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# City of New Bedford

## Department of Planning, Housing & Community Development

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# STAFF REPORT

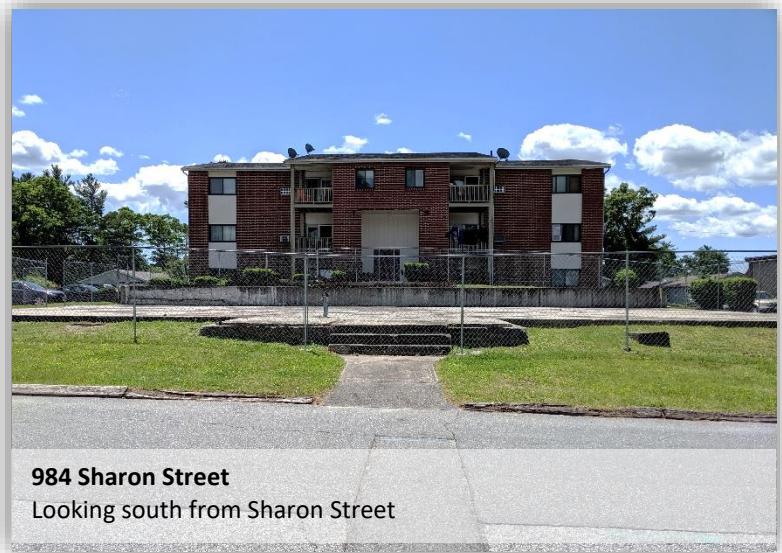
**REPORT DATE**  
June 6, 2019

**PLANNING BOARD MEETING**  
June 12, 2019

**Case #19-14: SITE PLAN REVIEW**  
**Case #19-15: SPECIAL PERMIT**  
984 Sharon Street  
Map: 137A  
Lots: 21-25, & 33-37

**Applicant/  
Owners:** Sharon Street Realty Trust,  
Jose Araujo, Trustee  
PO Box 91  
Rochester, MA 02770

**Agent:** Farland Corp.  
401 County Street  
New Bedford, MA 02740



**984 Sharon Street**  
Looking south from Sharon Street

### Overview

Request by applicant for Site Plan approval for new construction of a three-story apartment building with 12 residential units; and for a Special Permit for a reduction of the number of parking spaces required for the apartment building; located at 984 Sharon Street (Map: 137A, Lot: 21) on a .74 ± acre site in a Mixed-Use Business [MUB] zoned district.

**Note:** The proposal received a **Variance** from the Zoning Board of Appeals on March 21, 2019 for the following dimensional requirements:

	Existing	Requirement	Proposed
Front Yard (ft)	9.5'	20'	5.3'
Side Yard (ft)	6.8'	10'	6.6'
Rear Yard (ft)	9.5'	30'	9.5'
Lot Coverage (%)	14.3 %	40%	29.4%
Green Space	32%	35%	37%

**Existing Conditions**

Located in the far north end, Sassaquin neighborhood, the 32,000 SF lot has 200’ of frontage on Sharon Street, and 200’ of frontage on parallel Norfolk Street. The property consists of 10 parcels (Map: 137A, Lots: 21-25, and 33-37). All parcels are considered merged for zoning purposes.

An existing 12-unit residential apartment building is present on the south side of the site. On the north side of the site is the remaining foundation of a twin building that was previously destroyed by fire.

A parking lot with thirty-one (31) spaces is located on the east side of the building. Driveway access to the parking lot is provided on both Sharon Street and Norfolk Street. The board should note one parking space is located within the Norfolk Street layout and therefore is not considered as being provided on site. Also, a dumpster enclosure (not shown on plans) is in the southeast corner covering a parking space.

Staff note the existing pavement has alligator cracks and pot holes. Also, the asphalt curbing around the parking areas is broken in multiple places.



**984 Sharon Street**  
Looking northwest from Norfolk Street



**Location of dumpster as shown on plans**



**Informal Parking**

A driveway is located on the west side of the site. An easement grants use of this area “for all purposes, including the installation of utilities, including sewage treatment and disposal”. Staff note two parking spaces are informally delineated in this area. The board may wish to clarify if these two spaces are formally designated for tenant parking.



**Existing dumpster enclosure**

In the southeast corner, a paved area behind the dumpster enclosure is serving as a basketball court/recreational area at present.

Grassed and landscaped areas surround the parking lot and building.

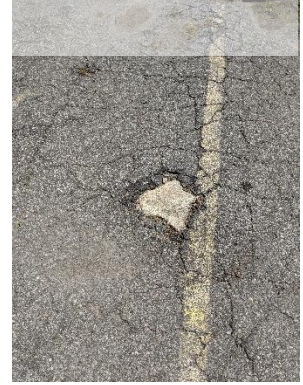
Concrete walkways and steps provide pedestrian access to the doorways of the existing and proposed building. Some walkways have damage and are cracking in places.



The surrounding neighborhood is a mixture of commercial and residential uses. Commercial uses are predominantly present on the Acushnet Avenue (west of the site), while residential neighborhoods are present directly across from the site on Sharon Street and Norfolk Street. Directly abutting the property to the south west is a multi-tenant office building hosting Sassaquin Dental Associates, Gemini II Hairstyles, and A J Simmons Clinical Psychologist. Further west across Acushnet Avenue is Vibra Hospital of Southeastern MA.



**Pavement conditions**

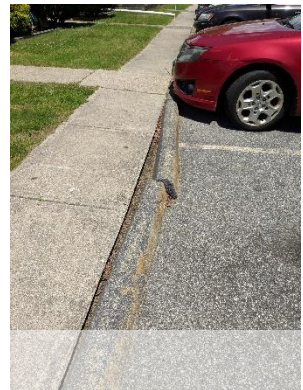


**Proposed Conditions**

The petitioner proposes to reconstruct a 13,980 SF three story, 12-unit residential apartment building on the same footprint of the building previously destroyed by a fire. The proposal includes four apartments per story with similar floor plans, totaling 12 individual apartments. The floorplans are comprised of two-bedrooms, one bathroom, kitchen and a combination living/dining room area. Depicted in the proposed plans, the existing 12-unit residential apartment building would be connected to the new proposed apartment building through a lobby entrance on the east elevation.



**Curb conditions**



The proposal includes changes to the site plan including: saw-cutting and patching two sections of the existing parking lot to install roof recharge systems, and installing two others in the grassed landscaped areas on the west side of the building. Also, the paved area in the southeast corner of the site is to be removed and converted to green space.



**Basketball area/rec area**  
(to be removed for added green space)

**Parking & Loading.**

The application and site plan propose thirty-one (31) parking spaces in the existing parking lot on the east side of the building.

The board should note one parking space, in the north east corner of the site, is located within the Norfolk Street layout and therefore is not considered as being provided on site. Therefore, the board is considering a plan for thirty (30) parking spaces.

The applicant is seeking a Special Permit for the reduction of the number of parking spaces. The applicant proposes thirty (30) where forty-eight (48) are required under zoning ordinance. A reduction of eighteen (18) parking spaces and one (1) loading space.

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, or more than twenty (20) housekeeping units
<b><u>Parking Calculations</u></b>		
<b>48</b> parking spaces (2 per unit x 24 units)	<b>1</b> Loading space	
<b>48</b> Total parking spaces required	<b>1</b> Total Loading space required	

**Traffic Impact & Access Study.** A traffic impact and access study has not been submitted with the application. A traffic impact and access study is not required unless requested by the board.

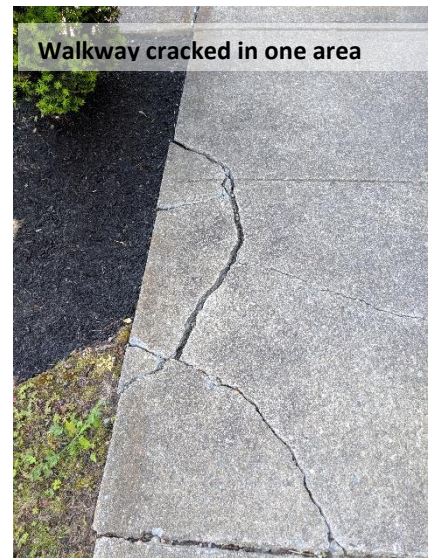
**Circulation.** Vehicles will access the site primarily via either bi-directional driveway off Sharon Street or Norfolk Street. Concrete steps and pedestrian walkways provide access to the doorways of the existing and proposed building.

**Landscaping.** A formal landscape plan has not been submitted with the application. The applicant has requested a waiver of this requirement.

The site plan shows some existing landscaping on the site however the plantings are not specified. **The board may wish to request a formal landscape plan and/or additional plantings to soften the building frontage along Sharon Street.**

**Snow Storage & Waste Receptacles.** Snow storage and removal areas are not identified on the plans. A dumpster is shown on the plans in a landscaped area in the center of parking area. However, upon a site visit staff noted a trash enclosure with a dumpster in the southeast corner of the site, with a dumpster on the inside and recycling barrels on the outside of the enclosure.

The applicant should clarify if the existing dumpster enclosure will be relocated or if it will remain in place. If it remains in place, the applicant would need to further reduce the requested number of parking spaces.





The board may wish to see the recycling bins also enclosed and screened from view.

**Stormwater.** A stormwater report has not been provided. The applicant has requested a waiver of this requirement.

The proposal does include a recharge system for the roof run off from the new building. The proposal includes four underground Cultec recharge systems near each corner of the new building.

The applicant will need to provide a waiver from the Department of Public Infrastructure of the stormwater management requirements.



**Signage.** Signage is not proposed nor present on site.

**Lighting.** A lighting plan has not been provided. The applicant has requested a waiver of this requirement. The applicant further notes no lighting is proposed.

Staff note wall mounted light fixtures are located at each entrance door of the existing building. Staff did not notice if any lighting is provided for the parking lot area. The board may wish to clarify if there is or will be any lighting of the parking lot. Further, the board may wish to have the applicant clarify or specify light locations on the proposed building.

### **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 provided a letter dated May 30, 2019. The letter has a list of 16 items to be addressed.

Sarah Porter, Conservation Agent, indicated the project is not in or within 100' of any state or local wetland resource areas.

No other comments were not received as of the publication of this report; any comments received will be made available at the public meeting.

### **Master Plan Goal**

The proposal is consistent with the master plan's goal to encourage and maintain a wide range of housing types throughout the city that reflect the historic and cultural character of each area by supporting development that provides for households of all income levels.

### **Materials for Consideration**

The engineered plan submission is shown as "Site Plan 984 Sharon Street. Assessors Map 137A Lot 21 New Bedford, Massachusetts" dated April 3, 2019, and date stamped received by City Clerks' Office April 12, 2019. Plans were prepared by Farland Corp, in New Bedford, MA and stamped by Christian Albert Farland, PE. The plan set consists of the following sheets:

- Sheet 1            Cover Sheet
- Sheet 2            Existing Conditions
- Sheet 3            Layout & Utilities

In addition to the foregoing submitted materials, the Planning Board may also wish to consider:

- **Waivers**

The applicant has requested the following waivers:

- Topography & Drainage Plan
  - The applicant petitions that a structure and pavement currently exist on site. No excavation of the site is proposed. Topography and drainage will not be altered.
- Development Impact Statement (DIS)
  - The applicant petitions that the project is a redevelopment of an existing use and will not have any negative impact on the neighborhood or city.
  - A DIS is not required unless requested by the board.
- Landscape Plan
  - The applicant petitions that landscape currently exists on site and no screening is proposed as the site is bordered on three sides by streets or driveways.
- Lighting Plan
  - The applicant petitions that no lighting is proposed for the project.
  - The board may wish to have any building wall lighting identified on plans.
- Construction Completion Sequence
  - The applicant petitions that the project involves relatively simple development plans.
  - Staff concurs that the site construction work is limited in nature. A detailed sequence of construction activities may not be warranted. The board may wish to inquire about the anticipated start and end dates however.
- Traffic Impact & Access Study
  - The applicant petitions that existing site access and parking area currently exist and will not be changed.
  - A Traffic Impact & Access Study is not required unless requested by the board.
- Stormwater Management Report
  - The applicant petitions that the existing topography and drainage will not be changed.
  - The applicant is to provide evidence of waiver from the Department of Public Infrastructure.

## **Site Plan Approval**

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.

## **Special Permit**

Per zoning ordinance section 3120 the board may reduce any parking or loading requirement if, the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

- **Use of a common parking lot for separate uses having peak demands occurring at different times;**
- **Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;**
- **Peculiarities of the use which make usual measures of demand invalid;**
- **Availability of on-street parking or parking at nearby municipally owned facilities.**
- **Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.**

Additionally, under section 5300 of the zoning ordinance the Board must take into account the characteristics of the site and of the proposal in relation to that site, the determination shall include consideration of each of the following:

- **Social, economic, or community needs which are served by the proposal.**
- **Traffic flow and safety, including parking and loading.**
- **Adequacy of utilities and other public services.**
- **Neighborhood character and social structures.**
- **Impacts on the natural environment**
- **Potential fiscal impact, including impact on City services, tax base, and employment**

## Staff Recommendations



**Site Plan Approval.** Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

- That the following specific conditions be applied to this decision:
  1. A waiver from the Department of Public Infrastructure (DPI) of the stormwater management requirements be provided for the case file.
  2. The parking lot area is to be resurfaced and restriped.
  3. Any pedestrian walkways or steps with damage that may be a hazard to pedestrians is to be repaired.
  4. A landscape plan is to be submitted and reviewed by the Chair for a determination whether it may be administratively approved or would require review by the full board.
  5. Site lighting information is to be submitted and reviewed by the Chair for a determination whether it may be administratively approved or would require review by the full board.
- That the following general conditions also be applied to this decision:
  6. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
  7. 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.
  8. 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.
  9. 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.
  10. 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.
  11. The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.
  12. 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.
  13. 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.
  14. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

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**Materials Provided by the Applicant** are available at: <http://www.newbedford-ma.gov/planning/planning-board/planning-board-agenda-info-2018/>.



## 984 Sharon Street Map: 137A Lots: 21-25 and 33-37

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

