



March 25, 2019

New Bedford Planning Board  
133 Williams Street  
New Bedford, MA 02740

**RE: 117 UNION STREET MULTI-USE FACILITY**

Dear Planning Board members:

Enclosed are revised documents and plans that have been modified in response to the Planning staff report, input received from the Planning Board at the public hearing and subsequent conversations with Planning Staff. The documents now include the proposed trash room, bike storage room, one additional studio apartment and yard where the transformer and handicap space are to be located on the north end of 127-129 Union Street. That lot, which is a portion of Assessor's Map 55, Lot 146, was not included in the previous application.

The enclosed revised rejection packet from the Department of Inspectional Services, the application, the application checklist, the narrative and plans have all been modified to include those revisions.

Sincerely,

**PRIME ENGINEERING, INC.**

Richard J. Rheaume, P.E., LSP  
Chief Engineer



March 25, 2019

New Bedford Planning Board  
133 William Street  
New Bedford, MA 02740

**RE: 117 UNION STREET**

Dear Board Members,

On behalf of 117 Union Street LLC, we hereby submit the enclosed revised package for a Special Permit and Site Plan Review for a proposed commercial/residential building. The revision consists of adding 127-129 Union Street (Assessor's Map 53, Lot 146) to the application. The submittal package consists of 16 copies of the following:

- This letter;
- The executed application forms;
- The application checklists;
- Plans (4 full size and 12 reduced size);
- The Impact Report which includes the estimated cost of site work and the Traffic Impact and Access Study;
- The Stormwater Report;
- The deeds (proof of ownership);
- The rejection package from the Building Department and
- Certified abutter's list.

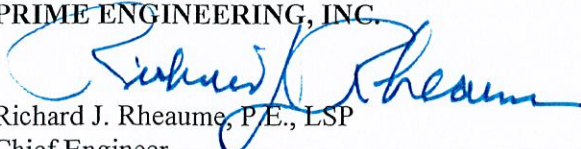
Additionally, we have included:

- A CD disk of the drawings in PDF format (CAD format will be submitted after all Planning input has been received);

A petition for a Special Permit is being submitted to the New Bedford Zoning Board of Appeals for several dimensional non-compliances.

It is proposed that the building construction will commence this year. The existing site consists of five separate attached one story buildings and a paved parking lot. A determination has been made that the plan as presented complies with ADA regulations.

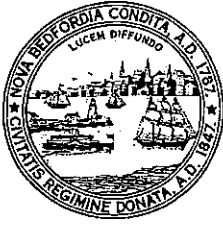
Sincerely,  
PRIME ENGINEERING, INC.

  
Richard J. Rheume, P.E., LSP  
Chief Engineer

## **Summary of Existing Petitions**

There are five existing one story brick buildings in poor repair with a small parking lot bordered by Union Street, North Second Street and Barker's Lane. It is proposed to raze the buildings and construct a 5 story building with a lobby and commercial use on the first floor and 42 apartments on Floors 2 through 5. At the northwest corner, a one story building will be built with one additional studio apartment, a trash storage room and a bike storage room. The yard to the north will have a single handicap parking space, a transformer, gas meters, pedestrian walkways and landscaping. This requires Site Plan Review from the Planning Board. It is not proposed to provide any off street parking or loading other than a single handicap space. This requires a Special Permit from the Planning Board.

There are several requests for dimensional relief, including minimum lot size, rear setback, building coverage and required green space for which a Special Permit from the Zoning Board of Appeals is being sought.



# PLANNING BOARD

CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

SUBMIT TO:  
Planning Department  
133 William Street  
Room 303  
New Bedford, MA 0274

## SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: Proposed Commercial/Residential Development - 117 Union Street by: Prime Engineering, Inc. dated: March 21, 2019

### 1. Application Information

Street Address: 117 Union Street

Assessor's Map(s): 53 Lot(s) 40, 41, 215 and 216 & a portion of Lot 146

Registry of Deeds Book: 1838, Page: 1144 also Book 1707, Page 903

Zoning District: MUB - New Bedford Landing Waterfront Historic District

Applicant's Name (printed): 117 Union Street LLC

Mailing Address: 128 Union Street - 4th Floor New Bedford MA 02740  
(Street) (City) (State) (Zip)

Contact Information: (619) 316-5895 michael@nbdcorp.org  
Telephone Number Email Address

Applicant's Relationship to Property:  Owner  Contract Vendee  Other \_\_\_\_\_

List all submitted materials (include document titles & volume numbers where applicable) below:

Cover letter, application, 4 full size and 12 reduced size sets of plans, Impact Report, deed, certified abutters list, filing fee, estimated site costs (refer to attached cover letter), rejection packet from DIS, Stormwater Report and application checklist.

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

03-19-2019  
Date

[Signature]  
Signature of Applicant

**2. Review Applicability (Check All That Apply to Your Proposal)**

**Category**

- Residential
- Commercial
- Industrial
- Mixed (Check all categories that apply)

**Construction**

- New Construction
- Expansion of Existing
- Conversion
- Rehabilitation

**Scale**

- < 2,000 gross sq feet
- > 2,000 gross sq feet
- 3 or more new residential units
- 1 or more new units in existing res. multi-unit
- Drive Thru Proposed
- Ground Sign Proposed
- Residential Driveway With > 1 curbcut

**3. Zoning Classifications**

Present Use of Premises: Five separate one story buildings with small parking lot

Proposed Use of Premises: Commercial first floor with four floors of apartments

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):  
None

**4. Briefly Describe the Proposed Project:**

Razing five existing one story buildings and erecting a commercial facility on first floor with 4 stories above with 43 residential units.

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**5. Please complete the following:**

	Existing	Allowed/Required	Proposed
Lot Area (sq ft) min.	10,173	15,000	10,173
Lot Width (ft) min.	70	0	70
Number of Dwelling Units max.	0	No std.	43
Total Gross Floor Area (sq ft)	8,074	N/A	42,000
Residential Gross Floor Area (sq ft)	0	N/A	33,600
Non-Residential Gross Floor Area (sq ft)	6,180	N/A	9,144
Building Height (ft) max.	15	100	61
Front Setback (ft) min.	0	0	0
Side Setback (ft) min.	N/A	10	N/A
Side Setback (ft) min.	N/A	12	N/A

Rear Setback (ft) min.	0	30	0
Lot Coverage by Buildings (% of Lot Area) max	100	40	93
Permeable Open Space (% of Lot Area) min	0	0	2
Green Space (% of Lot Area) min.	0	35	2
Off-Street Parking Spaces	5	106	1
Long-Term Bicycle Parking Spaces	0	0	20
Short-Term Bicycle Parking Spaces	0	0	20
Loading Bays	0	0	0

**6. For commercial uses, please complete the following:**

	Existing	Proposed
a) Number of customers per day:	0	200
b) Number of employees:	0	4
c) Hours of operation:	0	7 am to 11 pm
d) Days of operation:	0	Sun-Sat
e) Hours of deliveries:	0	8 am - 6 pm
f) Frequency of deliveries:	<input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other: _____	

**7. Planning Board Special Permits:**

The applicant is also requesting a Special Permit from the Planning Board.

Specify the requested Special Permit(s) below, and set forth within attached Development Impact Statement how the request meets approval criteria listed in §5320 of the zoning code.  
 To allow fewer parking and loading spaces than normally required.

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**8. ZBA Variances and Special Permits:**

**NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.**

The applicant is also requesting a special permit from the ZBA:

Specify zoning code section & title

\_\_\_\_\_ N/A \_\_\_\_\_

The applicant is also requesting a variance from the ZBA:

Specify zoning code section & title

\_\_\_\_\_ N/A \_\_\_\_\_

\_\_\_\_\_ \_\_\_\_\_

9. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: 117 Union Street LLC

at the following address: 128 Union Street, New Bedford, MA

to apply for: Site Plan Review and Special Permit

on premises located at: 115, 117 and 121 Union Street

for which the record title stands in the name of: Paul A. Piva and Gail Florek

whose address is: 10 Pequod Road, Fairhaven, MA 02719

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 1838 Page: 1144

OR Registry District of the Land Court, Certificate No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

3/25/19  
Date

Paul A. Piva [Signature]  
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

(1973 5)

Paul A. Piva and Gail A. Florek  
10 Pequod Road, Fairhaven, Ma. 02719  
508-992-5424

February 13, 2019

To the Members of the ZBA Board,

This letter is to authorize the prospective buyer to apply for a permit from your board pursuant to the application dated February 2019 which this letter is attached to.

Please let us know if we can be of any further assistance.

Sincerely,

*Paul A. Piva*

Paul A. Piva

Gail A. Florek

STATE OF MASSACHUSETTS

COUNTY OF BRISTOL

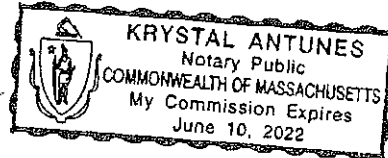
On this 13<sup>th</sup> day of February, 2019, before me personally appeared Paul A. Piva, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

*Krystal Antunes*

Notary Public

Print name: *Krystal Antunes*

My commission expires: *6-10-2022*



STATE OF MASSACHUSETTS

COUNTY OF BRISTOL

On this 13<sup>th</sup> day of February, 2019, before me personally appeared Gail A. Florek, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Notary Public

Print name: \_\_\_\_\_

My commission expires: \_\_\_\_\_





3024-903

Lora L. Rozefsky  
of 102 Newton Street, Brookline, Norfolk County, Massachusetts,  
being unmarried, for consideration paid, and in full consideration of \$70,000.00  
grants to Paul A. Piva, Robert J. Piva, and Gail Florek as tenants in  
common, each an undivided one-third interest.

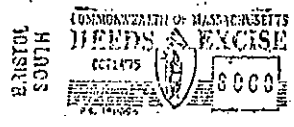
All of 146 Bellevue Street, New Bedford, Massachusetts, with quitclaim covenants  
the land with all the buildings thereon in New Bedford, Bristol County,  
Massachusetts, bounded and described as follows:

(Description and encumbrances, if any)

Beginning at the intersection of the northerly line of Union  
Street and the westerly line of Second Street;  
thence westerly in said northerly line of Union Street to land  
now or formerly of Fred S. Brightman;  
thence northerly in line of the last named land to the southerly  
line of Barker's Lane;  
thence easterly in the southerly line of said laneway to the  
said westerly line of Second Street;  
thence southerly in said westerly line of Second Street to the  
point of beginning.

Containing fifty (50) square rods, more or less.

Being the same premises conveyed to us by deed of Elbar  
Realty, Inc. dated December 30th, 1971 and duly recorded in  
Bristol County (SD) Registry of Deeds in Book 1633, Page 115.

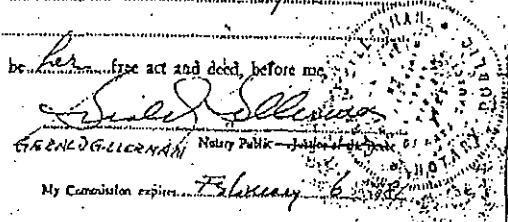


Witness my hand and seal this 9th day of October 1975  
*Gail Florek* *Paul A. Piva*

The Commonwealth of Massachusetts  
Suffolk County  
Then personally appeared the above named Lora L. Rozefsky

and acknowledged the foregoing instrument to be her free act and deed, before me

Rec'd. & recorded Oct. 14, 1975  
at 2 hrs. & 32 min. P. M.



Book 1707, page 903

Attest: *John James* Registrar

PROPERTY

PROPERTY OF  
ABRAHAM HERMAN  
NEW BEDFORD, MASS.  
SCALE, - 1 INCH = 20 FEET

*Albert G. Drake  
Civil Engineer  
New Bedford, Mass.  
October 7th 1921.*

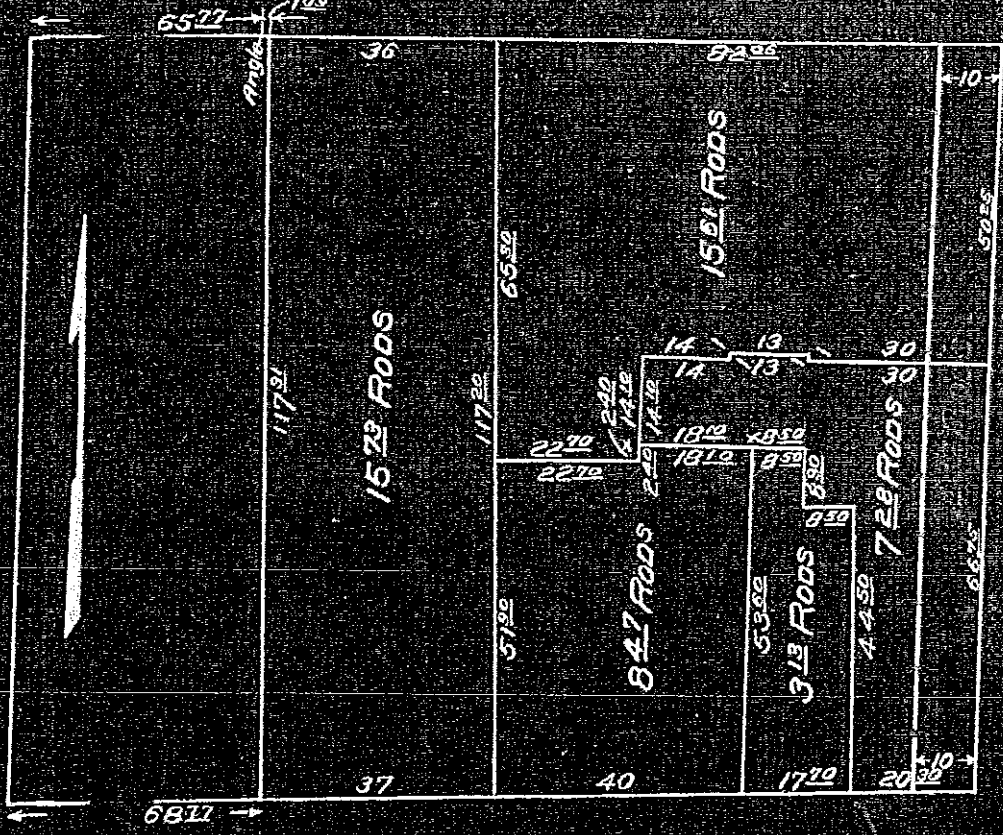
BARKERS LANE

STREET

ACUSHNET AVE.

SECOND

UNION STREET







*City of New Bedford*  
**REQUEST for a CERTIFIED ABUTTERS LIST**

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

MAR 21 2019

SUBJECT PROPERTY			
MAP #	53	LOT(S)#	216, 40, 41, 215, 146
ADDRESS: 117 Union St, 7 N Second St, 115 Union St, 121 Union St, 127-129 Union St			
OWNER INFORMATION			
NAME: Paul A Piva & Gail Florek			
MAILING ADDRESS: 10 Pequod Rd Fairhaven, MA			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Rich Rheaume			
MAILING ADDRESS (IF DIFFERENT): 350 Bedford St Lakeville, MA 02347			
TELEPHONE #	508-947-0050		
EMAIL ADDRESS:	rich@primeengineering.org		
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<input checked="" type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input checked="" type="checkbox"/>	PLANNING BOARD APPLICATION		
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (Please explain):		

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

**Official Use Only:**

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Carlos Amado

Printed Name

*Carlos Amado*

Signature

3/21/2019

Date

March 21, 2019  
 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 115,117,121,127-129 Union Street & 7 N Second Street (Map: 53, Lot: 216,40,41,215,146). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
53-141	BARKER'S LN	CITY OF NEW BEDFORD, PARKING LOT & GARAGE 131 WILLIAM ST NEW BEDFORD, MA 02740
53-215	121 UNION ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-216	117 UNION ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-41	115 UNION ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-143	141 UNION ST	WATERFRONT HISTORIC AREA LEAGUE OF NEW BEDFORD INC, 128 UNION STREET NEW BEDFORD, MA 02740
53-144	139 UNION ST	WATERFRONT HISTORIC AREA LEAGUE OF NEW BEDFORD,INC, 128 UNION STREET NEW BEDFORD, MA 02740
53-145	133 UNION ST	LAJOIE MICHAEL P "TRUSTEE", M B M REALTY TRUST 28 WATERFALL ROAD ACUSHNET, MA 02743
53-146	127 UNION ST	PIVA PAUL A, 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-40	7 N SECOND ST	PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719
53-154	93 UNION ST	ST ANNE CREDIT UNION, 93 UNION STREET NEW BEDFORD, MA 02740
47-21	25 S WATER ST	N B YOUNG MENS CHRISTIAN, ASSOCIATION 25 SOUTH WATER ST NEW BEDFORD, MA 02744
47-5	128 UNION ST	128 UNION STREET LLC, 117 HATHAWAY ROAD NORTH DARTMOUTH, MA 02747





**Legend**

- 53-216,40,41,216
- City Border
- Water



Map showing property lots and streets. Streets include: PURCHASE ST, ACUSHNET AVE, ELM ST, DOVER ST, WILLIAM ST, NORTH SECOND ST, BARKERS LN, UNION ST, COMMERCIAL ST, SCHOOL ST, SOUTH SECOND ST, WALNUT ST, JOHNNYCAKE HL, SOUTH WATER ST, and MACARTHUR DR. Lot numbers are displayed on each lot, with a blue shaded area highlighting lots 53-40, 53-41, and 53-216.