



City of New Bedford

Department of Planning, Housing & Community Development

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STAFF REPORT

REPORT DATE

February 7, 2017

PLANNING BOARD MEETING

February 14, 2018

Case #18-06: SPECIAL PERMIT

Property: 1607 Acushnet Ave
Map 133 Lots 21 & 12

Zoning: MUB

Owner: Joseph Cruz
164 Holly Street
New Bedford, MA 02746

Applicant: same

Project Summary

Applicant is opening a new barber shop on Acushnet Avenue. The required number of parking spaces, based on the square footage of the use and Section 3100 Parking and Loading, of the Zoning Ordinance, is six. The applicant seeks a special permit to reduce the number of parking spaces from six to two.



Existing Conditions

The site consists of 0.05 acres of land, and is classified for assessment purposes as retail, although it is currently unutilized. There is a single-story structure taking up the entire width of the frontage along Acushnet Avenue. It was built around 1920, with a brick facade and a floor area of 1,200 sq ft. At the rear of the structure is a driveway and a garage that could house 2 cars. The driveway and garage are accessed across an adjacent parcel.

Proposed Conditions

The applicant is proposing no changes to the existing site layout, and proposes to use the garage to count toward two of the required six parking spaces. There is no room for additional "legal" parking spaces on site, although the rear portion of the site is currently used for the parking of vehicles from an adjacent business.

Materials for Consideration

- ❏ **Planning Board Special Permit Application.**
- ❏ **Site Plan.** The plan consists of a marked-up print-out of the assessor's parcel map, and is entitled "Plan for Special Permit - Parking Reduction" dated January 8.
- ❏ **Certified Abutters List.** An abutters list has been provided for review.
- ❏ **2 Aerials.** One showing the parcel outline
- ❏ **Assessor's Card**
- ❏ **Photographs**
- ❏ **Proposed interior layout of the barber shop**
- ❏ **Deed.** The deed was provided for staff review. Staff has confirmed current property ownership.

Review Comments

The applicant does not propose any changes to the site. There is no opportunity, given the configuration of the lot and the access across the adjacent parcel, to provide any legal parking spaces above and beyond the two spaces provided by the existing garage. Nor is there any opportunity to expand the garage since it is as wide as the lot.

There are no opportunities to add landscaping since the front of the site is entirely built-out and the rear is used for access to the garage.

The applicant has not included a Development Impact Statement or Traffic Impact and Access Study. Section 5350 of the Zoning Ordinance reads as follows:

5350. **Development Impact Statement (DIS).** *At the discretion of the special permit granting authority,* the submittal of a development impact statement (DIS) *may* be required. The DIS shall be prepared by an interdisciplinary team including a Registered Landscape Architect or Architect, a Registered Professional or Civil Engineer, and a Registered Surveyor.

The Planning Board has the right to ask for a DIS (which would include a Traffic Study under Section 5353 Circulation Systems) for Special Permit applications, but it doesn't seem appropriate in this case since this is a re-use of a former commercial site, with no expansion to the building/commercial space.

The proposal is consistent with the Master Plan in that it supports the active use of an existing commercial building and supports the expansion of business within the city.

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Inspectional Services, Department of Public Infrastructure, Conservation Commission and the Fire Department. Although no comments were received at the time this report was published, any material subsequently received will be made available to the Planning Board at its public meeting.

Staff Recommendation

Planning staff offers the following recommendations to the Planning Board:

Approve the request for a Special Permit to reduce the required parking from six spaces to two spaces, with the following general conditions:



1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
2. 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.
3. 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.
4. 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.

Materials for Case 18-06 are available at: <http://www.newbedford-ma.gov/planning/planning-board/planning-board-agenda-info-2018/>

