



## PLANNING BOARD

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

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CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

## NOTICE OF DECISION Modification of Site Plan Approval

Case Number:	27-17			
Request Type:	Site Plan Modification			
Address:	475 Union Street			
Zoning:	Mixed-Use Business (MUB) and Residence B (RB)			
Recorded Owner:	Preferred Realty Services, LLC			
Applicant:	Preferred Realty Services, LLC			
Applicant Current Address:	1234 Market Street, P.O. Box 40714, Philadelphia, PA 19103			
Previous Address:	1735 Market Street, P.O. Box A492, Philadelphia, PA 19103			
Application Submittal Date	Public Hearing Date	Decision Date		
July 17, 2017	August 9, 2017	August 17, 2017		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
51	269	10833	268	

CITY CLERK'S OFFICE  
NEW BEDFORD, MA  
2017 AUG 17 P 3:11  
CITY CLERK

Application: Request for modification of site plan approval for Case 38-14 for new construction of a Multi-Unit Residential Building [6-Two (2) Bedroom Units] at 475 Union Street (Map Plot 51, Lot 269) located in the Mixed-Use Business (MUB) and Residence B (RB) zoning districts.

**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 August 17, 2017. 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.

8/17/17  
Date

  
Colleen Dawicki, Chair  
City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

On August 12, 2015 the Planning Board approved a Site Plan for proposed new construction of a Multi-Unit Residential Building (6 two-bedroom units) at the property known as 475 Union Street (Map Plot 51, Lot 269).

The applicant was granted a Variance (Case #4150) for lot width and frontage and Special Permit (Case #4151) for vehicular access from a public way that does not constitute the legal frontage of the lot by the Zoning Board of Appeals on October 16, 2014 for this 10,084 SF redevelopment site.

Multi-family townhouse structures of three stories are a by-right use in the Mixed Use Business zoning district as per Appendix A–Table of Principal Use Regulations. The applicant presented a three story structure with Mansard roof, which provides an additional floor of living space for residents, meeting townhouse guidelines. Minimum lot requirement for MUB is 15,000 SF for three or more family units.

This (Case #27-17) was a request by applicant under Chapter 9 Comprehensive Zoning, §5436, for modification of site plan approval of Case #38-14 for new construction of a Multi-Unit Residential Building [6-Two (2) Bedroom Units] at 475 Union Street (Map Plot 51, Lot 269) located in the Mixed-Use Business (MUB) and Residence B (RB) zoning districts. The modification was limited in scope to revisions to architectural elevation drawings as stipulated by §5451.d. of the New Bedford Code of Ordinances §5400.-Site Plan Review.

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application

The submittal is shown as 475 Union Street, New Bedford, MA, (Map 51, Parcel 269), for Preferred Realty Services, LLC, 1234 Market Street, P.O. Box 40714, Philadelphia, PA 19107, dated June 23, 2017, prepared by Neshamkin Architects, Inc., 5 Monument Square, Charlestown, Ma 02129, consisting of three (3) sheets;

- **Cover Sheet (CS-01)**
- **Union Street Elevation-West Elevation (A-401)**
- **East Elevation (A-402)**

### Other Documents and Supporting Materials

A Staff Report was provided for the August 9, 2017 meeting with Attachments:

- Notice of Decision (Case #38-14)
- Minutes-August 12, 2015 Planning Board Meeting
- Narrative
- Traffic Commission Approval
- Site Plan Modification Application
- Bristol County (S.D) Registry of Deeds Book 10833, Page 268
- Revised Plan Set
- Approved Site Layout Plan (Sheet 1 of 7)
- Approved Architectural Drawings (Sheets A-301, A-401, and A-402)
- Staff Comments of August 7, 2015 (Attachments Omitted)

## 3) DISCUSSION



Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz, and Alexander Kalife were in attendance at the evening's meeting.

Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were present during the discussion.

Developer and owner Edward Redmond (Preferred realty Services, LLC, 1234 Market Street, P.O. Box 40714, Philadelphia, PA 19103) described the intent to modify elevations of the approved architectural plans at the site. Changes were suggested by the architect of record to improve the personal safety and security of residents of the structure, and to enhance the exterior architectural, aesthetic appeal. The building foundation and its setbacks have not been modified. The previously existing structure has been demolished and new foundation set. Discussion ensued regarding relocation of lighting at the ingress/ egress of the east and west elevations, illumination for safety, and exterior finish materials for the structure.

Chairperson Dawicki asked for a motion to open the Public Hearing. Board Member K. Duff moved to open the hearing, seconded by Board Member A. Glassman. Motion carried five (5) to zero (0).

Speaking in favor of the project modification was the developer/owner. No member of the public asked to be recorded in favor of the modification. No member of the public body spoke or asked to be recorded in opposition of the modification.

Hearing no further questions or comments, the motion was moved to close the public hearing by Board Member K. Duff, seconded by Board Member A. Glassman. Motion carried unanimously five (5) to zero (0).

#### **4) DECISION**

Board Member K. Duff made the motion for request by applicant under Chapter 9 Comprehensive Zoning, §5436, for modification of site plan approval of architectural elevations of Case #38-14 for new construction of a Multi-Unit Residential Building [6-Two (2) Bedroom Units] at 475 Union Street (Map Plot 51, Lot 269) located in the Mixed-Use Business (MUB) and Residence B (RB) zoning districts, with the following conditions:

##### **Previous conditions of approval for case #38-14 shall remain in effect:**

1. Subject to final approval by the City of New Bedford Department of Public Infrastructure, Traffic Commission, and Zoning Board of Appeals.
2. Revise and resubmit the drainage plan for review and comment to Planning Board Member P. Cruz, the City of New Bedford Department of Public Infrastructure, and planning staff.
3. A snow removal plan will be described and conveyed as a Note on the final revision of the Site Plan.
4. The existing trees along the east property line shall be preserved and protected.
5. Emergency contact information signage will be added to the building, after discussion and review with planning staff prior to selection and installation.

##### **Additionally, the following Specific Conditions were cited:**

6. That the applicant revises the cover sheet of the plans to reflect Res B within the Zoning Table and resubmit it to Planning.
7. That the applicant provides a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof.

8. Exterior lighting will be added to the west elevation balcony.
9. The applicant will confer with the Building Commissioner regarding safety lighting that may be required to be added at the egress doors.

**General Conditions:**


- The project shall be undertaken according to the plans submitted with the application with adherence to all notes on plans as reviewed by the Planning Board on this date as modified by the conditions of this decision.
- The applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents.
- The applicant shall submit final plan revisions to the Planning Division in the following formats:
  - One (1) -11" x 17" Plan Set
  - 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.
- The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the office of the City Clerk for the Planning division case file folder.
- 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.
- The rights authorized by the granted Site Plan 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 they were granted or they will lapse.

Motion seconded by Board Member Glassman. A roll call vote was taken and unanimously approved five (5) to zero (0).

Board Member Duff -Yes      Board Member Glassman – Yes      Board Member Cruz – Yes  
Board Member A. Kalife – Yes      Chair Person Dawicki – Yes

Filed with the City Clerk on:

8/17/17  
Date

  
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Colleen Dawicki, Chair  
New Bedford Planning Board