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*City of New Bedford*

**Planning Board**

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CITY CLERK

March 14, 2018 Meeting of the Planning Board

**MEETING MINUTES**

**PRESENT:**

Kathryn Duff, *Chairperson*  
Arthur Glassman, *Vice-Chairperson*  
Alex Kalife, *Clerk*  
Peter Cruz

**ABSENT:**

None

**STAFF:**

Kirsten Bryan, *Acting City Planner*  
Jen Carloni, *Staff Planner*

**1. CALL TO ORDER**

Chairperson Duff called the meeting to order at 6:03 p.m.

**2. ROLL CALL**

A formal roll call was conducted confirming members present as listed above.

**3. APPROVAL OF MINUTES**

A motion was made (AG) and seconded (PC) to approve the February 2018 meeting minutes.  
Motion passed unopposed.

Chairperson Duff informed applicants that with only four members present, any approval will require a unanimous vote. She offered applicants with special permits the opportunity to continue their case to the March meeting. No applicants took advantage of the offer.

**4. PUBLIC HEARINGS**

**ITEM 1 – Case #04-16 - Request by applicant for an additional one-year extension of Site Plan approval for Case 04-16 - Renovations to YWCA Southeastern MA due to technical issues in permitting.**

Motion passed unopposed.

There being no further board discussion, a motion was made (AG) and seconded (AK) to extend to April 11, 2018 the request by applicant for a special permit for reduction in the number of parking spaces required for a three-family dwelling at the property located at 475 Purchase Street, (Map 42, Lot 52) in a Residential C [RC] zoning district

Motion passed unopposed.

A motion was made (AG) and seconded (AK) to extend Case #18-9 to April 11, 2018 the request by applicant for site plan approval for the expansion of an existing multifamily residential structure from two units to three units and associated site improvements, located at 475 Purchase Street (Map 42, Lot 52) in a Residential C [RC] zoning district.

Motion passed unopposed.

At Chairperson's request, a motion was made (AG) and seconded (PC) to take Case # 18-14 out of order.

Motion passed unopposed.

**ITEM 3 – Case # 18-14 - Zoning Ordinance Text Amendment** - To see if the City will adopt a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments and Marijuana Retailers, under Chapter 9 – Comprehensive Zoning, Section 5700, Planning Moratorium., for the purpose of adding Section 5720, Temporary Moratorium on Recreational Marijuana Establishments, so as to allow for sufficient time to address the effects of such structures and uses in the City and to enact the zoning ordinance in a consistent manner. The proposed amendment is available for review at the Planning Office, Room 303 of City Hall, 133 William Street, New Bedford, MA between the hours of 8.00AM to 4.00PM Monday through Friday.

Chairperson Duff noted the presence of Liz Treadup from the Mayor's Office for questions. Chairperson Duff referenced the previous moratorium voted on which was not enacted by the city council. She stated the city is requesting moratorium until September 30, 2018 to allow sufficient time to review new guidelines recently released regarding recreational marijuana.

Chairperson Duff also noted a letter received from Mayor John Mitchell.

At Chairperson's request, a motion was made (AG) and seconded (PC) to accept the same.

Motion passed unopposed.

Chairperson Duff read the letter dated 2/1/18 into the record.

Board Member Glassman inquired of the stance of surrounding communities on the issue. Ms. Treadup, City Solicitor's Office, stated that many of the cities are adopting this approach by putting a moratorium in place to allow time to study the regulations issued. Board Member Glassman stated he did not want us to be the first ones to do so, but neither did he want us to be the last.

After brief board discussion, a motion was made (AG) and seconded (AK) to recommend Case #18-14, amendment to zoning ordinance, to the city council to adopt a temporary moratorium on the use of land or

occupied, and they are seeking a reduction on parking.

Mr. Gioiosa then explained the storm water management plans, including the creation of a structured drainage system, two deep sump catch basins, along with recharge systems. He stated the facility plans will reduce the amount of impervious area and improve the current recharge.

Regarding utilities, Mr. Gioiosa stated there are presently no proposed changes. He noted there may be changes needed as to the separation of a joint sprinkler system. He stated they will work on the issue with the appropriate departments.

Mr. Gioiosa stated the building will essentially look as it does today, but the entry focal point. He added that there is no proposal for a pylon sign. He stated they have reviewed planning and DPI comments. He asked to discuss the comment on the reconstruction of sidewalks. He stated the applicant agrees that the primary Cove Street walkway needs work. He stated that regarding Harbor Street, they do not believe it is a utilized walkway and described it as somewhat of an alleyway. He stated they would defer to the board on whether a review with DPI could be had. He noted a planning comment on architectural plans stating details do not exactly match the site plans. He stated the site plans are the controlling plans, and explained the discrepancy. He stated they will provide easement documentation as the applicant moves forward.

Board Member Glassman confirmed the request to go from 620 to 73 parking spaces. He then inquired as to whether the units will be residential or commercial. Mr. Gioiosa stated it will be a mixture, but expects the majority to be residential. Board Member Glassman stated residential units are typically used the last two days and first two days of the month. They further discussed anticipated vehicle use on the site. Mr. Gioiosa responded the facility is expected to contain some 900 units.

Chairperson Duff noted that with that many units, the proposed parking space total would provide for less than 10%. She inquired as to the calculation. Mr. Gioiosa explained the location of the spaces on the site as well as the access easement. He noted that a warehouse use would calculate to around 50 spaces required, and stated that the parking ratio is in line with similar facilities.

John Christopher, for the applicant, explained that facilities he has been involved with, such as a 105,000 s/f three story 750 unit facility, had 30 parking spaces. He noted another facility at 132,000 s/f with some 900 units and 45 parking spaces. He lastly noted a Fall River facility in progress which is 160,000 s/f with 1,200 units and 40-45 spaces. He confirmed Board Member Glassman's assertion that people generally come at the beginning and end of the month, stating there is not a large parking demand in these type of facilities. He explained the process potential customers will take to move in.

Board Member Cruz discussed the aisle widths with Mr. Gioiosa, noting a 22' width will run through the building, with an exit only onto Harbor Street. Board Member Cruz inquired as to rain or snow basins within the enclosed parking. Mr. Gioiosa stated a series of floor drains will be installed, with discharge to an alarmed sealed tank. Board Member Cruz stated a concern regarding 22' aisle widths and overhead doors when large trucks come in. Mr. Gioiosa indicated a different location for unloading such larger vehicles, again noting the one directional flow, as well as two no parking areas.

They then discussed the manner of pulling in, Mr. Christopher stating it would be parallel. Mr. Christopher also noted the height of the overhead doors, noting they will accommodate large trucks. He also indicated the

be recorded in favor.

There was no response to Chairperson Duff's invitation to speak or be recorded in favor

In response to Chairperson Duff's invitation to speak or be recorded as opposed to the project, Roland Letendre, a three side abutter, stated in his discussion with the owner, he is under the impression that they will also do storage units in the adjacent/connected building. HE felt there was vagueness, such as the roof, which he had been on and stated there were no drains and the roof was rotted. He stated the building is rotted in the back and falling apart. He felt the adjacent building should be taken down and create more parking and permeable space. He stated it's smoke and mirrors. He stated they will fill it up and then sell it. He also stated concern about any substantial snow. He addressed the size of spaces with the columns. He expressed concerns about sewers filling up on Gifford Street and where the water would go. He felt something would be happening here and referenced wind farm storage. He again stated his biggest problem was that they should take down some of the building, as there's too much density in the city.

Chairperson Duff expressed that rebuilding and demolition are not before the board.

Mr. Letendre believes the applicant will eventually ask for a total of some 1,300-1,400 storage bays.

Chairperson Duff advised that they would be required to come back before the board.

Mr. Letendre felt contactors would be coming every day.

In response to Chairperson Duff's invitation to speak or be recorded as opposed to the project, Manuel Martins of 24 Morton Court stated his main concern is the empty lot between 24 and 28 Morton Court and whether the applicant is going to use it for parking or exits.

Chairperson Duff explained that the proposal before the board had nothing to do with that land.

There was no response to Chairperson Duff's further invitation to speak or be recorded as opposed to the project.

Steve Gioiosa responded to the concerns expressed, first by indicating the property line. He stated the stockpile of brick and debris is Mr. Letendre's property. Mr. Gioiosa stated there is no proposal to have any access onto Morton Court. He stated there will be new fencing associated with the project, but the applicant cannot deal with the adjacent landowner issues. At Chairperson Duff's request, Mr. Gioiosa outlined the fencing to be installed. Mr. Gioiosa displayed the locations of the fencing and security gate, isolating this area from surrounding properties. Mr. Gioiosa stated the development will eliminate the ability for squatters to come in and there will be security on-site.

Mr. Christopher stated there will be a fire alarm, a building alarm, and fully sprinklered building. He stated there will be cameras for the outside and inside.

In response to Chairperson Duff, Mr. Christopher stated hours of operation are expected to be 7:00 to 10:00 at night and at those times will have staff on-site.

A motion was made (AG) and seconded (PC) regarding Case #18-12 to approve request by applicant for a special permit for reduction in the number of parking spaces required by self-storage facility on 2.7 acre located at 91 Cove Street (Map 21, Lot 50) in an Industrial-B [IB] and Cove Street Mill Overlay zoning district from 620 to 73 spaces, a reduction of 540 spaces. All existing general conditions stated before will apply.

**ROLL CALL VOTE:**

Chairperson Duff – Yes

Vice Chairperson Glassman - Yes

Board Member Kalife- Yes

Board Member Cruz – Yes

Motion passed 4-0

**ITEM 5 – Case #18-13 - Request by applicant for Site Plan approval for the rehabilitation and conversion of a 2,300 SF commercial building into a tire repair facility with associated site improvements, located at 956-958 Brock Avenue (Map: 15, Lot: 56) in a Mixed Use Business zoning district. Applicant: Humberto Martinez (163 Query Street #2 New Bedford, MA)**

Steve Gioiosa, SITEC, introduced the owners and their legal counsel Jim Marsh. He provided the board orientations of the property location within the mixed neighborhood of business and residential uses. He stated the proposal is allowed within the district with board approval, and city council approval for a minor auto repair facility. Mr. Gioiosa discussed the existing structure and surrounding area, and noted an unusual shape to the property. He pointed out an existing overhead door leading into the building, currently used as a garage space. He noted a gravel area where a building was demolished on the site.

Mr. Gioiosa stated the applicants hope to develop their business at this location. He stated the applicant had spoken with public infrastructure, which would require installation of a water separator built to DPI standards, which Mr. Gioiosa reports has been done, to include floor drains and an oil water separator. He displayed an existing paved area where access would occur. He stated they would maintain the existing curb cut with stacked parking. He described the plan as a slow, small and low intensity use. He further discussed planned parking areas. He went over plans for removal of rubble, impervious material, and esthetic improvement to the corner. He described the plan for a fenced storage area and landscape screening.

Mr. Gioiosa stated there are no plans for any change to the existing building, but for opening up a single pedestrian/delivery door. He described the plans for the demolished building area. He noted a grading scheme to direct runoff and detailed the same.

Mr. Gioiosa went over the detail sheet, including the storage yard, a filter strip with pea stone, the chain link fence, and the landscape strip. He then covered the low key lighting proposal consisting of wall pack lighting units, and the landscaping plan.

Mr. Gioiosa stated it is a low intensity use for a mixed use business district. He stated DPI has reviewed the plan and recommended reconstruction of the sidewalks, which the applicant is agreeable to. He stated they have no objections to remaining DPI comments. With regard to planning comments, Mr. Gioiosa noted the maneuvering of vehicles. He again cited the low intensity use and the width of Brock Avenue with its single lanes of traffic, proving great visibility. He acknowledge the two lane roadway as it approaches the intersection of Rodney French Boulevard. He noted his observations of limited parking in the project area, and argued that

repair shop. Mr. Gioiosa stated there is no category for tire repair and would fall into the motor vehicle minor service.

Board Member Glassman noted two types of potential tire machines, with the air operated machine being quite loud. He also expressed concern about which type of air guns will be used as the choice relates to noise. He also recommended any tires be kept undercover.

Mr. Martinez stated hours of operation will be 8:00 to 5:30, and on Saturdays 8:00-4:30, closed on Sundays. He stated he had not yet considered the type of equipment that will be used. He expressed a mutual concern for the neighbors and stated complaints will be addressed. He stated they plan on putting in containers to be closed at night. In response to Board Member Cruz Mr. Martinez stated he did not live next door, but is the landlord and expects to be there each day of operation.

Board Member Cruz inquired if the petitioner was amenable to replace the ADA ramp in the area with two separate curb cuts, shortening pedestrian travel across Brock Avenue. Mr. Gioiosa stated that was logical.

A motion was made (AG) and seconded (PC) to open the public hearing.  
Motion passed unopposed.

In response to Chairperson Duff's invitation to speak or be recorded in favor of the proposal, Alideesa Aliano, an abutter, stated there is a lot of illegal activity and illegal parking. She felt the business will take away a lot of what is happening now. She is fine with the project as long as it provides her privacy and is grateful that the applicant spoke to her about it. She agreed a late start would work better to avoid the kids going to school, and approved of the containers.

There was no response to Chairperson Duff's further invitation to speak or be recorded in favor.

In response to Chairperson Duff's invitation to speak or be recorded in opposition, Celine Sariva stated she travel Brock Avenue up to ten times a day and she feels the area is too congested for this project and is dangerous. With all the children getting out of school. The backing out is too dangerous. She felt she was deceived because the site board said tire repair and the meeting of the 19<sup>th</sup> was advertised as motor vehicle repair.

Chairperson Duff stated the board is addressing site plan review for the business, separate from the city council permit being sought.

In response to Chairperson Duff's further invitation to speak or be recorded in opposition, Councilor Joseph Lopes, a south end resident, stated this project previously failed at city council. He noted the applicant has made some changes, but he had concerns with cars backing out, cars being repaired in the parking lot and inside with no lifts. He questioned how any limit on number of tires stored could be enforced. He noted the old St. Anne's Church as a potential site for the Public Safety Center, which he feels will further congest the area, with fire trucks, police cruisers and ambulances having to fly out for calls. He stated he does not feel this is the most ideal use for the property for the good of the city. He stated there are already issues with the nearby auto repair facility.

Chairperson Duff welcomed Kirsten Bryan, as Acting City Planner.

**5. OLD/NEW BUSINESS:**

Chairperson Duff noted the suggestion to have the board meet to review upcoming planning initiatives in the city, such as the prospective rail service.

Chairperson Duff noted that the board needed to vote to give authorization to the Acting City Planner to endorse ANR plans on behalf of the planning board. Ms. Bryan noted that at present Jennifer Clarke and Patrick Sullivan are authorized to sign.

There being no questions or concerns, a motion was made (AG) and seconded (AK) to add Acting City Planner Kirsten Bryan to endorse ANR Plans on behalf of the Planning Board.  
Motion passed unopposed.


Chairperson Duff noted the board needed to address administrative business, namely signing for the Audrey Rose Subdivision.

Ms. Carloni informed the board of public notices received from surrounding towns.

**6. ADJOURNMENT:**

There being no further business, a motion was made (AG) to adjourn at 9:05 p.m.  
Motion passed unopposed.

NEXT PLANNING BOARD MEETING SCHEDULED FOR APRIL 11, 2018

  
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Alexander J. Kalife, Clerk

  
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Date