



# Zoning Board of Appeals

## Agenda

March 15, 2018 – 6:00 PM

New Bedford City Hall, Room 314  
133 William Street New Bedford, MA

CITY CLERK  
2018 MAR - 2 A 9:30  
CITY CLERKS OFFICE  
NEW BEDFORD, MA

### MEETING CALLED TO ORDER

### APPROVAL OF MINUTES

- February 15, 2018 meeting minutes

### SCHEDULED HEARINGS

- #4217 Request for Extension.** The YWCA Southeastern Massachusetts, Inc. requests an extension of the Zoning Board of Appeals' decision approving Case #4217 for a special permit with conditions recorded February 18, 2016 and subsequently granted a one year extension on March 1, 2017; relative to property located **20 South Sixth Street**, assessors' map 46, lot 69. The applicant seeks an extension of the decision for an additional one year period due to technical issues in permitting. **Continued agenda item from February 15, 2018.**
- #4317** Notice is given of a public hearing on the petition of: **Moniz Properties, Inc.** c/o Daniel Moniz (70 Lambeth Street New Bedford, MA) and **Poyant Signs, Inc.** c/o Stephanie Poyant Moran (125 Samuel Barnet Blvd) for a **Variance** under Chapter 9 Comprehensive Zoning sections 3200 (sign regulations), 3210 (purpose), 3250 (regulations governing particular types of signs), 3254 (ground sign), 3255 (area restrictions for ground signs), and 3256 (location restrictions); relative to property located at **1169 Braley Road**, assessor's map 136A, lot 927 in a Mixed Use Business District [MUB] zoned district. The petitioner proposes to install a pylon sign as plans filed. **Continued agenda item from February 15, 2018.**
- #4318** Notice is given of a public hearing on the petition of: **Paul T. Tetrault, Trustee of the Paul T. Tetrault and Susan L Tetrault Living Trust** (1070 Tobey Street New Bedford, MA) and **Poyant Signs, Inc.** c/o Stephanie Poyant Moran (125 Samuel Barnet Blvd) for a **Variance** under Chapter 9 Comprehensive Zoning sections 3200 (sign regulations), 3210 (purpose), 3250 (regulations governing particular types of signs), 3254 (ground sign), and 3255 (area restrictions for ground signs); relative to property located at **4317 Acushnet Avenue**, assessor's map 136A, lot 55 in a Mixed Use Business District [MUB] zoned district. The petitioner proposes to install a ground sign with an EMC (electronic message cabinet) as plans filed. **Continued agenda item from February 15, 2018.**
- #4319** Notice is given of a public hearing on the petition of: **Paul T. Tetrault, Trustee of the Paul T. Tetrault and Susan L Tetrault Living Trust** (1070 Tobey Street New Bedford, MA) and **Poyant Signs, Inc.** c/o Stephanie Poyant Moran (125 Samuel Barnet Blvd) for an **Administrative Appeal** Chapter 9 Comprehensive Zoning sections 3200 (sign regulations), 3210 (purpose), 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public services signs such as those that display time and temperature); relative to property located at **4317 Acushnet Avenue**, assessor's map 136A, lot 55 in a Mixed Use Business District [MUB] zoned district. The petitioner proposes to install a ground sign with an EMC (electronic message cabinet) as plans filed. **Continued agenda item from February 15, 2018.**

- #4320** Notice is given of a public hearing on the petition of: **Bristol Building LLC** (758 Purchase Street New Bedford, MA) and **Rocco Andreotti** (28 Avon Street Everett, MA) for a **Special Permit** under Chapter 9 Comprehensive Zoning sections 2200 (use regulations), 2210 (general), 2230 (table of use regulations-appendix A, Commercial #25 Medical office, Center, or Clinic), and 5300-5330 & 5360-5390 (special permit); relative to property located at **768 Purchase Street**, assessors' map 53 lot 132A, in a Mixed Use Business [MUB] zoned district. The petitioners propose renovations to add a dental office as plans filed.
- #4321** Notice is given of a public hearing on the petition of: **Timothy P. Horan** (32R Hillman Street New Bedford, MA) and **Peter M. Horan** (34 Bakersville Road S.Dartmouth, MA) for a **Special Permit** under Chapter 9 Comprehensive Zoning sections 2400 (nonconforming uses & structures), 2410 (applicability), 2420-2422 (nonconforming uses), and 5300-5330 & 5360-5390 (special permit); relative to property located at **785-787 Rockdale Avenue** assessors' map 49, lot 47 in a Residential B [RB] zoned district. The petitioners propose to change the use on the 1<sup>st</sup> floor from a medical office to a professional law office with a residential apartment on the 2<sup>nd</sup> and 3<sup>rd</sup> floor as plans filed.
- #4322** Notice is given of a public hearing on the petition of: **Louisiana Realty Trust** c/o Lesley M. Patterson & Tony Patterson (3330 Acushnet Avenue New Bedford, MA) for a **Variance** Chapter 9 Comprehensive Zoning sections 2300 (accessory building and uses), 2310 (general), 2330 (accessory structures), 2331 (private garages), 2700 (dimensional regulations), 2710 (general), 2720 (table of dimensional requirements – appendix B, side yard), 2750 (yards in residence district), and 2755 (side yard); relative to property located at **3330 Acushnet Avenue**, assessors' map 132I lot 61 in a Mixed Use Business [MUB] zoned district. The petitioners propose to erect a 14'x42' attached garage as plans filed.
- #4323** Notice is given of a public hearing on the petition of: **Carlos M. Almeida** (83 Rivet Street New Bedford, MA) for a **Variance** Chapter 9 Comprehensive Zoning sections 2300 (accessory building and uses), 2310 (general), 2330 (accessory structures), 2334 (No part of such accessory buildings or structures shall be located within thirty (30) feet of the street line on which the principal structure fronts, and, if located within fifty (50) feet from the front street line of the lot, no part of such buildings or structures shall be located within twelve (12) feet of any side lot line intersecting such street. If located in excess of fifty (50) feet from the front street line, the side yard setback shall conform to the requirements of the principal dwelling). 2700 (dimensional requirements), 2710 (general), 2720 (table of dimensional requirements- appendix B- rear yard, side yard, green space-35%), 2750 (yards in residence districts), 2753 (rear yard), 2755 (side yard); relative to property located at **83 Rivet Street**, assessors' map 31 lot 163 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to erect a 20'x24' accessory structure as plans filed.

#### **OTHER BUSINESS**

- **Work Session:** to review board procedures including meeting procedure, board member discussion, and making motions (20-30 minutes). **Continued agenda item from February 15, 2018.**

#### **ADJOURNMENT**

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact **Kirsten Bryan at 508-979-1488 ([Kirsten.Bryan@newbedford-ma.gov](mailto:Kirsten.Bryan@newbedford-ma.gov)) or MassRelay 711**. Requests should be made as soon as possible but at least **48 hours** prior to the scheduled meeting.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting.

Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law.

Massachusetts General Laws, chapter 30A, Section 20(f) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.