



City of New Bedford

Department of Planning, Housing & Community Development

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PATRICK J. SULLIVAN

DIRECTOR

STAFF REPORT

REPORT DATE

December 4, 2018

PLANNING BOARD MEETING

December 12, 2018

Case #18-55: LOT RELEASE FROM COVENANT

Property: Seth Daniel Drive
Map 136 Lots 477-486

Zoning: Residential A

Owner: DPM Development Corp. and
Moniz Properties, Inc.
70 Lambeth Street
New Bedford 02745

Applicant: Sitec, Inc.
449 Faunce Corner Road
Dartmouth, MA 02747

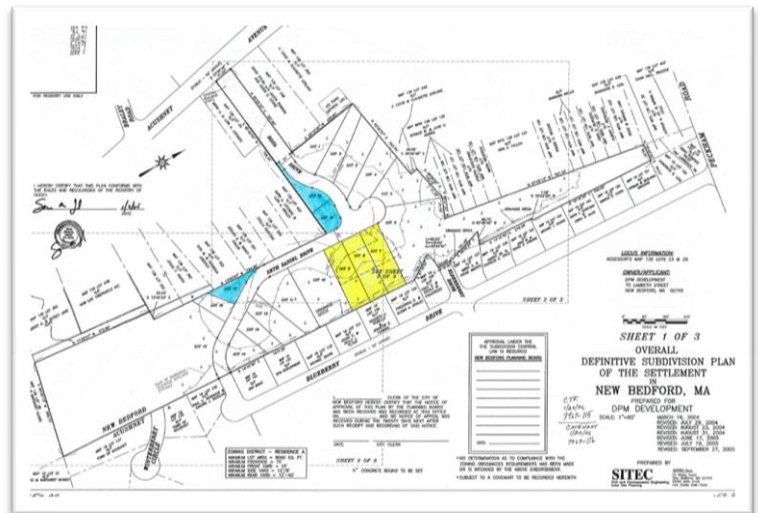


Image of the "Settlement" Subdivision Plan.
Yellow lots (7, 8, 9) are requested for release, while blue
lots (17, 18, 19) would remain under the covenant.

Project Summary

The applicant seeks a partial release of covenant for the definitive subdivision known as The Settlement. The request is for the release of three (3) lots from covenant. The lots requested for release are: 7, 8, and 9 as shown on the definitive subdivision plan.

A covenant is an agreement made between the applicant and the Planning Board that restricts lots in the subdivision from being developed until certain infrastructure and requirements of subdivision approval are met for the project. Covenants agreements are made to ensure the applicant fulfills their obligations for the construction and build-out of the subdivision infrastructure.

Currently six (6) of the total nineteen (19) lots in the subdivision are held under covenant. The applicant requests the release of the three (3) lots identified in the request in order to begin construction of the single family dwelling proposed. The remaining three (3) lots would remain under covenant.

Proposed Reduction

The Department of Public Infrastructure (DPI) is reviewing the work completed thus far at the Settlement Subdivision. DPI will be providing a cost estimate for completion of the remaining work. The DPI estimate will be provided to the board once it becomes available. Please note the DPI cost estimate does not include services or work to be completed by utility companies (e.g. Eversource Gas, Eversource Electric, Verizon, or Comcast).

Staff Recommendation

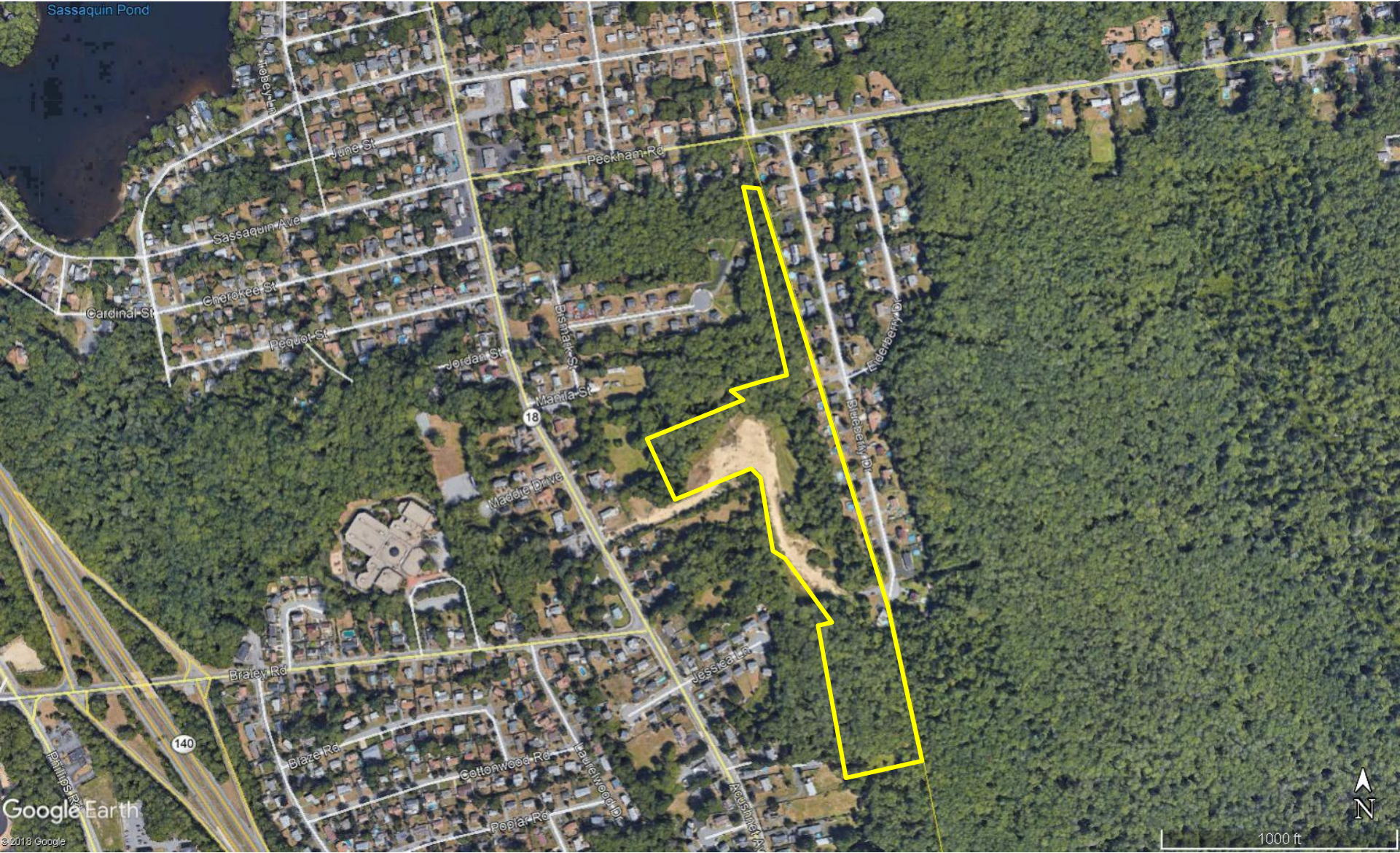
If the value of the lots that will continue to remain under covenant, ***as determined by the DPI***, is greater than or equal to the value of the remaining lots, then the Planning Board can release the requested lots. We have not received the estimate and recommendation from the DPI at this time, but will forward it along to the Board members as soon as it is received.

Lots Requested for Release: 7, 8, and 9

Lots to Remain Under Covenant: 17, 18, and 19

The Settlement

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



Lots requested for release are highlighted in yellow. Lots to remain under covenant are highlighted in blue.

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