construction and installation throughout the City. This included a brief overview of the proposed Solar Ordinance, Amending Chapter 9, Comprehensive Zoning by adding Section 4200D-Solar Energy Systems, creating clear uses and standards.

1. Small-Scale systems occupy 1,750 square feet of surface area or less; they are often residential and roof-mounted in urban areas.
2. Medium-Scale systems occupy more than 1,750 square feet of surface area but less than 40,000 square feet; they can be ground or roof-mounted.
3. Large-Scale systems occupy more than 40,000 square feet of surface area and are usually ground-mounted, commercial, and located outside of a town or city.

Councillor Abreu asked how sizes are defined. He was told the sizes are set by Department of Energy regulations. He asked if there has been any formal outreach to the general public to explain the proposed Ordinance language. He was told that there had not been any formal workshop or outreach at this point.

Councillor Oliver asked if other City departments and agencies were included in drafting the proposed Ordinance. He was told yes, and that the City looked at similar communities who had solar Ordinances, like Brockton, Swansea and Somerset. The City also worked with SRPEDD in helping to draft the Ordinance.

Councillor Oliver asked if the City had steps in place for decommissioning units once the life expectancy is exhausted. He was told the City did, and that the average life expectancy of a solar panel system is thirty years. Those erecting large scale systems would need to secure a bond which would allow for the decommissioning and dismantling of the units.

Councillor Carney asked where carport solar panels would fall within the sizes described. She was told they would be considered small-scale.

Councillor Lopes asked in what instance ground panels on a residential property would be allowed. He was told that the property would have to meet the 1,750 square foot requirement.

Councillor Pereira asked if only a roof panel system or a yard small-scale panel system would be allowed. He was told the property would only be allowed to have one or the other.

The Chair asked if there was anyone present who wished to speak and/or be recorded in favor the proposed Ordinance. There were none. The Chair asked if there was anyone present who wished to speak and/or be recorded in opposition of the proposed Ordinance. There were none.

The Chair closed the Public Hearing.

On motion by Councillor Abreu and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDINANCE, Amending Chapter 9, Comprehensive Zoning by adding Section 4200D – Solar Energy Systems.

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PUBLIC HEARING, CONTINUED, on a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 9 Comprehensive Zoning – Relative to Accessory Dwelling Units. (Matter ID #1486) (Referred – September 25, 2025.) (Duly advertised in The Standard Times on November 6, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

AN ORDINANCE, (Matter ID #1487) (Referred – September 25, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, Section 2340, regarding standard and permitting of Accessory Dwelling Units (ADUs) and associated definitions in Section 1200; the Planning Board voted to send a **FAVORABLE RECOMMENDATION** for the Ordinance amendment. (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

The Chair reopened the Public Hearing.

The Chair recognized Michael McCarthy, Assistant City Planner, who delivered a presentation with an overview of the proposed Ordinance, Amending Chapter 9, Comprehensive Zoning – Relative to Accessory Dwelling Units. The presentation included the following changes:

- Allows ADUs by-right on lots with single or multi-household uses.
- Allows detachable ADUs.
- Includes a process to adopt more specific standards.
- Allows by-right up to 900 square feet and by special permit up to 1,200 square feet.
- Prohibits short-term rental of ADUs.

Councillor Oliver asked if there was a mechanism in place that would prohibit the short-term rental of ADUs. He was told that the Ordinance would not allow such use and it would be enforced by the Department of Inspectional Services. Currently, there is a fine structure in place used for similar violations. He asked if you could have more than one ADU on a property. Mr. McCarthy said no, you can have a built-on addition or stand-alone property, but not both.

Councillor Lopes stated that he believes enforcing the short-term rental language would be difficult.

Councillor Burgo stated that he was pleased this was finally being addressed since it has been in the works since 2023.

The Chair asked if there was anyone present who wished to speak and/or be recorded in favor the proposed Ordinance.

The following individuals were recognized and spoke in favor of the proposed Ordinance:

- Christian Gwozdz-Silvera, 84 Spring Street, New Bedford, MA
- Lee Bodden, 124 Mt. Pleasant Street, New Bedford, MA

The following individuals were recorded in favor of the proposed Ordinance:

- John Moranna, 24 Logan Street, New Bedford, MA
- Matt Marko, 647 Church Street, New Bedford, MA
- Ned Carson, 18 Tremont Street, New Bedford, MA
- Will Gardner, 17 Cottage Street, Fairhaven, MA
- Mark Hess, 1 Spruce Avenue, Mattapoisett, MA
- Shane Trimbell, 264 Reed Street, New Bedford, MA
- Nick Carvalho, 16 Crescent Drive, Fairhaven, MA
- Armand Pereira, 227 Union Street, New Bedford, MA

The Chair asked if there was anyone present who wished to speak and/or be recorded in opposition of the proposed Ordinance. There were none.

The Chair closed the Public Hearing.

On motion by Councillor Abreu and seconded by Councillor Burgo, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDINANCE, Amending Chapter 9 Comprehensive Zoning – Relative to Accessory Dwelling Units.

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PUBLIC HEARING, CONTINUED, on a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 9, COMPREHENSIVE ZONING, Relative to Parking Requirements - Appendix C - Table of Parking and Loading Requirements. (Matter ID #1614) (Referred – October 09, 2025.) (Duly advertised in The Standard Times on November 6, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m., in City Council Chambers.)

AN ORDINANCE, (Matter ID #1615) (Referred – October 09, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, Parking Requirements within Appendices A & C for principal use regulations; the Planning Board voted to send a **FAVORABLE RECOMMENDATION** for the Ordinance amendment. (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

The Chair reopened the Public Hearing.

On motion by Councillor Burgo and seconded by Councillor Oliver, the Committee VOTED: To receive and place on file the presentation submitted by the Planning Department on the proposed Parking Ordinance Revisions.

The Chair recognized Anne Louro, Acting Director for the Planning Department, and Michael McCarthy, Assistant City Planner, who provided an overview of the presentation, which included use comparisons between current code and code change recommendations for Residential, Lodging, Commercial General Services, Commercial General Business and Office Uses, Commercial Retail Uses, Commercial Eating and Drinking Establishments, Commercial Art, Sport and Creative Enterprise, Commercial Motor Vehicle Uses, Civic and Institutional, Institutional Uses, Medical Uses (Hospital or Nursing Home, Medical Office, Center or Clinic), Industrial, General Industrial Uses, Marijuana Related Uses, Marine-Related Uses and Agriculture.

This update to the Ordinance provides both developers and the Planning Board with clear and detailed examples of what the Planning Board should consider when reviewing a request for parking reduction, including the following:

- Modern peak demand management strategies such as shared off-site overflow parking arrangements.
- Relying on regularly updated industry standards for parking ratios developed by professional organizations like the Institute of Transportation Engineers.
- Mobility management programs for employees, such as vouchers for bus riders, adequate year-round bicycle parking, shift staggering, and funding improvements to surrounding sidewalks to encourage walking.
- Tandem parking arrangements for multi-household developments.

Councillor Lopes asked that under D, Commercial Use, the change does not appear to take into consideration employee parking. Mr. McCarthy stated that this is a good example of letting the market drive the demand for off-street parking.

Councillor Choquette expressed concern about parking for multi-use properties, stating that he does not understand the concept of changing a two-space per unit requirement to a one-space per unit requirement.

Councillor Abreu stated now is the time to make these changes, as it will encourage new development, which will in turn increase the tax base.

Councillor Pereira asked for clarification under Section B, where it reads one space per dwelling, three or more units require two spaces. He was told that it was one space per unit and two spaces per unit if that unit has three or more bedrooms.

The Chair asked if there was anyone present who wished to speak in favor of the proposed Ordinance. The following individuals were recognized and spoke in favor of the proposed Ordinance:

- Armand Pereira, 227 Willam Street, New Bedford, MA
- Christian Gwozdz-Silvera, 84 Spring Street, New Bedford, MA
- David Silvera, 39 Briarwood Court, New Bedford, MA
- Jay Lanagan, 84 Front Street, New Bedford, MA
- Lee Bodden, 124 Mt. Pleasant Street, New Bedford, MA
- John Moranna, 24 Logan Street, New Bedford, MA
- Will Gardner, 17 Cottage Street, Fairhaven, MA
- Elise Rapoza, 24 Briar Street, New Bedford, MA
- Mark Hess, 1 Spruce Avenue, Mattapoisett, MA
- Freddy Estremera, 264 North Street, New Bedford, MA
- Nick Carvalho, 16 Crescent Drive, Fairhaven, MA
- Shane Trimbell, 264 Reed Street, New Bedford, MA

- Ned Carson, 18 Tremont Street, New Bedford, MA
- Matt Marko, 647 Church Street, New Bedford, MA
- Jerry Gagne, 1370 Acushnet Avenue, New Bedford, MA

The Chair asked if there was anyone present who wished to be recorded in favor of the proposed Ordinance. There were none.

The Chair asked if there was anyone present who wished to speak and/or be recorded in opposition to the proposed Ordinance. There were none.

The Chair closed the Public Hearing.

On motion by Councillor Burgo and seconded by Councillor Oliver, the Committee VOTED: To AMEND Section 2 of the Table of Uses Parking Codes, under J. Industrial – Marijuana Related Uses, by striking the letter “G” following “Medical Marijuana Treatment Center” and inserting in place thereof the letter “E”. This motion passed on a voice vote.

Councillor Choquette made a motion, which was seconded by Councillor Oliver, to Amend Section 2 in the Table of Uses Parking Code, by striking the letter “B” as it corresponds to multi-household and attached dwellings, and inserting in place thereof the letter “A”.

On the Question, Councillor Choquette gave his reasons for requesting the change, stating that he is concerned about overflow parking. He believes the proposed change will have a direct effect on the character of single-family home neighborhoods.

Councillor Oliver stated that while he seconded the motion, he does not agree with the rationale and believes the motion should have the opportunity to be voted on.

Councillor Abreu stated that he did not want to compromise the fabric of any neighborhood, but that now was the time to adopt the proposed Ordinance as it is, without changes.

Councillor Burgo stated he did not support the amendment, that parking is a significant concern, particularly in certain wards and neighborhoods, but he believes this Ordinance does allow for various nuances to be considered.

Councillor Lopes stated if the maker of the motion did not object, that the wording be changed to allow 1.5 spaces per unit, and added that this change may be more acceptable to the Committee. Councillor Choquette agreed with Councillor Lopes’ recommendation.

The Chair suggested that Councillor Choquette withdraw his current motion and present a new one with Councillor Lopes’ proposed language.

Councillor Choquette withdrew his motion.

Councillor Choquette made a motion, which was seconded by Councillor Lopes, to AMEND Section 1 of the Table of Parking and Loading Requirements, under Parking Code “B”, by striking “1 space per unit” and inserting in place thereof “1.5 spaces per unit”.

On the Question, Councillor Carney stated that she believed the Ordinance is acceptable without the proposed change, and spoke about concerns related to trucks parking on City streets.

On motion by Councillor Choquette and seconded by Councillor Lopes, the Committee VOTED: To AMEND Section 1 of the Table of Parking and Loading Requirements, under Parking Code “B”, by striking “1 space per unit” and inserting in place thereof “1.5 spaces per unit”. This motion FAILED on a roll call vote of Yeas 2, Nays 5. (Councillors Choquette and Lopes IN FAVOR.)

Councillor Pereira was recognized and spoke passionately on the need to adopt the proposed Ordinance changes before the Committee tonight.

On motion by Councillor Burgo and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDINANCE, AS AMENDED, Relative to Chapter 9, Comprehensive Zoning, Relative to Parking Requirements – Appendix C – Table of Parking and Loading Requirements.

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PUBLIC HEARING, CONTINUED, on a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 9, COMPREHENSIVE ZONING, Relative to Parking Requirements – Appendix B – Table of Dimensional Regulations, Residential Infill Development, and Multiple building per lot. (Matter ID #1616) (Referred – October 09, 2025.) (Duly advertised in The Standard Times on November 6, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 25, 2025, at 7:00 p.m., in City Council Chambers.)

AN ORDINANCE, (Matter ID #1617) (Referred – October 09, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, COMPREHENSIVE ZONING, Relative to Parking Requirements – Appendix B – Table of Dimensional Regulations, Residential Infill Development, and Multiple building per lot; the Planning Board voted to send a **FAVORABLE RECOMMENDATION** for the Ordinance amendment. (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

On motion by Councillor Burgo and seconded by Councillor Abreu, the Committee VOTED: To Open the Public Hearing and CONTINUE until Monday, January 26, 2026 at 7:00 p.m. in City Council Chambers.

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PUBLIC HEARING, CONTINUED, on AN ORDINANCE, Amending Chapter 9 – Appendix A – Table of Principal Uses Regulations. (Matter ID #1621) (Referred – October 09, 2025.) (Duly advertised in The Standard Times on November 6, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m., in City Council Chambers.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, Appendix A – Table of Principal Use Regulations, Sections 4800, 4900 and 4300, regarding the Special Permit Granting Authority for specific uses; the Planning Board voted to send a **FAVORABLE RECOMMENDATION for the Ordinance amendment with the exception of the changes proposed to Batch Asphalt and Concrete Plants and Contractor’s Yards based on the comments received during the public hearing.** (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025, at 7:00 p.m. in City Council Chambers.)

On motion by Councillor Burgo and seconded by Councillor Abreu, the Committee VOTED: To Open the Public Hearing and CONTINUE until Monday, January 26, 2026 at 7:00 p.m. in City Council Chambers.

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WRITTEN MOTION, Councillors Lopes and Oliver, requesting, that the Committee on Ordinances meet with the City Planner and Inspectional Services Commissioner to review and discuss the current condo legislation for a possible amendment to include the ability for Resident “A” zoned properties that are greater than 3,250 square ft. of living space to have the ability through a Special Permit process to be reconstituted into Residential Condo units. (Matter ID #1008) (Referred – June 13, 2024.) (September 19, 2024 – tabled to allow Atty. Gerwatowski time to review and amend the proposed Ordinance.) (November 18, 2024 – tabled) (March 31, 2025 – remain on the table) (November 20, 2025 – remain on the table)

DRAFT ORDINANCE, Relative to Condominiums in Residence A Zoned Districts, (Received – September 20, 2024.) (November 18, 2024 – tabled) (March 31, 2025 – remain on the table) (November 20, 2025 – remain on the table)

Matter remains on the table.

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Councillor Carney made a motion to adjourn, which was seconded by Councillor Oliver.

The meeting adjourned at 9:18 p.m.

ATTEST:

Denis Lawrence Jr.
Clerk of Committees