



# Zoning Board of Appeals

## Agenda

July 18, 2019– 6:00 PM

**New Bedford City Hall, Room 314  
133 William Street New Bedford, MA**

7/3/2019 1:46:10 PM CITY CLERK

### MEETING CALLED TO ORDER

### APPROVAL OF MINUTES

- June 20 meeting minutes

### SCHEDULED HEARINGS

**#4378** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street, New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue, New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue, New Bedford, MA 02745) and **T.M. Crowley & Associates, C/O Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3210 (general regulations) 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature), 5200 (Zoning Board of Appeals) 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **2904, 2914 & ES Acushnet Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The petitioners are proposing to install a ground sign with an electronic message board per plans filed. [Continued Agenda Item from June 20, 2019.](#)

**#4379** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street, New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue, New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue, New Bedford, MA 02745) and **Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3130 (table of parking & loading requirements- Appendix C), 3140 (location and layout of parking & loading facilities), 3149 (special permit for commercial parking in residential districts) and 5300-5330 & 5360-5390 (special permit); relative to property located at **2904, 2914 & ES Acushnet Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The

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petitioners are proposing to construct a convenience store, fuel island and car wash which are on two lots per plans filed. [Continued Agenda Item from June 20, 2019.](#)

**#4380** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street, New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue, New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue, New Bedford, MA 02745) and **T.M. Crowley & Associates, C/O Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3210 (general regulation), 3250 (regulation governing particular types of signs), 3254 (ground signs) and 3255 (area restrictions for ground signs); relative to property located at **2904, 2914 & ES Acushnet Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The petitioners are proposing to install signage per plans filed. [Continued Agenda Item from June 20, 2019.](#)

**#4382** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street, New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue, New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue, New Bedford, MA 02745) and **T.M. Crowley & Associates, C/O Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3210 (general regulations) 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature), 5200 (Zoning Board of Appeals) 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **2904, 2914 & ES Acushnet Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The petitioners are proposing to install a 29" high x 71" wide 1' deep electronic message board per plans filed.

**#4383** Notice is given of a public hearing on the petition of: **Coastline Elderly Services, Inc.** (1646 Purchase Street, New Bedford, MA 02740) and **R.P. Valois & Co., C/O Tim Howland** (39 Russells Mill Road, South Dartmouth, MA 02748) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3110 (applicability), 3140 (location and layout of parking & loading facilities), 3149 (special permit for commercial parking in residential districts) and 5300-5330 & 5360-5390 (special permit); relative to property located at **2104-2110 Acushnet Avenue & 859 Belleville Avenue**, Assessors' map 119 lots 258 & 46 in a Mixed Used Business [MUB] & Residential B [RB] zoned district. The petitioners are proposing to open Coastline Elderly Services Headquarters with general office setting and conference meeting spaces and associated parking.

**#4384** Notice is given of a public hearing on the petition of: **David Sinagra** (381 Cummington Street New Bedford, MA 02745) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulations), 2710 (general), 2720 (table of dimensional requirements – Appendix B, rear yard), 2750 (yards in residence district) and 2753 (rear yard); relative to property located at **381 Cummington Street**, Assessors' map 127E lot 365 in a

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Residential A [RA] zoned district. The petitioner is proposing to construct a 17'x13.5' all season room addition per plans filed. [Request for Extension to the August 15, 2019 Agenda.](#)

**#4385** Notice is given of a public hearing on the petition of: **SB Realty, LLC** (92 Kilburn Street New Bedford, MA 02740), and **Bohler Engineering, C/O William Lucas** (352 Turnpike Road, Southborough, MA 01772) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature), 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **159 Hathaway Road**, Assessors' map 101 lot 14 in an Industrial B (IB) zoned district. The petitioners are proposing to replace an existing menu board with an electronic message menu board per plans filed.

#### **OTHER BUSINESS**

- Next Scheduled Meeting will be held on Thursday, August 15, 2019

#### **ADJOURNMENT**

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In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact **Angela Goncalves at 508-979-1488** ([Angela.Goncalves@newbedford-ma.gov](mailto:Angela.Goncalves@newbedford-ma.gov)) or **Mass Relay 711**. Requests should be made as soon as possible but at least **48 hours** prior to the scheduled meeting.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law. Massachusetts General Laws, chapter 30A, Section 20(f) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.