



**PLANNING DIRECTOR**  
TABITHA HARKIN

# CITY OF NEW BEDFORD

## DEPARTMENT OF CITY PLANNING

133 William Street • Room 303 • New Bedford, MA 02740  
508-979-1488 • www.newbedford-ma.gov

### HISTORICAL COMMISSION & PLANNING BOARD

## COMBINED STAFF REPORT

**REPORT DATE**  
November 20, 2019

**HISTORICAL COMMISSION & PLANNING BOARD MEETING**  
December 2, 2019

**Case #2019.26 CERTIFICATE OF APPROPRIATENESS (Mod.)**

**Case # 19-36: SITE PLAN REVIEW (Mod.)**

115 Union Street,  
117 Union Street,  
121 Union Street  
127-129 Union Street,  
& 7 N Second Street,

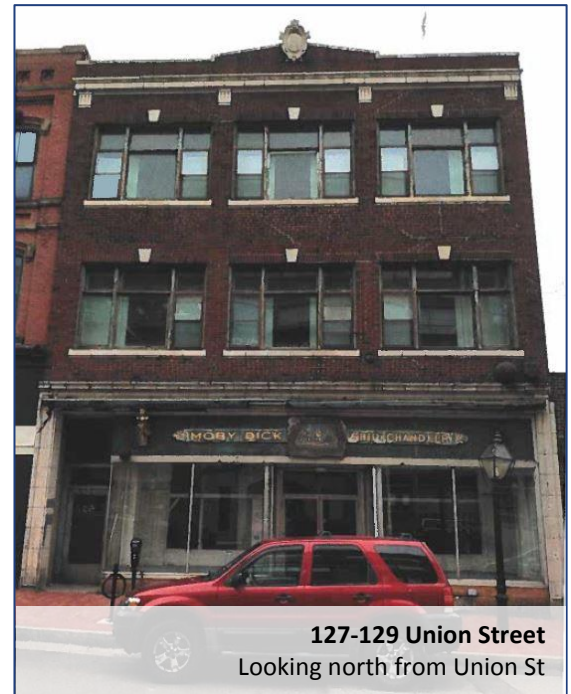
Map: 53 Lots: 40, 41,  
215, 216 & 146

**Owner/ Applicant:** 117 Union Street, LLC  
128 Union Street, Suite 400  
New Bedford, MA 02740



### CONTENTS OF THIS REPORT:

<b>A. Project Overview &amp; Executive Summary</b>	<b>2</b>
<b>Meeting Purpose</b>	<b>2</b>
<b>Permitting Required</b>	<b>3</b>
<b>History of Project Permitting</b>	<b>3</b>
<b>Existing Site Conditions</b>	<b>3</b>
<b>Existing Building Descriptions</b>	<b>4</b>
<b>Proposed Conditions</b>	<b>4</b>
<b>Master Plan Goal</b>	<b>5</b>
<b>Note on subdivision of the land</b>	<b>5</b>
<b>Site Plan Review Criteria</b>	<b>6</b>
<b>B. Site Plan Review</b>	<b>6</b>
<b>Site Preparation</b>	<b>6</b>
<b>Proposed Operations</b>	<b>6</b>
<b>Parking &amp; Loading</b>	<b>6</b>
<b>Traffic Impact Study</b>	<b>6</b>
<b>Circulation</b>	<b>8</b>
<b>Landscape</b>	<b>8</b>
<b>Snow Storage</b>	<b>9</b>
<b>Stormwater &amp; Site Drainage</b>	<b>9</b>
<b>Utilities</b>	<b>9</b>
<b>Building Mechanicals</b>	<b>9</b>
<b>Signage and Lighting</b>	<b>9</b>



<b>Geotechnical Report</b>	<b>10</b>
<b>Structural Report</b>	<b>10</b>
<b>Project Phasing</b>	<b>10</b>
<b>City Department Review Comments</b>	<b>11</b>
<b>Waivers Requested</b>	<b>11</b>
<b>C. Historical Commission Design Review Criteria</b>	<b>12</b>
<b>Standards for Rehabilitation</b>	<b>13</b>
<b>Storefronts</b>	<b>13</b>
<b>Doors</b>	<b>13</b>
<b>Windows</b>	<b>14</b>
<b>Trim and ornament</b>	<b>14</b>
<b>Roofs</b>	<b>14</b>
<b>Gutters and Downspouts</b>	<b>14</b>
<b>Paint Color</b>	<b>14</b>
<b>Building light fixtures</b>	<b>15</b>
<b>Masonry Repointing</b>	<b>15</b>
<b>Mechanical Equipment</b>	<b>15</b>
<b>Signage</b>	<b>15</b>
<b>Demolition</b>	<b>15</b>
<b>D. General Conditions</b>	<b>15</b>
<b>E. Appendix/Other Materials for consideration</b>	<b>18</b>
<b>F. Birds Eye View of Site</b>	<b>22</b>

## **A. PROJECT OVERVIEW & EXECUTIVE SUMMARY**

The applicant seeks a **modified Certificate of Appropriateness and a Modification to a previous Site Plan Review** for the redevelopment of a site at the northwest corner of the Union Street and Acushnet. The property consists of multiple lots that are being developed together. The properties are: 115, 117, 121, 127-129 Union Street and 7 North Second Street (Map: 53, Lots 40, 41, 215, & 216). The site is in the Mixed-Use Business and Downtown Business Overlay zoned districts. The subject properties are also located in the New Bedford Whaling National Historic Park National Register District (NR) which is a National Historic Landmark (NHL). The boundary of the NR and NHL districts are line up with that of the Bedford Landing Waterfront Local Historic District.

The applicant proposes demolition of all buildings except for the three-story portion of the 127-129 Union Street property (known as the Moby Dick Building) in order to develop the site.

The proposed development includes the new construction of a 5 story, 42,650± SF building along with the rehabilitation and conversion of the adjacent 3 story, 4,924± SF historically significant building (Moby Dick) into a mixed use commercial and residential development. In total the project proposes to create 51 residential units, 2 commercial units, with one on-site handicapped parking space.

### **MEETING PURPOSE**

The purpose of the joint meeting of the Historic Commission and Planning Board is to facilitate a coordinated review of a project that has overlapping review elements under the jurisdiction of both boards. This meeting is intended to streamline permitting in order to arrive at a mutual understanding between the boards and applicant for the project approval. Decisions will be drafted for each respective board based on deliberation from the hearing.

**PERMIT REVIEWS REQUIRED**

Historic Commission	Planning Board	Zoning Board	City Council	Inspectional Services
<ul style="list-style-type: none"> <li>• Certificate of Appropriateness</li> <li>• Demolition Review</li> <li>• Outdoor Café Permit</li> </ul>	<ul style="list-style-type: none"> <li>• Modification of previous Site Plan Review</li> </ul>	<ul style="list-style-type: none"> <li>• Special Permit for project in Downtown Business Overlay District</li> <li>• Variance for dimensional requirements - to subdivide the lot via an ANR plan</li> <li>• Variance for parking requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Demolition Review</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor Café Permit</li> </ul>
^ Tonight’s Hearing		^ December 12, 2019	^ TBD	^ TBD

**HISTORY OF PROJECT PERMITTING**

Preliminary Review (informal)	
<ul style="list-style-type: none"> <li>• 12/10/18, 1/7/18</li> <li>• 1/9/19</li> </ul>	<ul style="list-style-type: none"> <li>Historic Commission</li> <li>Planning Board</li> </ul>
Permitting Hearings (formal)	
<ul style="list-style-type: none"> <li>• <b>3/4/19</b></li> <li>○ <i>Continued to address revisions requested by the Commission</i></li> <li>• <b>4/1/19</b></li> <li>○ <i>Continued to allow the Commission and staff time to review due to the short period of time between the revised plans submission date and the meeting date.</i></li> </ul>	<p><b>Historic Commission</b></p> <p><b>Historic Commission</b></p>
<ul style="list-style-type: none"> <li>• <b>3/13/19</b></li> <li>○ <i>Continued to address revisions requested by the Board and due to insufficient information about elements shown on adjoining parcel that was not included in permit application.</i></li> </ul>	<p><b>Planning Board</b></p>
<ul style="list-style-type: none"> <li>• <b>4/10/19</b></li> <li>○ <i>Continued due to meeting time limits.</i></li> </ul>	<p><b>Planning Board</b></p>
<ul style="list-style-type: none"> <li>• <b>4/25/19</b></li> <li>○ <i>Continued due to lack of quorum.</i></li> </ul>	<p><b>Zoning Board of Appeals</b></p>
<ul style="list-style-type: none"> <li>• <b>4/25/19</b></li> <li>○ <b>*Special Permit approved with conditions for project located in the Downtown Business Overlay District</b></li> </ul>	<p><b>Zoning Board of Appeals</b></p>
<ul style="list-style-type: none"> <li>• <b>5/6/19</b></li> <li>○ <b>*Site Plan Review, Special Permit and Certificate of Appropriateness Approved with conditions.</b></li> </ul>	<p><b>Joint Meeting of Historic Commission &amp; Planning Board</b></p>

**EXISTING CONDITIONS**

The project site is comprised of five lots with five buildings and a parking lot; all under the same ownership. In total the site is 12,479± SF with frontage on three streets. The site has 105’± of frontage on Union Street, 117’± on N. Second Street, and 106’± on Barkers Lane. The buildings at 117, 115, and 121 Union Street and 7 N Second Street, each are brick, flat roof, single story buildings varying in size from 873 SF-2,074 SF. The brick building at 127-129 Union Street, known as the “Moby Dick Chandler Building” is three stories high, fronting on Union Street, and a single story high, in the rear, fronting on Barkers Lane. The building is 8,652 SF. Almost the entire lot is impervious with buildings and the parking lot covering the land.

The existing parking lot area, located in the northeast corner of the site, has five (5) parking spaces. Metered on-street parking is available on Union Street and on the west side of N. Second Street. No parking is allowed on Barkers Lane. The board should note N. Second Street is one-way northbound. The entrance to the Elm Street parking garage is directly two blocks north at the terminus of N. Second Street at Elm Street. A SRTA Route 5 bus stop is located on the same block as the property at the intersection of Union Street & Acushnet Avenue. The SRTA bus terminal is a 4± minute walk from the site.

Located in the heart of the historic downtown, the surrounding neighborhood is a mixture of commercial retail, office, and mixed-use buildings with residential units on the upper floors. Directly abutting the property to the west is the Garden Bar. Also, on the same block on the north side of Union Street are two recently restored buildings which include residential space, a co-working space known as the Co-Creative Center, a juice bar café known as People’s Pressed and hair salon known as Beauty Union. Directly south across Union Street is a professional office building with multiple tenants, known as the DeMello International Building. East across N. Second Street is St. Anne Credit Union. North across Barkers Lane is Custom House Square park and the historic, still active, United States Custom House. The Custom House is a national historic landmark on the National Register of Historic Places. Diagonally southwest across Union Street is the New Bedford YMCA.

**EXISTING BUILDING DESCRIPTION**

127-129 Union Street, the **Abram Herman Building (Moby Dick Building)** is a three-story, brick, commercial building constructed in 1916 and acquired by Abram Herman in 1921 when he had the three adjacent buildings constructed. The Classical Revival building spans the entire depth of the block from the north side of Union Street to Barkers Lane and has a concrete foundation. The first-story storefront, modernized in 1929 and 1948, is composed of a slightly off-center, recessed entry filled with a glass and aluminum door and large plate-glass windows surrounded by yellow brick on the bottom, white terra cotta tiles on the east and west, and a large wooden signboard across the top. A secondary entrance, also filled with a glass and aluminum door, is at the far west end of the south elevation. The upper two stories, constructed of red brick, are surmounted by a projecting cornice of white terra cotta supported by white terra cotta brackets and topped by a tripartite parapet wall capped with white terra cotta tiles. A white terra cotta heraldic shield with a capital H in the middle is attached to the center of the parapet. Fenestration in the upper stories consists of six sets of large plate-glass windows flanked by one-over-one double-hung sash and topped by a three-light transom. The window openings have white terra cotta sills and splayed brick lintels with white terra cotta keystones.

**PROPOSED CONDITIONS**

All existing buildings except for the three-story portion of the Moby Dick Building will be demolished in order to develop the site.

A mixed-use development called “117 Union & Moby Dick” is proposed to create in total 51 residential units and 2 commercial units. For the purposes of this report, the new 5-story building will be referred to as “117 Union Street Building” and the three story Moby Dick building at 127-129 Union Street as the “Moby Dick Building” to simplify descriptions. The table below details the residential unit breakdown. The proposal consists of the new construction a five (5) story building on the east side of the site, the rehabilitation and conversion of the three-story portion of the Moby Dick Building, and the new construction of a single story building with a shared party wall with and behind the Moby Dick Building. A shared entry vestibule off Barkers Lane connects all three building. On-site parking is not provided except for one handicapped parking space proposed in the northwest corner of the site off Barker’s Lane.

The proposed 117 Union Street Building will have a café and lobby areas on the first floor and forty-two (42) residential apartment units on the upper floors. A full basement is proposed with mechanicals, storage, and tenant common space areas. A connection is proposed from this basement into the basement of the adjacent proposed single-story building.

Apartment type	Total	Size range
One bedroom units	12	428 SF - 466 SF
Two bedroom units	7	661 SF – 752 SF
Studio units	31	346 SF – 472 SF
Live/Work	1	440 ± SF

The Moby Dick Building will have a retail/restaurant on the first floor and eight (8) residential studio apartment units on the two upper floors. A full basement will remain under the building.

The proposed new single-story building will have one (1) live/workspace and provide bicycle and trash storage areas intended to serve the whole development. A full basement is proposed as a storage area. The floor plans submitted conflict and it is unclear where access to the basement is proposed between the adjacent buildings. Floor plans prepared by SITEC (Sheet A-100) show the basement is connected and only accessible from the adjacent five story building (117 Union) via a doorway on the east side wall. Floor plans prepared by Christopher T. Wise (Sheet A-3.1) show access via a door on the

south side wall to the Moby Dick Building and a large opening on the east side providing access to the adjacent five story building.

Outdoor amenity spaces include three balconies at the fifth floor of the 5-story building and a redesigned sidewalk space along North Second Street. Two balconies are for individual residential units and one is for use by all tenants, accessible through a shared amenity room. Juliette balconies are proposed for seventeen (17) residential units. The proposed redesigned sidewalk materials and layout were previously approved. The design is intended to facilitate a future outdoor café seating area, which will require further permitting approvals. Additionally, it is intended to have sidewalk/street amenities such as benches, trash receptacles, planters, bicycle racks, etc. Details for these amenities have not been submitted and must be reviewed and approved by NBHC staff for their appropriateness to the district.

A project timeline has not yet been finalized. According to the project narrative, the estimated total construction cost of the project is \$18 million. Broken down into \$2 million for Moby Dick rehabilitation and \$16 million for the proposed new construction.

### **MASTER PLAN GOAL**

The proposal is consistent with the master plan’s goal to promote a mixed-use environment in Downtown New Bedford, and in other commercial centers and corridors to ensure a vibrant community during the day, evening and weekends, that creates walkable village like neighborhoods throughout the city.

### **Note on Proposed Subdivision of Land & Required Zoning Board Approvals**

The applicant intends to combine and subdivide the existing lots into two lots through the Approval Not Required (ANR) process. The ANR process is a defined process in Massachusetts General Law that allows for property lines to be adjusted/subdivided without a full subdivision review, if the lots meet certain criteria, namely adequate frontage on a roadway. There is a 21 day window to grant ANR approval.

As proposed the lots will be divided such that one lot will have just the three-story Moby Dick Building and the second will be a “L-Shaped” lot comprised of the land area intended for the 117 Union project with parking space. The proposed lots are shown as Lot 1 and Lot 2 on Sheet C-1 of the plan set.

Due to several complex zoning code issues that arise from the proposed subdivision of the land, the applicant has agreed to extend the time limits for ANR approval in order to seek the appropriate permits and required relief.

Notably, the applicant will seek multiple variances from the Zoning Board of Appeals for dimensional requirements. They will also be required to receive a variance for parking on the Moby Dick lot.

Additionally, unrelated to the lot division, the applicant is required to seek a new Special Permit under the Downtown Business Overlay District.

**For this review by the Planning Board and Historic Commission, board members should note, since the ANR plan has yet to be finalized the project is considered one development project, on one site. Any subsequent ANR subdivision may require the applicant to return for additional permits. (See: diagrams at end or report).**

## Site Plan Criteria

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City's (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
  - Minimize cut/fill volumes, removal of 6" caliper trees and larger, removal of stone walls, displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
  - Maximize pedestrian/vehicular safety to/from the site;
  - Minimize the obstruction of scenic views from publicly accessible locations;
  - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
  - Minimize glare from vehicle headlights and lighting fixtures;
  - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
  - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances;
  - Ensure compliance with the Zoning Ordinance;
  - Minimize damage to existing adjacent public ways;
  - Promote orderly and reasonable internal circulation within the site so as to protect public safety.

## B. SITE PLAN REVIEW

### **Site Preparation (Demolition & Erosion Control).**

As previously noted, all buildings except for the 3-story portion of the Moby Dick Building are to be demolished. A demolition plan sheet is included in the plan set with minimal details shown on how the site will be secured and managed in regard to dust and erosion control during the site preparation work. Staff acknowledge standard erosion and sediment controls are described in the stormwater report and noted on the plan as the responsibility of the site contractor. **A more detailed plan with erosion control, site management, construction access points, and stockpile area information will need to be submitted prior to demolition and construction.**

### **Operations.**

The applicant details that the two commercial spaces will have 28-32 employees serving 550-650 customers per day, with hours of operation from 7am-11pm, 7 days a week. Deliveries are anticipated between the hours of 8am-6pm.

More specifically, they note the 117 Union Street cafe/coffee shop is projected to have 8-12 employees serving 150-200 customers per day. While the Moby Dick Building's restaurant will have 20 employees serving 400 customers per day.

**The board may seek a market study as a backup to these claims.**

### **Parking & Loading.**

Due to the revised uses proposed for the Moby Dick Building the parking calculations have changed. The parking requirements are calculated based on proposed uses for a site, therefore the additional uses proposed have resulted in a slightly different total required for the overall project.

**The applicant proposes one (1) parking space where one-hundred and thirty-two (132) parking spaces and three (3) loading spaces are required under the zoning ordinance.** The application therefore requires a Special Permit for a parking reduction. In this case as the parking relief will be sought through a Special Permit request with the Zoning Board of Appeals

as the project qualifies under the Downtown Business Overlay District Special Permit process, which supersedes the Planning Board Special Permit for parking relief.

Regarding the requested reduction in parking requirements the applicant notes the Zeiterion and Elm Street public parking garages are within 300 and 650 feet of the project site, respectively. The applicant has also provided a parking analysis showing the location of unmetered parking spaces within 800 feet of the project site. Metered parking is also available in the surrounding area.

The one (1) proposed parking space would be a handicapped parking space for five handicapped adaptable residential units located on the north side of the Moby Dick parcel on Barkers Lane. The proposed parking area would be 8’x20’ with an 8’x20’ loading area. **The applicant has not provided a MAAB waiver or evidence of compliance regarding handicapped parking the board may wish to inquire further. The applicant** has provided evidence that their site exceeds the required number of handicapped adaptable units under 521 CMR. The applicant proposes to have 5 handicapped accessible units where 3 are required.

The proposal also includes twenty (20) bicycle parking spaces for the 51 residential units to share. The revised plans now show an interior bicycle storage unit proposed on site for the residents of the building. The applicant has also added two (2) large bicycle racks in the sidewalk on the N. Second Street frontage. Details are not provided about the exterior bicycle racks. The bicycle racks will need to be reviewed and approved by the Historic Commission and is recommended to be conditioned as such.

The board may wish to note an electronic vehicle charging station shown on previously plans has been removed due to conflicts with ADA requirements.

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Multi-family (3) or more per structure	Two (2) spaces per dwelling unit	One (1) loading space for each multifamily dwelling containing more than ten (10) dwelling units
Restaurant / Assembly Space	One (1) space per five (5) seats for which the building is designed or one (1) spaces for each 200 sq. ft. of gross floor area whichever results in the greatest number	One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for buildings containing 100,000 sq. ft. or more of gross floor area
<b><u>Parking Calculations</u></b>		
102 parking spaces (2 per dwelling unit x 51)		0 Loading space(s)
30 parking spaces (1 per 200 SF)		3 Loading spaces(S)
<hr/> 132 Total parking spaces required		<hr/> 3 Loading space(s) required

**Traffic Impact & Access Study.**

The application also includes a traffic assessment prepared by Prime Engineering of the impacts the development would have on the surrounding street network. The assessment notes the current level of service on the surrounding streets is LOS A (the lowest level of delay measured). Using the Institute of Traffic Engineers Trip Generation Manual, land use code for mid-rise apartments (3 to 10 floors) the applicant predicts the site will experience 16 trips during the morning peak (7am-9am) with 5 vehicles arriving and 11 departing; and 21 trips during the evening peak (4pm-6pm), with 12 vehicles arriving, and 9 vehicles departing. The project will therefore, according to the study, have imperceptible impact on traffic downtown. The roadways will still operate at a LOS A. **Staff notes that the commercial uses as proposed have not been accommodated with this study and the board may seek additional information on trip generation related to the retail/restaurant uses.**

### Circulation.

As the building will encompass the entire lot there is no vehicular internal site circulation proposed. The one parking space is proposed in front of the live/work unit in the northwest corner of the site. Vehicles will enter the space from Barkers Lane and exit onto the same.

Pedestrian access into the buildings are provided via eight (8) entrances to the various buildings.

Entrances for 117 Union Street include; two doors on Union Street; one providing direct access to a stairwell to the upstairs residential units, the second providing general access to the first-floor commercial/café space. One door on North Front Street providing access to a lobby area. There is access via two doors on Barkers Lane one is direct access into the first floor resident lobby; while the second is a shared entryway that connects all three buildings and provides access to the bicycle storage room, trash room, the first floor resident lobby, and the rear entrance to the Moby Dick Building. A door previously shown as access to a fire service equipment room has been removed on the northwest corner of the building.

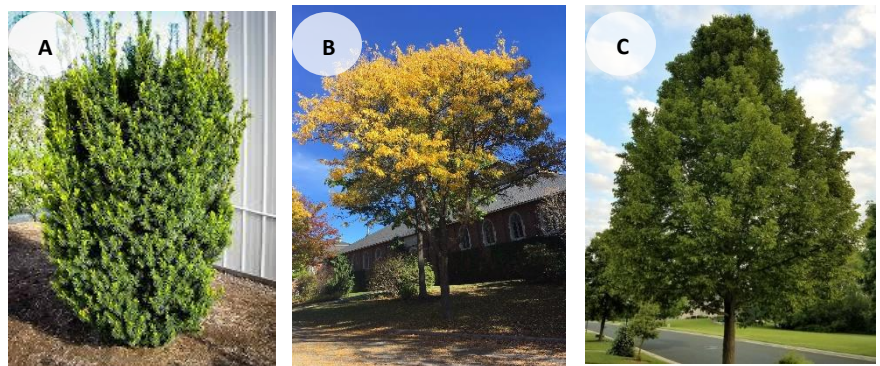
Entrances for the Moby Dick Building include; two doors on Union Street; one providing direct access to a stairwell to the upstairs residential units, the second providing general access to the first-floor commercial/restaurant space. Access to the rear of the building is provided via a shared entry vestibule that connects the Moby Dick Building to the other two buildings.

Access to the live/work space is provided by a proposed slate walkway just west of the transformer area which provides access to the main entry door. A glass garage door is also shown on the plan elevations for this space. It is not intended for vehicle parking nor aligned with the parking space. Also, while the vestibule previously mentioned is connected to this building it does not provide any access to the live/work unit. It is unclear if the live/work unit will have access to the vestibule and trash storage area or bicycle storage areas.

As requested, the applicant has also provided a Handicapped Accessibility Plan Exhibit (Sheet C-3) which shows the handicapped accessible routes from the Zeiterion and Elm Street public parking garages to the site. It provides photographic evidence of the ADA accessible curb ramps along those routes. The plan also includes parking in privately owned lots of the YMCA and DeMello International Center. It is unclear if the applicant has a shared parking agreement with these privately-owned lots. **The board may wish to inquire about any agreement; however, the board cannot make any private agreement a condition of approval.**

### Landscaping & Public Realm

Little landscaping is proposed. Hick yew instant hedge (A) is proposed to be planted in the northwest corner of the site along the property boundary to screen the electrical transformer. A honey locust tree (B) is proposed in this area as well next to the electrical transformer. Six (6) linden trees (C) are proposed to be planted as street trees in the N. Second Street sidewalk to replace the Bradford Pear trees removed due to construction. Two unidentified trees are shown in raised planters along the North Second Street sidewalk. The two existing honey locust trees in the Union Street sidewalk will remain undisturbed.



On Barkers Lane the applicant proposes to expand the sidewalk by resetting the 4' wide slate, adding a 3' wide brick ribbon and a vertical granite curb. Transition curbing and a slate ramp will be reset at the corner of Barkers Lane and N. Second Street to maintain ADA access to the existing crosswalk.



On North Second Street the applicant proposes a redesign of the sidewalk area to include brick pavers and slate. A continuous slate walkway is proposed between areas of brick pavers. Six tree wells are proposed closer to the street edge than they currently exist. This is proposed to provide a buffer between the street edge and the pedestrian route and provide a better layout to accommodate a potential outdoor seating area. As previously noted, six linden trees are proposed to be planted. **Two trees are shown in raised planters as well, though these planters will need to be reviewed and approved by the Historic Commission.**

#### **Snow Storage & Waste Receptacles.**

No information is provided as to snow storage and removal for the one proposed parking space. An interior trash compacting room is identified on the plans of the first floor of the 117 Union Street property and a trash storage room is proposed as part of the single-story building located behind the Moby Dick building. It is unclear which building or if all three buildings will have access to the trash storage room. **The board may wish to clarify the waste management plans for each of the three proposed buildings and or uses (residential units, food establishments/commercial spaces).**

#### **Site Drainage & Stormwater.**

Previous permit ( Case #19-06) received a waiver from DPI (per letter on 3-19-19) to tie into the City system. Staff defers to DPI comments with regard to the accuracy and methods described within the stormwater report. The Development Impact Statement notes that the soil conditions will be evaluated during construction. The applicant claims in the Development Impact Statement, that if the soil is relatively contaminant free, an infiltration unit for roof run-off will be installed under the handicapped parking space in order to infiltrate runoff to the maximum extent possible. The infiltration unit is shown on plans (See sheet C-4 & C-5) with an overflow drain to the yard area behind the hedges. No detail or specifications have been provided for the unit proposed. This infiltration unit design may require further review by a peer review engineer.

The board may wish to make this statement a condition of approval: that the soil conditions are to be tested prior to any construction and the results be provided to the board for review. Further, if the soil test results show relatively contaminant free soil, the site plan is to be modified to include infiltration units for roof run off. The revised plans and unit specifications are to be provided to the board/DPI for review.

**Utilities.** Underground electrical, water, sewer, and gas lines service the site. New connections for water and gas are proposed off Barkers Lane. Sewer service has recently been replaced on the Union Street side of the building. Therefore, the applicant is released from the previous approval condition which required the applicant to post a bond for this work in the public right of way.

A new transformer is proposed in the northwest corner of the site. The electrical service requirement has yet to be determined for the development therefore the necessity of a pad-mount transformer may be premature as shown in the plan. **Evidence of a need for a pad-mount transformer is required and should be conditioned as such.**

A fuel tank is proposed in the basement of the 5-story (117 Union St) building. The fuel tank is proposed to supply the generator that is proposed on the roof.

#### **Building Mechanical Units.**

Exhaust pipes, a generator, an energy recovery unit, and 42 condensing units (1 per residential unit) are proposed on the rooftop. 3D modeling perspectives have been submitted to the historic commission of the rooftop mechanicals with and without screening. No additional specifications have been provided regarding these rooftop mechanicals and will be required prior to the issuance of a building permit.

#### **Signage.**

Signage is shown on the architectural drawings in the approximate locations where the applicant intends to have signage; however the applicant does not seek approval for signage at this time. The applicant intends to submit the actual signage once it has been designed for board review later as a separate submittal.

**The board may wish to condition any approval that the exterior signage is not approved and will require a separate submittal.**

#### **Lighting.**

No exterior lighting is proposed; therefore, the applicant does not seek approval for lighting at this time. The applicant intends to submit an exterior lighting plan later as a separate submittal.

**The board may wish to condition any approval that the exterior lighting is not approved and will require a separate submittal.**

#### **Geotechnical Report.**

As required by the previous site plan review, a geotechnical report has been provided by the applicant. In section 5.0 on page 3 of the report, there are detailed recommendations for the design and construction of the foundations of the proposed 117 Union Street Building. Staff supports that these recommendations, with regard to the basement design and footings, should be adopted **in full** to avoid unnecessary expense and minimize vibrations during construction.

Also, the report recommends a perimeter foundation underdrain be installed around the outside of the proposed building adjacent to the exterior basement wall footings. This drain is not shown on the plans submitted. **The board may should inquire if the applicant intends to have a perimeter foundation underdrain and any plans for where the water will drain.**

#### **Structural Report.**

The applicant has provided a Structural Report prepared and stamped by Robert M. Desrosiers, P.E. of ASAP Engineering & design Co., Inc, in Middleborough, MA. The report details a visual inspection and review of the Moby Dick Building and potential impacts to it during the proposed demolition of the adjacent building. The report indicates that the foundation walls and slab of the Moby Dick Building are in fair to relatively good condition and the building is independently supported from the adjacent structure. According to the report, "If all precautions and proper shoring and demolition of the adjacent building is conducted, there should be minimal and no structural impact of any kind".

#### **Project Phasing.**

The applicants have divided the project into two phases, as they will be funded separately. The phases are - Phase 1: 117 Union Street and Phase 2: Moby Dick. However, in the Development Impact Statement (DIS) they explain it is likely that the Moby Dick building rehabilitation (Phase 2) will likely happen first as funding will likely be secured first.

The applicant acknowledges that project timelines have not been finalized and more details about the phasing elements such as noise and dust control will be submitted to Planning Staff for review once a contractor has been hired. The applicant has provided some project phasing information in the DIS statement.

The DIS statement details the project phasing as follows:

##### Moby Dick (Phase 2)

- Summer 2020 – Anticipate securing all necessary funding
- Interior demolition
- Pouring a new foundation wall north face of the building.
- Construction of elements depicted on plans

##### 117 Union Street (Phase 1)

- No start date or funding date is indicated in the DIS statement
- 6-foot fencing to be installed along curb line of Union St, N. Second St, & Barkers Lane
- The Trees on N. Second St are to be removed to provide a staging area for demolition
- Demolition of the five 1-story buildings
- Excavation to provide a full depth basement under the building
- New footings, foundation walls and pier will be poured
- Building to be constructed
- Sidewalk areas to be restored

The DIS statement notes that noise generated during construction is unavoidable. The noise will not occur before 6AM or after 6pm and will not occur on Sundays.

**CITY DEPARTMENT REVIEW COMMENTS**

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

The Department of Public Infrastructure has provided comments dated November 26, 2019.

Any additional comments received will be made available at the public meeting.

**Waivers**

The applicant has not requested any waivers of the Site Plan Review requirements.

## C. HISTORICAL COMMISSION DESIGN REVIEW STANDARDS

The NBHC has published Design Guidelines and follows the Secretary of the Interior's Standards for the Treatment of Historic Properties. The Standards address four treatments: preservation, rehabilitation, restoration, and reconstruction. Based on the subject property's significance, existing physical condition, the extent of documentation available, and the proposed adaptive reuse, the Standards and Guidelines for **Rehabilitation** would apply to this project.

*Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Rehabilitation Standards acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character.*

### STANDARDS FOR REHABILITATION

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**STATEMENT OF APPLICABLE GUIDELINES:** *The Bedford Landing District Design Guidelines* state the following relative to this proposal specific to the **Moby Dick Building Rehabilitation**.

**STOREFRONTS:** Retain and preserve the variety of storefronts that contribute to the overall historic character, form, and vitality of the district's commercial buildings including their functional and decorative features and details. Repair or replace damaged elements with in-kind materials, matching details and finish. If possible, reuse existing original hardware and locks.

If an entrance will no longer be used, leave the door in place and secure it. Removal of the door and elimination of the opening is not recommended. Any alteration should be reversible, so that doorways can be used in the future with minimal work.

If a storefront is completely missing, replace it with a new feature that is based upon historical research and physical evidence of the original or is a new design compatible in scale, material, and detail with the historic character of the building and district.

**STAFF REVIEW:** The project meets this guideline. According to building permits the Moby Dick Building's storefront was altered in 1928 and 1949 with the use of aluminum framed glass display windows and aluminum doors. The terra cotta surround and cornice were retained but is deteriorated. Exhaustive research has not discovered building plans or photographic documentation of the building prior to these alterations. The proposed storefront design is compatible with the historic character of the building. It will retain the recessed entry, repair/replace the deteriorated terra cotta and reestablish a typical historic storefront consisting of a paneled bulkhead, display windows, transom and signboard.

**DOORS:** Existing doors and door openings, including architecturally significant surround details such as transoms and sidelights, should be repaired, not replaced.

If an entrance will no longer be used, removing the door and filling in the opening is not recommended. The door should remain in place and be secured. Any alteration should be reversible so that a doorway can be used in the future.

Replacement of original or historically significant doors shall match the existing in material, size, design and location. If doors that are not original or architecturally significant are to be replaced, the replacement door, including design and material of the surround details and other decorative trim should be appropriate to the style and use of the building.

**STAFF REVIEW:** The project meets this guideline.

**WINDOWS:** In many historic buildings, the window sash, frame, and surround are a major character defining feature of the building. It is important to retain the original window details, such as the size of the opening, type of sash, sills, lintels, and decorative moldings. Windows in the district are typically double-hung. The exceptions are large storefront display windows and awning basement or gable windows.

**RETENTION OF HISTORIC WINDOWS** Historic window sash and window surrounds should be retained and repaired if necessary to preserve the historic fabric. Deteriorated pieces of wood sash or surrounds should be replaced in-kind, using wood of the same species, dimensions, and appearance.

**WINDOW REPAIR** Generally, the repair and rehabilitation of existing windows, including the installation of weather-stripping and good quality storm windows, can be accomplished at no greater cost than replacement with new insulating glass windows and, if properly maintained, original windows will last much longer.

**WINDOW REPLACEMENT** If replacement is necessary, new windows shall match the existing window pattern, proportions and scale, and be in character with the building's style.

- All parts of the replacement windows (such as exterior molding and/or casing, exterior frame, and exterior sash members) should match the original or existing historic windows.
- The muntin thickness and profile should closely match those of the original. Muntins, whether structural or applied, must have an exterior three-dimensional profile and a width appropriate to the building's style. New windows with interior applied or removable muntin bars are not acceptable.
- Glass should be clear, not tinted or frosted and have minimal reflectivity. Low-e glass should appear as standard clear glass and not be visually apparent.

- Wood replacement sashes are preferred. Aluminum clad exteriors are acceptable, provided the profile reasonably matches the existing window muntins.

Existing windows that are not original or in keeping with the style and character of the building shall be considered non-contributing features. They might be repaired, replaced in kind, or restored with appropriate materials based on historic documentation. Alteration of the number, location, size, or glazing pattern of windows by cutting new openings, infilling windows, or installing historically inappropriate replacement sash is typically not recommended. New windows may be introduced on secondary facades if they result in no erosion of significant architectural features or patterns.

**STAFF REVIEW: All windows are to be replaced with aluminum clad wood windows. Window color has not been provided.**

**The proposed upper story windows on the Union Street façade are a tripart window with fixed center glazing flanked by inswing sashes which match the existing window. Based on the Standards walls cannot intersect directly into window as the walls would be visible from the exterior. Due to the interior room layout, interior walls will intersect at the window mullion and have been dimensioned to match the window mullion width and have been jogged 3'-0" from the window. See detail on Plan Sheet A-4.1.**

**The proposed windows on the Barkers Lane façade will be replaced to match the existing one over one sashes. Two existing boarded door openings on the Barkers Lane façade will be closed with 5-1/2" nickel gap poly ash siding to be painted.**

**TRIM & ORNAMENT:** Trim and ornament are essential architectural features that give scale to the exterior of a building and identify the historical style. Trim and decorative elements shall be retained. Property owners considering rehabilitation should preserve existing trim or replace it to closely match the original. Applicants are strongly encouraged to replicate missing trim or ornamentation and shall base restoration design on historic photographic evidence

**STAFF REVIEW: The terra cotta ornamentation on the Union Street façade is a character defining feature and the applicant has submitted specifications related to its repair and restoration. Staff is recommending that a repair/replacement schedule and full scope of work be provided to NBHC Staff when the terra cotta is assessed by a professional conservator prior to any work being executed.**

**ROOFS:** Retain and preserve roofs that contribute to the overall historic character. Preserve the integrity of the original or later important roof shape(s) and roof pitch. All distinctive roof features, such as cornices, metalwork, and chimneys shall be retained. Replace in-kind any portion of a roof that is damaged or deteriorated beyond repair. Match the original in design, material, dimension, pattern, detail, texture, and color. Limit replacement to the damaged area if possible. Consider substituting compatible roof materials for the original only if it is not technically feasible to replace in kind.

**STAFF REVIEW: The project meets this guideline.**

**GUTTERS AND DOWNSPOUTS:** Drainage systems constructed of historic materials should be retained and repaired as necessary. Repairs should be made using in-kind materials, matching the profile and finish as closely as possible. If replacement of gutters or downspouts is required, the new gutter should match the original in color, dimensions, and shape.

**STAFF REVIEW: No drainage is shown with the assumption that an internal roof drainage system exists and will be continued. The Board should confirm this information and may seek input from DPI.**

**PAINT COLOR:** The primary purpose of paint is to prevent moisture penetration, and paint is one of the least expensive ways to maintain a building's historic fabric. Paint color also helps give the building its identity, and a good color scheme accents a building's architectural features. A Certificate of Appropriateness is required to change the color of any structure in the District. Avoid painting surfaces that have never been painted. Unpainted stone lintels, sills, and foundations should remain unpainted.

Paint color, appropriate for the structure's age and architectural style, is recommended. Original paint color can sometimes be determined by scraping underneath clapboards or in corners where paint has built up. Laboratory paint analysis provides the most accurate means of determining original color. Paint analysis is recommended for selecting finish color on architecturally significant buildings.

**STAFF REVIEW: Paint will be used on the storefront on Union Street and on enclosed openings on Barkers Lane. Paint color has not been provided. Paint samples are required to be provided for review. Paint samples** have not been approved and will require a separate modification submittal and approval by the NBHC.

**BUILDING LIGHT FIXTURES:** If the light fixtures are missing, use light fixtures appropriate to the building's style. When appropriate fixtures are not available, simple designs and detailing are preferred to large, ornate reproductions. Attached fixtures should be small-scale (generally no more than 12" to 16" in height) and have a dark or burnished finish.

**STAFF REVIEW: Building light specifications have not been provided. Building light specifications** have not been approved and will require a separate modification submittal and approval by the NBHC .

**MASONRY REPOINTING:** Masonry repointing shall be appropriate in terms of the type, color and aggregate of the mortar to be used and the width and profile of the joint. Old mortar shall be duplicated in composition, color, and texture. Joints should not be widened when cutting out old mortar. New mortar should be kept off the face of masonry. Laboratory analysis of samples of original mortar is recommended to ensure that a compatible formula is used in repointing and repair. Deteriorated mortar should be removed by hand raking the joints. Chisels should be selected that are smaller than the masonry joints, and care should be taken not to damage the edges of the brick. Do not use power tools, such as electric saws to remove mortar. They offer limited control and may cut into the masonry and destroy historic fabric. The use of power grinders may be acceptable along horizontal joints; however, only professionals with demonstrated experience

**STAFF REVIEW: The project meets this guideline as historic masonry repointing specifications have been provided. Staff recommends that a masonry mock-up sample be prepared for Staff review and approval prior to executing the repointing in its entirety.**

**MECHANICAL EQUIPMENT/UTILITIES:** Modern equipment includes utilities and other equipment outside a building, such as air conditioning (central and window units), antennas, satellite dishes, utility meters, plumbing and mechanical vents, fire alarms, solar collectors and their associated means of attachment. Modern equipment should, in general, be located to minimize visibility from a public way. Visible elements should be designed or use colors to blend the equipment into its surroundings and/or be screened by an appropriately designed and scaled fence or plant material.

**STAFF REVIEW: A sight line study has been provided based on rooftop equipment being under 54" in height, however no rooftop equipment specifications have been provided depicting heights. Staff recommends that once rooftop equipment specifications are provided, that the sight line study be reevaluated prior to the granting of permits.**

**SIGNAGE:** No specifications have been provided at this time and will require a separate Certificate of Appropriateness.

**DEMOLITION:** Demolition review is required per City Ordinance Ch. 2 Sections 2-157 through 2-157.9. The rehabilitation of the Moby Dick may be phased prior to the construction of the adjacent 117 Union Street building and the associated one story live/work unit situated and attached to the rear of the Moby Dick Building. The plan requires the demolition of the existing one story building to the rear of the Moby Dick Building and the construction of a new CMU bearing wall at the connection of the two buildings.

**STAFF REVIEW: Further information is required relative to the basements and foundation connections of the Moby Dick Building at time of the one story rear building demolition.**

The geotechnical report provided by the applicant provides recommendations for the design and construction of the foundations of the proposed 117 Union Street Building relative to the protection of the Moby Dick Building. To minimize impacts during construction and minimize cost, staff recommends the adoption of Section 5.0, page 3-4, detailing basement excavation and design in full.

#### **NOTE ON CONDITIONS:**

Conditions from the previous May 6, 2019 approval(s) are provided in chart(s) for reference. The charts list the conditions and provides a up to date status. The conditions not met are recommended to be carried over to any subsequent approval the board(s) grants and are listed as such in the recommendation sections following.

## MAY 6, 2019 NBHC CONDITIONS OF APPROVAL

## STATUS

1	A copy of the Final Market Analysis is to be submitted for NBHC review. The market analysis shall include a commercial analysis in addition to the residential analysis.	Met
2	The applicant will work with the NBHC and City staff to ensure that damage to the existing "Moby Dick" structure (127-129 Union Street - Map: 53 Lot 146) or any other structures and/or fixtures within the historic district does not occur during construction.	Continue
3	Demolition review is required per City Ordinance Ch. 2 Sections 2-157 through 2-157.9.	Continue
4	Stamped engineered plans are to be submitted to, and approved by, the NBHC, that minimize any disruption to, and includes a detailed protection plan for, 127-129 Union Street (Map: 53 Lot 146), the three-story, southern most portion of the building fronting on Union Street.	Met
5	A Demolition and an Erosion Control Plan shall be submitted for review by the NBHC and approved by the Planning Board and the Department of Public Infrastructure prior to the issuance of a demolition permit.	Continue
6	The exterior lighting, signage, storefront awnings, solar panels, cornices, roof top mechanical screening, street amenities (such as trash barrels, bike racks, benches, planters, street trees, and vegetation), and exterior grease traps have not been approved and will require a separate modification submittal and approval by the NBHC prior to the issuance of a demolition permit.	Continue
7	Brick masonry mock-up is to be provided and approved in the field with NBHC.	Continue
8	The public art mural has not been approved. It will require a separate Certificate of Appropriateness from the NBHC.	Continue
9	Outdoor sidewalk café seating has not been approved. It will require a separate Sidewalk Café Permit from Inspectional Services, as well as a separate Certificate of Appropriateness from the NBHC.	Continue
10	Manufacturer specifications for rooftop mechanicals are to be submitted to the NBHC for review and approval prior to the issuance of a demolition permit	Continue
11	The fifth story parapet is to be removed unless and determined necessary in conjunction with rooftop mechanical screening, which will require a separate modification submittal and approval by the NBHC.	Continue
12a	Applicant to consult with a geotechnical engineer to determine whether soil samples collected within the existing site's parking lot and along the existing buildings' envelopes would be representative of the site's overall soil conditions and provide that information in writing via a stamped engineers attestation to the NBHC.	Met
12b	Information regarding the buildings' existing subgrade and/or foundation plan is to be submitted to and approved by the NBHC prior to the issuance of a demolition permit.	Met
13	Fence screening for the parking area and transformer may be required and shall be determined in the field with NBHC staff.	Continue
14	Bollards are to be added around the transformer.	Met
15	All bollards as well as handicap signage to have wood composite sleeves and caps.	
16	Evidence of compliance with requirements for ADA units and parking spaces and/or MAAB variance must be provided to the NBHC.	Met
	a. The parking space is to be limited to Handicap parking only, if required. b. Handicap parking signage location to be determined in the field with NBHC staff.	Met
17	Final parking and loading space surface materials are to be reviewed and approved by NBHC staff prior to installation.	Continue
18	Evidence of electrical service requirements within the Downtown New Bedford Network is to be provided to demonstrate the need for a pad-mount transformer.	Continue
19	Any modifications to the approved sidewalk design will require review by NBHC, Planning staff, the National Park Service, and the Department of Public Infrastructure.	Continue
20	Any changes to the approved project will be submitted to the City's Planning and NBHC staff for review and approval prior to the commencement of any related work. If the staff determines the changes are significant in nature, they will be submitted to the full NBHC for review and approval prior to the commencement of any related work.	Continue
21	The applicant shall provide complete construction documents with material notations to be reviewed and approved by the NBHC prior to the release of any building permit.	Continue



MAY 6, 2019 PLANNING BOARD CONDITIONS OF APPROVAL		STATUS
1	Information regarding the building's existing subgrade and/or foundation plan is to be submitted to and approved by the Planning Board.	Mostly Met
2	A copy of the Final Market Analysis is to be submitted for Planning Board review. The market analysis shall include a commercial analysis in addition to the residential analysis.	Continue
3	Specifications for rooftop mechanicals are to be submitted for the Planning Board review.	Continue
4	Evidence of electrical service requirements within the Downtown New Bedford network is to be provided to demonstrate the need for a pad mount transformer.	Continue
5	Species of hedge screen is to be identified and labeled on plans.	Met
6	On-site landscaping species may require modification due to shade. Any modification to the on-site landscaping may be reviewed through administrative approval.	Continue
7	A fence screen is to be provided for the parking area and transformer per the Historical Commission requirements.	Continue
8	Bollards are to be added around the transformer and to be approved by the Historic Commission.	Mostly Met
9	The exterior lighting, signage, storefront awnings, solar panels, cornices, roof top mechanical screening, street amenities (such as trash barrels, bike racks, benches, planters, street trees, and vegetation), public art mural, and exterior grease traps (if required) have not been approved and will require a separate modification submittal and approval prior to the issuance of a demolition permit.	Continue
10	Outdoor sidewalk café seating has not been approved as it will require a separate Sidewalk Café Permit from the Department of Planning and Department of Inspectional Services, as well as another Certificate of Appropriateness from the Historic Commission.	Continue
11	A bond or cash surety in the amount of \$40,000 dollars is to be provided to the City to ensure repairs are made to the Union Street public right of way layout, including the sidewalk and street, as a result of this development project.	No longer applicable
12	Any changes to the approved project shall be submitted to the City's Planning staff, prior to the commencement of any related work, for review as to whether the change can be approved administratively by the Planning Board or will require a modification application.	Continue
13	Demolition review is required per City ordinance Ch. 2 Sections 2-157 through 2-157.9.	Continue
14	Stamped engineered plans are to be submitted and approved by the Historic Commission that minimizes any disruption to and includes a detailed protection plan for the "Moby Dick" building, 127-129 Union Street (Map: 53 Lot 146), the three-story, southern most portion of the building fronting on Union Street.	Continue
15	A Demolition and an Erosion Control Plan shall be submitted for review and approval by the Planning Board and the Department of Public Infrastructure prior to the issuance of a demolition permit.	Continue
16	Project Narrative and development schedule is to be submitted to and approved by the Planning Board. It shall detail the rate of construction and development, including estimated project start dates, stages, if applicable, and the estimated cost of construction and date of completion; the plan must detail proposed methods to mitigate any noise, and pedestrian and vehicular impacts during demolition and construction phases.	Continue
17	Evidence of compliance with requirements for ADA units and parking spaces and/or MAAB variance must be provided to the Planning Board prior to a demolition permit.	Mostly Met
18	All existing streetscaping materials, including landscape, lighting, hardscape, are to be preserved, retained, or removed as per approval of the Historic Commission and agreement with the Department of Public Infrastructure.	Continue
19	Any sidewalk material changes are to be reviewed and approved per the Historic Commission & the Department of Public Infrastructure.	Continue
20	The applicant shall provide complete construction documents with material notations to be reviewed and approved by Planning Board prior to the release of any building permit.	Continue

## GENERAL CONDITIONS

- That the following general conditions also be applied to this decision:
  1. **The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.**
  2. **The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure received and placed on file and the Planning Board incorporates the DPI memo as part of these conditions.**
  3. **The applicant shall submit final plan revisions to the Planning Division in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.**
  4. **The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Planning Division Case file folder.**
  5. **That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project's approval, be recorded at the Registry of Deeds.**
  6. **The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.**
  7. **The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before this Board for further review.**
  8. **The rights authorized by the granted approval must be exercised by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date the decision was granted, or they will lapse.**
  9. **The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.**

## D. APPENDIX

### MATERIALS FOR CONSIDERATION

The plan submission is shown as "Proposed Commercial /Residential Facilities 115, 117, 121, 127 Union Street, 7 North Second Street New Bedford, Massachusetts 02740" dated September 25, 2019, last revision dated November 18, 2019. The plans were date stamped received by City Clerks' Office November 19, 2019. Plans were prepared by Prime Engineering, in Lakeville, MA and STANTEC Architectural and Engineering P.C., in Boston, MA. Stamped by Richard Rheaume, PE. The plan set consists of the following sheets:

Civil:

- Sheet C-1 Existing Conditions
- Sheet C-2 Demolition Plan
- Sheet C-3 Handicapped Accessibility Plan
- Sheet C-4 Site Layout & Utilities Plan
- Sheet C-5 Site Details
- Sheet C-6 Site Details

Architectural:

- Sheet A-100 Floor Plan – Basement
- Sheet A-101 Floor Plan - Level 1
- Sheet A-102 Floor Plan – Level 2
- Sheet A-103 Floor Plan – Level 3
- Sheet A-104 Floor Plan – Level 4
- Sheet A-105 Floor Plan – Level 5
- Sheet A-106 Roof Plan
- Sheet A-201 Elevations – North & South
- Sheet A-202 Elevations – East & West
- Sheet S-100 Foundation Plan
- Sheet S-310 Foundation Details
- Sheet H-106 HVAC Roof Plan

Additionally the plan submission includes “117 Union Street – Phase 2 Rehabilitation of The “Moby Dick Building” 127-129 Union Street New Bedford, MA” dated September 27, 2019, last revision dated November 18, 2019. The plans were date stamped received by City Clerks’ Office November 19, 2019. Plans were prepared by Christopher T. Wise, Architect. The plan set consists of the following sheets:

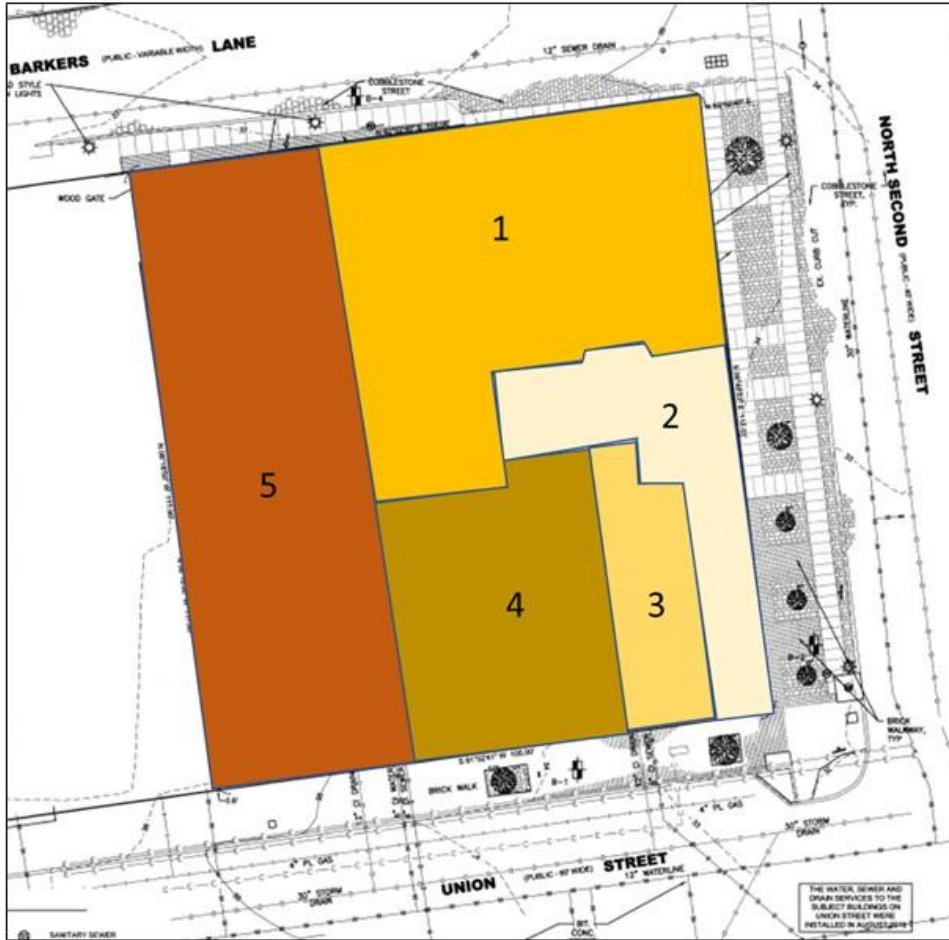
- A-1.1 Existing Basement Plan
- A-1.2 Existing Conditions First Floor Plan
- A-1.3 Existing Conditions Second Floor Plan
- A-1.4 Existing Conditions Third Floor Plan
- A-1.5 Existing Conditions Elevations
- A-2.1 Demolition Basement Plan
- A-2.2 Demolition First Floor Plan
- A-2.3 Demolition Second Floor Plan
- A-2.4 Demolition Third Floor Plan
- A-3.1 Proposed Basement Plan
- A-3.2 Proposed First Floor Plan
- A-3.3 Proposed Second Floor Plan
- A-3.4 Proposed Third Floor Plan
- A-3.5 Proposed Roof Plan
- A-3.6 Proposed South Elevation
- A-3.7 Proposed North Elevation
- A-4.1 Proposed Window Type A
- A-4.2 Proposed Window Type B
- A-4.3 Proposed Storefront
- A-4.4 Proposed Detail Window Type C
- A-4.5 Proposed Schedules
- A-5.1 Site Line Study

---

**Materials Provided by the Applicant** are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2019/>.

Staff Report prepared by: Anne Louro, Preservation Planner & Jennifer Carloni, Staff Planner  
Reviewed by: Tabitha Harkin, Director City Planning

# Lot Division Diagrams



Existing - 5 Lots

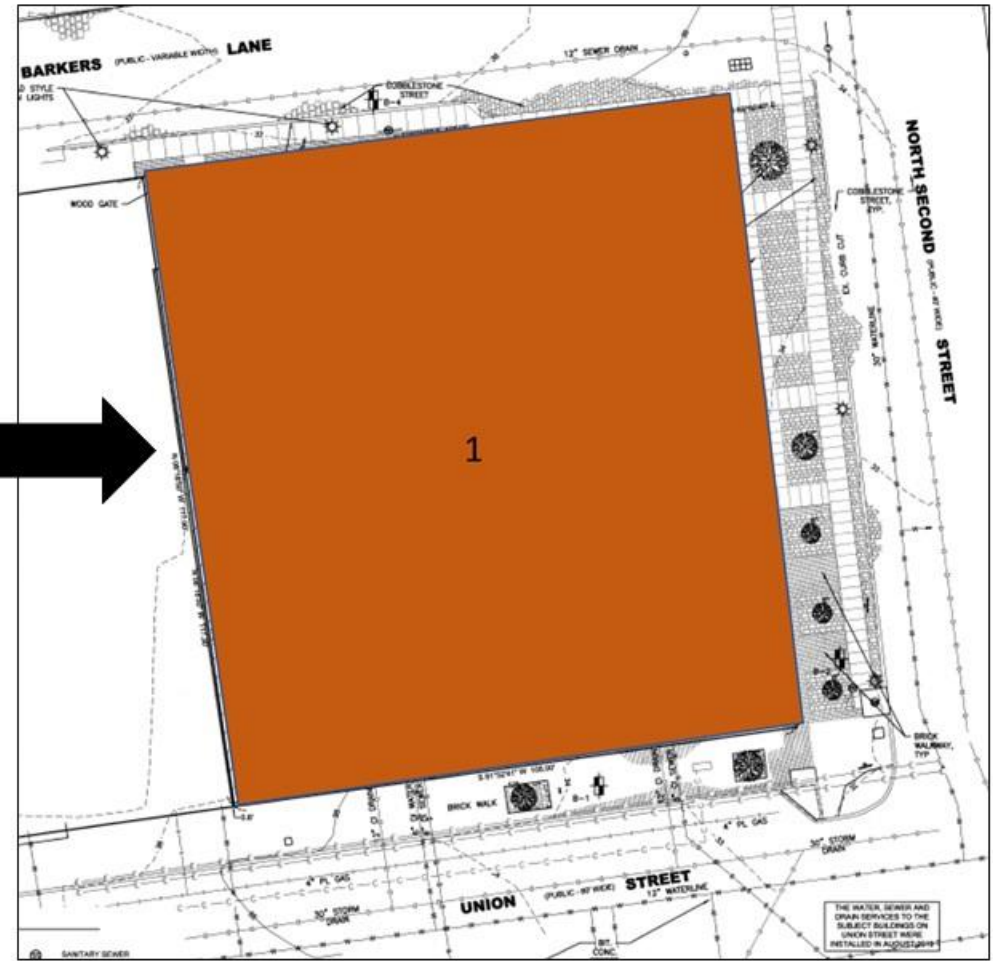


Proposed ANR - 2 Lots (requires variances)

**Disclaimer:** All lot and building lines shown are approximate and for discussion purposes only.



Existing - 5 Lots



Merged – 1 Lot  
(under existing zoning and for review purposes)

Disclaimer: All lot and building lines shown are approximate and for discussion purposes only.

# 117 Union Street, 7 N Second Street, 115 Union Street, & 121 Union Street Map: 53 Lots: 40, 41, 215, 216, & 146

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

