



## PLANNING BOARD

City Hall, Room 303

133 William Street,

New Bedford, MA 02740

(508) 979-1488

[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

Registry of Deeds/City Clerk Use Only:

**CITY OF NEW BEDFORD**  
JONATHAN F. MITCHELL, MAYOR

## NOTICE OF DECISION

Case Number:	18-9			
Request Type:	Site Plan			
Address:	475 Purchase Street			
Zoning:	Residential C Zoning District			
Recorded Owners:	Benvindo Dos Santos Faria Neves, Trustee of Benvindo Dos Santos Faria Neves and Ana Gomes Pinto Inter Vivos Trust			
Owner Address:	475 Purchase Street New Bedford, MA 02740			
Applicant:	Ricardo Romao-Santos			
Applicant Address:	1118 Acushnet Avenue New Bedford, MA			
<b>Application Submittal Date</b>	<b>Public Hearing Date(s)</b>	<b>Decision Date</b>		
January 18, 2018	March 14, 2018; April 11, 2018	April 11, 2018		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
42	52	12010	88	

**Application:** Request by Ricardo Romao-Santos (1118 Acushnet Avenue New Bedford, MA) on behalf of Benvindo Dos Santos Faria Neves, Trustee of Benvindo Dos Santos Faria Neves and Ana Gomes Pinto Inter Vivos Trust (475 Purchase Street New Bedford, MA) 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.

**Action:** GRANTED, WITH CONDITIONS, as described in section four (4).

A copy of this decision was filed with the City Clerk of the City of New Bedford on April 25, 2018. Any person aggrieved by this decision for Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

4/25/2018  
Date

Kathryn Duff, Chair  
City of New Bedford Planning Board

## **1) APPLICATION SUMMARY**

Ricardo Romao-Santos (1118 Acushnet Avenue New Bedford, MA) on behalf of Benvindo Dos Santos Faria Neves, Trustee of Benvindo Dos Santos Faria Neves and Ana Gomes Pinto Inter Vivos Trust (475 Purchase Street New Bedford, MA) 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.

## **2) MATERIALS REVIEWED BY THE PLANNING BOARD**

### **Plans Considered to be Part of the Application**

- Plan set- Proposed 3 Family Build'g 475 Purchase Street, prepared by Romao Santos Architects, dated January 15, 2018, stamped received by City Clerk's Office January 18, 2018; including:
  - Cover Sheet
  - L1 Site Plan - Existing
  - L2 Site Plan – Proposed
  - A1 First Floor Plan
  - A2 Second Floor Plan
  - A3 Third Floor Plan
  - A4 Basement Floor Plan
  - A5 Elevations – Front Proposed
  - A6 Elevations – South Proposed
  - A7 Elevations – West & North Proposed

### **Other Documents and Supporting Materials**

- Special Permit Application, stamped received by City Clerk's Office January 18, 2018
- Certified Abutters List
- Bristol County (S.D) Registry of Deeds Book 12010, Page 88
- Department of Planning, Housing & Community Development Staff Report dated March 9, 2018
- Conservation Agent Comments dated March 8, 2018
- Department of Public Infrastructure (DPI) Comments dated March 6, 2018
- Letter from Ricardo Romao-Santos, received by Planning Board March 14, 2018
- Survey of neighborhood units and parking, received by Planning Board April 11, 2018
- Example image and information of permeable pavers, received by Planning Board April 11, 2018

## **3) DISCUSSION**

### **March 14, 2018**

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, and Alexander Kalife were in attendance at the March 14, 2018 meeting. Acting City Planner Kirsten Bryan and Staff Planner Jennifer Carloni were present during the discussion.

Applicants were made aware that there was a minimum four member quorum of the board members at the meeting therefore any Special Permit applications would require a unanimous vote of the board. Petitioners were given the option to continue their case to the next meeting. Ms. Duff read a letter from Mr. Ricardo Romao-Santos which requested the case be continued to the April meeting in order to have a full quorum of the board. A motion was made by Mr. Glassman, seconded by Mr. Cruz, to accept the letter. With all in favor the motion carried.

A motion was made by Mr. Glassman, seconded by Mr. Cruz, to extend request for Special Permit for a 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. Applicant: Benvindo Dos Santos Faria Neves, Trustee of Benvindo Dos Santos Faria Neves and Ana Gomes Pinto Inter Vivos Trust (475 Purchase Street New Bedford, MA) Applicant's agent: Ricardo Romao-Santos (1118 Acushnet Avenue New Bedford, MA) to April 11, 2018. With all in favor the motion carried.

#### **April 11, 2018**

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, George Smith, and Alexander Kalife were in attendance at the April 11, 2018 meeting. Acting City Planner Kirsten Bryan and Staff Planner Jennifer Carloni were present during the discussion.

Chair Duff explained cases #18-8 & #18-9 would be heard concurrently but voted on separately. The two cases were for the same project at 475 Purchase Street— a Special Permit for parking reduction and a Site Plan review.

Mr. Ricardo Romao-Santos, Romao-Santos Architects (1118 Acushnet Avenue New Bedford, MA) presented the proposal to the board on behalf of Mr. Benvindo Dos Santos Faria Neves. He acknowledged the applicant's father, Mr. Emmanuel Neves, was present at the meeting. He informed the board that Mr. Neves lives at the property.

Mr. Romao-Santos explained that the proposal is to add a third unit to the existing two-family dwelling. As a three-family, the property would be required to have six (6) parking spaces, however the applicant expressed that they can only provide three (3) on-site as specified within the proposal. Therefore, the applicant requests a Special Permit for parking reduction of three (3) parking spaces. Mr. Romao-Santos added that the property currently has one (1) parking space, where four (4) would be required under current zoning; This is an existing shortage of three (3) required spaces; therefore the request is to maintain the same reduction of three (3) spaces.

He detailed the project sought and received approvals from the Historic Commission, City Council, and the Zoning Board of Appeals.

Mr. Romao-Santos explained that other multifamily properties in the neighborhood provided the same, or fewer parking spaces on-site. Mr. Romao-Santos submitted a survey that he conducted, which displayed a parcel map of the neighboring parcels, including the number of residential units parking spaces provided on-site. A motion was made by Mr. Glassman, seconded by Mr. Cruz, to accept the survey of neighboring properties and parking into the record. With all in favor, the motion carried.

Mr. Romao-Santos explained the proposal will have permeable pavers in the driveway and that the applicant is willing to accommodate a paved surface in the rear parking area.

An example image of the type of permeable pavers the applicant intends to install was submitted in response to an inquiry from Chair Duff about the type of permeable pavers that would be installed on-site. A motion was made by Mr. Cruz, seconded by Mr. Glassman to accept the example image of the permeable pavers. With all in favor, the motion carried.

In response to Chair Duff's request to discuss Site Plan improvements at the property, Mr. Romao-Santos provided lighting would be added over the driveway and parking area. Landscaping would remain mostly

unchanged except for the driveway, to include permeable pavers. He explained that the architectural features would be improved as well, including the restoration of the eyebrow window, frieze, and the Egyptian revival columns on the front porch.

After the presentation, Chair Duff opened the floor for the board members to ask questions.

The board briefly discussed the slope of the side yard, storm water runoff, and debated whether the flat rear parking area should be a paved surface. They acknowledged a tight turning radius in the rear, and noted that the proposed parking was consistent with that of the neighborhood. Chair Duff suggested that concrete stops be added in the rear parking area as a barrier from the abutting building. The board also briefly discussed the fourth (4<sup>th</sup>) possible parking spot shown on the plan and determined it was too tight to be used for parking.

Mr. Cruz inquired about the clearance for the overhang of the second story porch over the driveway. Mr. Romao-Santos said there was a 12' clearance at the back end, or shortest clearance point. Chair Duff stated 10' is good enough for clearance. Mr. Cruz also inquired about the use of the basement. Mr. Romao-Santos clarified that the basement will not be finished. It will be used for storage by the homeowner and for a shared laundry area for tenants.

Mr. Cruz made a motion, seconded by Mr. Kalife to open the public hearing. Motion passed unopposed.

In response to Chairperson Duff's invitation to speak or be recorded in favor, Mr. Emmanuel Neves (475 Purchase Street New Bedford, MA) was recorded in favor.

In response to Chairperson Duff's invitation to speak or be recorded in opposition, no one in attendance spoke in opposition of the petition or wished to be recorded in opposition of the petition.

Mr. Cruz made a motion, seconded by Mr. Kalife to close the public hearing. The motion passed unopposed.

The board briefly discussed the case and conditions before voting. The board noted that the only comment received from DPI was a question pertaining to how oil and gas would be prevented from penetrating into the soil. The board discussed that leaks at a residential site were less of a concern, and that the permeable pavers would provide some hard surface. Chair Duff expressed that the plan presented the best layout given the limitations of the site. Mr. Smith expressed the site plan is in alignments with the city's master plan, adding affordable housing in the city. Chair Duff noted there was not much green space on the site; however, the porches add outdoor space.

The board discussed conditioning the site plan approval with the use of permeable pavers (turf stone or similar), and adding concrete stops for parking spaces. The special permit they decided would be a reduction of parking spaces from six (6) to three (3).

#### **4) DECISION**

Board Member Glassman made the motion, seconded by Mr. Smith to approve Case #18-8, for a Special Permit for a 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. Applicant: Benvindo Dos Santos Faria Neves, Trustee of Benvindo Dos Santos Faria Neves and Ana Gomes Pinto Inter Vivos Trust (475 Purchase Street New Bedford, MA) Applicant's agent: Ricardo Romao-Santos (1118 Acushnet Avenue New Bedford, MA); to reduce from six (6) parking spaces to three (3) spaces. The approval is subject to:

**Specific conditions:**

1. Concrete permeable pavers in rear parking area
2. Concrete parking stops in rear parking area
3. Reduction from six (6) parking spaces to three (3) spaces

**General Conditions:**

4. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Chair Duff -- Yes

Board Member Glassman -- Yes


Board Member Kalife-Yes

Board Member Smith -- Yes

Board Member Cruz -- Yes

Filed with the City Clerk on:

4/25/2019  
Date

  
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Kathryn Duff, Chair  
City of New Bedford Planning Board