



City of New Bedford

Department of Planning, Housing & Community Development

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PATRICK J. SULLIVAN

DIRECTOR

STAFF REPORT

REPORT DATE

November 9, 2018

PLANNING BOARD MEETING

November 14, 2018

Case #18-48: PARTIAL RELEASE OF COVENANT

Property: Farland Estates I
Map: 130D Lots: 444, 463-480,
& 481-488

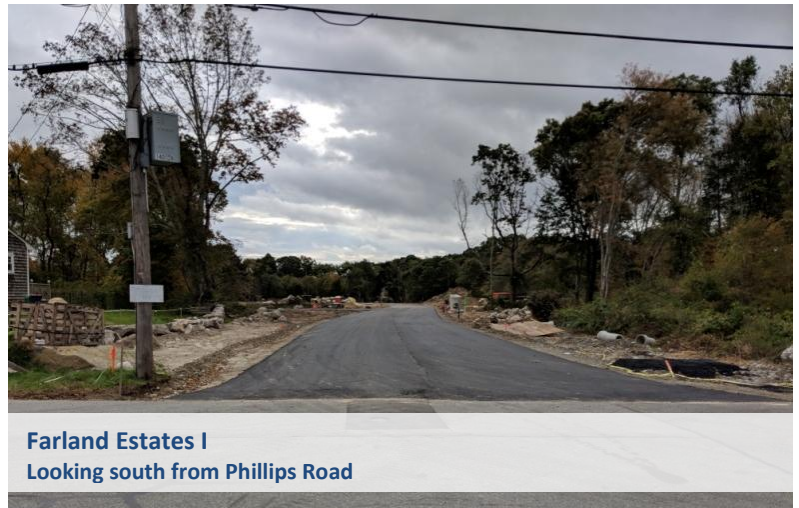
f/k/a Stoneybrook Farm
Map: 130D Lots: 444-460 & 117

f/k/a Northside Farms
Map: 130D Lots: 379-387, 392-
406 & 415- 419 & 117

Zoning: Residential A

Owner: MIH1, LLC
401 County Street
New Bedford, MA 02740

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



Project Summary

The applicant seeks a partial release of covenant for the definitive subdivision known as Farland Estates I. The request is for the release of fifteen (15) lots from covenant. The lots requested for release are as follows: 1-4, 9-11, 15-19, and 21-23 of 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 all twenty-seven (27) lots of the subdivision are under covenant. The applicant requests the release of the fifteen (15) lots identified in the request in order to begin construction of the single family dwelling proposed. The remaining twelve (12) lots would remain under covenant.

Proposed Reduction

Planning Staff made a site visit on October 23, 2018. As of this date staff observed the roadway has been paved. The lots in the center of the lot and along the western and southern edge had been cleared. Water stubs were evident. The infiltration basin had been dug, graded, and the related infrastructure was in place. Curbing, sidewalks, and lighting were not yet present.

The Department of Public Infrastructure (DPI) has reviewed the work completed thus far at the Farland Estates I Subdivision and has provided a cost estimate for completion of the remaining work. DPI estimates \$420,000 for completion of the remaining work. 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

In light of the DPI recommendation, staff recommends the Board release the fifteen lots requested. The value of the twelve lots to remain under covenant exceeds the value of the remaining work.

Lots Requested for Release

Plan Lot #	Assesor's Map/Lot
1	130D-480
2	130D-479
3	130D-478
4	130D-477
9	130D-472
10	130D-471
11	130D-470
15	130D-466
16	130D-465
17	130D-464
18	130D-463
19	130D-444
21	130D-488
22	130D-487
23	130D-486

Lots to Remain Under Covenant

Plan Lot #	Assesor's Map/Lot
5	130D-476
6	130D-475
7	130D-474
8	130D-473
12	130D-469
13	130D-468
14	130D-467
20	130D-481
24	130D-485
25	130D-484
26	130D-483
27	130D-482



Looking east near lots 2 & 3



Looking east at lot 1



Hydrant and water



Looking south towards lots 21-23



Infiltration basin



Infiltration basin

Farland Estates I

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



Farland Estates I

Lots requested for release are highlighted in green below

