



City of New Bedford

Department of Planning, Housing & Community Development

608 Pleasant St, New Bedford, Massachusetts 02740

Telephone: (508) 979.1500 Facsimile: (508) 979.1575

PATRICK J. SULLIVAN

DIRECTOR

STAFF REPORT-Amended

PLANNING BOARD MEETING

August 9, 2017

Case #27-17: SITE PLAN MODIFICATION

475 Union Street
(Map Plot 51, Lot 269)

Applicant/Owner:

Preferred Realty Services, LLC
1234 Market Street
P.O. Box 40714
Philadelphia, PA 19103

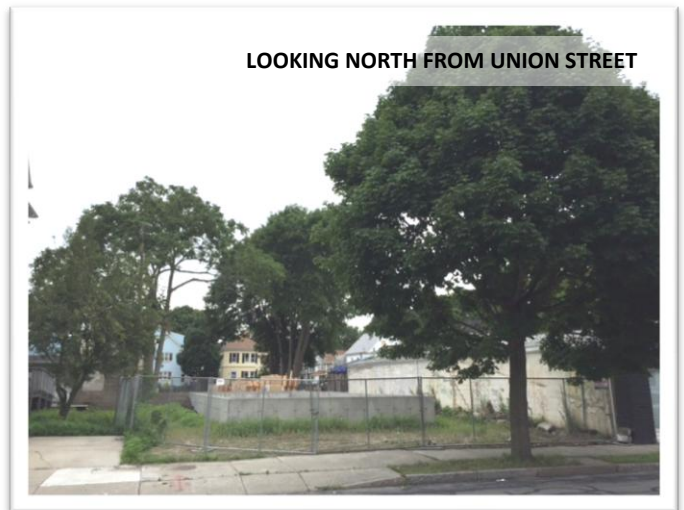
Overview of Request

This is 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.

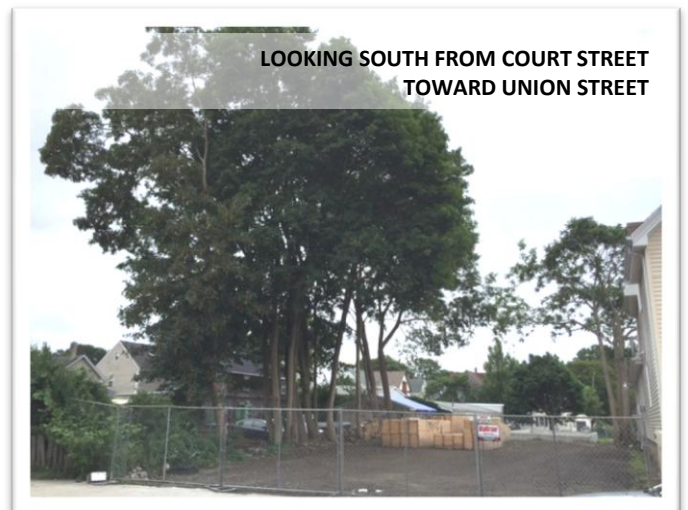
Multi-family townhouse structures of three stories are a by-right use in the Mixed Use Business zoning district as per Appendix A–Table of Principal Use Regulations. The applicant presents a three story structure with Mansard roof, which provides an additional floor of living space for residents, meeting townhouse guidelines.

Minimum lot requirement for MUB is 15,000 SF for three or more family units. 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.

LOOKING NORTH FROM UNION STREET



LOOKING SOUTH FROM COURT STREET
TOWARD UNION STREET



The City of New Bedford Traffic Commission and Department of Public Infrastructure granted approval for a driveway opening at Court Street and subsequent closing of the driveway opening at Union Street.

The modification is limited in scope to revisions to architectural elevation drawings as stipulated by §5451.d. The applicant has specified an architectural style reminiscent of a ship captain's home, in keeping with and honoring the nautical history, culture, and contextualism of the City of New Bedford.

Proposed Modifications

The previously existing structure has been demolished and new foundation set. The applicant intends to modify the elevations of the approved architectural plans. 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.

Overall building height now totals 41' 5/8", which is within the parameters of the height ordinance of the zoning regulations. Previously, the building height was noted as measuring 39 feet. (Note 1: Street ROW for Union Street is 50 feet.)

APPENDIX B-Table of Dimensional Regulations

REQUIREMENT	DISTRICT: RES-B	DISTRICT: MUB
Height of Buildings (ft.)	45; 60 for religious, educational, or institutional buildings	45 for single or two family; 60 for three family, 100 ¹ for other allowed uses. <i>¹ Provided, however, that no part of any building shall be erected to a height in excess of 1½ times the horizontal distance from its face to the opposite street line.</i>
Height of Buildings (# stories)	2.5; 3 for religious, educational, or institutional buildings	2.5 for uses allowed in residence A or B; 4 for three or more family; 7 for other allowed uses

Specific proposed modifications to exterior Architectural Plans are:

North Elevation.

The exterior staircase at the north elevation has been relocated to the interior of the structure. Windows are now shown at the first and third floor.

South Elevation.

A small entry deck has been added at the Union Street entry area.

East Elevation.

The cantilevered exterior balcony previously shown in the east elevation drawing has been removed. (It is now shown on the west elevation with changes made to windows and doors.) Window placement has been modified at the east elevation and windows

West Elevation.

Exterior lighting is not shown on modified west elevation drawings at third floor ingress/egress ways. Window placement has been modified at the west elevation and two (2) exterior doors added at the third level.

Modified Plans Review

Plans submitted for consideration:

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)

Staff Comments:

Cover Sheet

- Add “Res B” to Zoning Table

Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

The Public Health Department reported its section had no issues of concern with the proposed modification.

No additional comments were received.

Master Plan Goal

This proposal is consistent with the master plan’s goal (of establishing a sound foundation for future growth that builds upon its coastal location, preserves its historic legacy, and expands cultural and workforce opportunities) as it restores blighted property, improves the neighborhood and provides new residential opportunities.

Staff Recommendation

One of the elements the Planning Board considers is how the building presents itself on the site. Having reviewed this request, the existing character of surrounding properties and the thresholds required for site plan review, staff recommends approval of the application with the following conditions:

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

Attachments:

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





PLANNING BOARD
City Hall, Room 303
133 William Street,
New Bedford, MA 02740
(508)979-1488
www.newbedford-ma.gov

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY CLERK
2015 OCT 25 A 13:51

NOTICE OF DECISION-CORRECTED COPY

This Decision was originally issued by the City of New Bedford Planning Board on AUGUST 12, 2015. It was recorded at the City Clerk's Office on AUGUST 24, 2015. All interested parties received notice of that decision and the twenty day appeal period has run. This Amended Decision dated October 26, 2015 makes a technical correction regarding the DISCUSSION for the subject property.

Case Number:	38-14			
Request Type:	Site Plan Approval			
Address:	475 Union Street			
Zoning:	MUB			
Recorded Owner:	Preferred Realty Services, LLC			
Applicant:	Preferred Realty Services, LLC			
Applicant Address:	1735 Market Street, A492, Philadelphia, PA 19103			
Application Submittal Date	Public Hearing Date	Decision Date		
July 29, 2015	August 12, 2015	August 12, 2015		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
51	269	10833	268	

Application:

Request by applicant, Preferred Realty Services, LLC, for Site Plan Review 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), in the Mixed Use Business zoning district.

JUL 13 2017
Date Issued
A TRUE COPY ATTEST

CITY CLERK-NEW BEDFORD, MA

Stephane M Macomber
Asst City Clerk

July 13, 2017
date

This is to certify that notice of the grant of this appeal was filed with City Clerk on Aug 24, 2015 to Oct 24, 2015 and no appeal from the decision of the Board has been filed within the 21 day appeal period.

Stephane M Macomber
Asst. City Clerk

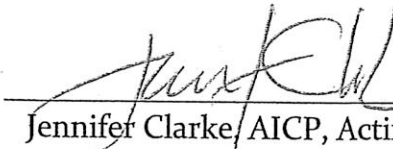
ATTACHMENT 1

Action: Granted, with Conditions

A copy of this Decision was filed with the City Clerk of the City of New Bedford on August 24, 2015. Any person aggrieved by this decision has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 17 of Chapter 40A of the General Laws of Massachusetts.

10.26.15

Date


Jennifer Clarke, AICP, Acting City Planner
Agent for the Planning Board

1) APPLICATION SUMMARY

Request by applicant, Preferred Realty Services, LLC, for Site Plan Review 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), in the Mixed Use Business zoning district.

Applicant: Preferred Realty Services, LLC, 386B Third Beach, Middletown, RI, 02842.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

The submittal was shown in a Plan set for Preferred Realty Services, LLC, dated July 20, 2015, located at 475 Union Street (Map 51, Lot 269) and prepared by SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747 consisting of:

1. Site Layout
2. Aerial Locus Map
3. Site Grading & Utilities
4. Landscaping Plan
5. Existing Conditions
6. Demolition/Erosion Control Plan
7. Detail Sheet
8. A-100 Basement Floor Plan
9. A-101 First Floor Plan and Second Floor Plan
10. A-102 Third Floor Plan and Fourth Floor Plan
11. A-103 Roof Plan
12. A-300 Longitudinal Section
13. A-301 Cross Section
14. A-401 Union Street Elevation
15. A-402 East Elevation

Other Documents and Supporting Material

- Staff Comments with attachments:
 - Finding for Repetitive Petition by City of New Bedford Planning Board

- Quitclaim Deed Book 10833, Page 269
- Development Impact Statement
- City of New Bedford Historical Commission Building Demolition Review
- Project Narrative
- Lighting Cut Sheets
- Email Exchange Dated October 14, 2014 Between City Planner Jill Maclean Confirming Case Deliverables
- Comments from Department of Public Infrastructure Dated October 3, 2014
- Public Comment
- Minutes of the October 8, 2014 Planning Board Meeting

3) DISCUSSION

Applicant's agent, Steve Gioiosa, introduced the case submittal for new construction of a six unit, townhouse style dwelling, replacing a derelict structure, with 12 off-street parking spaces to accommodate residents. The proposal was first introduced to the Planning Board on October 8, 2014 and case continued thru this evening's meeting with notice to the public.

The development now before the Board meets the City of New Bedford ordinance as a by-right use. The evening's objective was to review the site plan for approval, and set conditions, or stipulations, taking into consideration comments from the Planning Board and constituency.

The site plan, landscaping, drainage, parking, lighting style and illumination, were discussed and addressed.

Motion was moved by Board Member K. Duff to open the public hearing; second by Board Member P. Cruz. Motion was unanimously approved by a vote of Five (5) – Zero (0).

The Chair invited those to speak at the podium or be recorded in favor to make their opinion known. No one spoke or asked to be recorded in favor of the proposal.

The Chair invited those to speak in opposition to approach the podium. Speaking opposed: Lea Britto expressed concern with poor drainage and flooding in the general area. Jon Pao stated poor drainage, encroachment of existing tree roots onto his business property at 10 Newton Street, abutting the east boundary of the site redevelopment, and litterfall from trees located on the redevelopment parcel, were a nuisance. Eric Stotts professed his desire to preserve and protect trees at the west property line of the redevelopment parcel, adjacent to his residential property. E. Stotts also asked if the developer would describe the plan for snow removal and storage, and further discuss lighting spillover onto adjacent parcels. Councilor-at-Large Linda M. Morad, City Councilor Kerry Winterson (Ward 5), and Paul Santos opined the residential structure would not fit into the neighborhood's context. Richard DeSouza spoke of his concern for increased traffic and impact on the neighborhood school enrollment. Nancy Andrade recapitulated the topics of snow storage, drainage, school enrollment, building mass, architectural style and embellishment. Ms. Andrade also asked that emergency contact information be posted on site. City Councilor Steven Martins (Ward 2) asked to be recorded in opposition to the project.

Finding no other remarks in opposition to the proposal, motion to suspend the public hearing was made by Board Member K. Duff, with second by A. Glassman, for a vote Five (5) – Zero (0).

Chair Dawicki responded with assurance that the City of New Bedford School Department reviewed the case submittal and provided written response in regard to the project's impact on the schools. The department recorded No Comment on this redevelopment project.

Applicant's agent Steve Gioiosa, Project Engineer for SITEC, Inc., summarized the net benefits of the new, improved drainage system, noting that excess rain and ground water between Court and Union will remain onsite. It is not permissible for surface water, roof run-off, and parking lot drainage to be combined with a sewer system.

Mr. Gioiosa explained that the trees in proximity to the Newton Street business at the west lot line are to be removed, resolving the problem brought to the attention of the Board by Mr. Pao. The existing structure foundation wall will remain in place at the east boundary, preserving and protecting the trees along the property line shared with Mr. Stotts.

The Planning Board, applicant's agent and applicant further discussed the proposal and agreed to the following:

- Lighting spillage will be controlled.
- Decorative sconces will adorn the upper level by doorways.
- A snow removal plan will be described and conveyed as a Note on the final revision of the Site Plan as a condition for site plan approval.
- Shutters will accentuate the windows; however, no awnings would be attached.
- The HVAC system will be imbedded in the Mansard roof and insulated to mitigate noise.
- Emergency contact information signage, of a tasteful design, size and scale will be added to the building, and discussed and reviewed with planning staff prior to selection and installation.
- A revised drainage plan is to be submitted for review and comment to by Planning Board Member P. Cruz, the City of New Bedford Department of Public Infrastructure, and planning staff.

Chair Dawicki opened the suspended hearing to the floor, inviting additional questions and comments. L. Brita again delivered her concerns regarding drainage. E. Stotts and N. Andrade reminded the Board of the importance of a snow removal plan.

Seeing no further comments, Board Member K. Duff moved the motion to close the public hearing; second by Board Member A. Glassman. By a vote of Five (5) – Zero (0) the hearing was closed.

4) THE FOLLOWING CONDITIONS AND RESTRICTIONS SHALL APPLY

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.

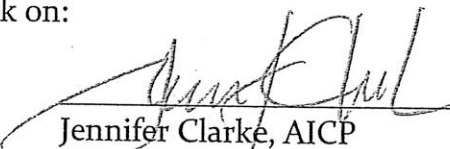
5) DECISION

Board Member K. Duff motioned to grant Site Plan approval for Case #38-14 for 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), in the Mixed Use Business zoning district with the conditions stipulated in above paragraph five (5). The motion received a second by Board Member A. Glassman and case unanimously approved Five (5) – Zero (0).

Filed with the City Clerk on:

10.26.15

Date


Jennifer Clarke, AICP

Acting City Planner, Agent for the Planning Board



Planning Board

August 12, 2015 – 6:00 PM –**Minutes**

New Bedford City Hall

Meeting Room 314

133 Williams Street

SUMMARIZED MEETING MINUTES

PRESENT:

Colleen Dawicki, Chairperson
Kathryn Duff
Arthur Glassman
Peter Cruz
Alexander Kalife

ABSENT:

No member absent

STAFF:

Jill Maclean, City Planner
Constance Brawders, Staff Planner

IN ATTENDANCE:

Kerry M. Winterson, Ward 5 Councilor, 560 Allen Street, New Bedford, MA 02740
Linda M. Morad, Councilor-at-Large, 4162 Acushnet Avenue New Bedford, MA 02745
Steve Martins, Ward 2 Councilor, New Bedford, MA 02740
Jon Pao, 11 Hickory Street, New Bedford, MA 02740
Eric Stotts, 214 Court Street, New Bedford, MA 02740
Audrey Brow, 214 Court Street, New Bedford, MA 02740
Jessica DeCosta, 608 S. Second Street, New Bedford, MA 02744
Maria Botelho, 604 S. Second Street, New Bedford, MA 02744
Thomas W. Harden, 11 Cushman Street, Middleboro, MA 02346
Atty. Edward Sylvia, 558 Pleasant Street, New Bedford, MA 02740
Lee Castignetti, Long Built Homes, Inc, New Bedford, MA
Steve Gioiosa, SITEC, Inc, 449 Faunce Corner Road, Dartmouth, MA
Lea Britto, 461 Union Street, New Bedford, MA 02740
Richard DeSouza, 468 Union Street, New Bedford, MA 02740
Nancy Andrade, 470 Union Street, New Bedford, MA 02740
Paul A. Santos, 75 James Street, New Bedford, MA 02740

1. CALL TO ORDER

Chairperson Dawicki called the meeting of the City of New Bedford Planning Board to order at 6:06 p.m.

2. ROLL CALL

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

3. MINUTES REVIEW AND APPROVAL

Planning Board Member Duff moved to approve the July 8, 2015 Planning Board meeting minutes, seconded by Board Member Glassman; the motion carried with a vote of Five (5) to Zero (0).

** Note: These are summary action minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at:*

<http://www.newbedford-ma.gov/cable-access/aovernment-access-channel-18/program-schedule/>

Speaking in favor of the project was City of New Bedford Councilor-at-Large, Linda M. Morad.

Speaking opposed were members of the constituency, Jessica Costa and Maria Botelho, who expressed their concern for excessive noise levels and waste management at the site, in a neighborhood of tenement homes, with any change in hours of operation.

Motion to suspend the public hearing was made by Board Member K. Duff; second by Board Member A. Glassman Unanimously approved.

Applicant's agent and applicant addressed the concerns raised by the public. The applicant and agent invited the constituency to contact Mr. Panagakos at his office with any issues of concern that may arise in the future with tenants. Duly noted in this hearing, the record shows that no drive thru permit was approved with site plan review on September 10, 2014.

Discussion ensued among Board members regarding the importance of maintaining consistency in considering approval of hours of business operation and illumination periods for exterior lighting with project proposals.

Motion was made by Board Member P. Cruz to close the public hearing; second by Board Member A. Glassman by a vote of Five (5) – Zero (0).

Board Member K. Duff motioned to grant the request to amend Site Plan Approval for Case #30-14 and 31-14, to extend hours of operation from 7:00 a.m. – 11:00 p.m. to 5:00 a.m. – 12:00 a.m.; for employee security, extend the hours of outdoor lighting from 7:00 a.m. – 11:00 p.m. to 5:00 a.m. – 12:30 a.m.; and to change hours of operation of signage illumination from 9:00 a.m. – 9:00 p.m. to the hours of business operation. Board Member A. Glassman; second. Vote to approve: Five (5) – Zero (0).

Approved 5 – 0; Motion by Board Member K. Duff, second by Board Member A. Glassman.

Item #6

Case #38-14: Request by applicant, Preferred Realty Services, LLC, for Site Plan Review 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), in the Mixed Use Business zoning district. Applicant: Preferred Realty Services, LLC, 386B Third Beach, Middletown, RI, 02842.

Applicant's agent, Steve Gioiosa, introduced the case submittal for new construction of a six unit, townhouse style dwelling, replacing a derelict structure, with 12 off-street parking spaces to accommodate residents. The proposal was first introduced to the Planning Board on October 8, 2014 and case continued thru this evening's meeting with notice to the public.

The development now before the Board meets the City of New Bedford ordinance as a by-right use. The evening's objective was to review the site plan for approval, and set conditions, or stipulations, taking into consideration comments from the Planning Board and constituency.

The site plan, landscaping, drainage, parking, lighting style and illumination, were discussed and addressed.

Motion was moved by Board Member K. Duff to open the public hearing; second by Board Member P. Cruz. Motion was unanimously approved by a vote of Five (5) – Zero (0).

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The Chair invited those to speak at the podium or be recorded in favor to make their opinion known. No one spoke or asked to be recorded in favor of the proposal.

The Chair invited those to speak in opposition to approach the podium. Speaking opposed:

Lea Britto expressed concern with poor drainage and flooding in the general area. Jon Pao stated poor drainage, encroachment of existing tree roots onto his business property at 10 Newton Street, abutting the east boundary of the site redevelopment, and litterfall from trees located on the redevelopment parcel, were a nuisance. Eric Stotts professed his desire to preserve and protect trees at the west property line of the redevelopment parcel, adjacent to his residential property. E. Stotts also asked if the developer would describe the plan for snow removal and storage, and further discuss lighting spillover onto adjacent parcels. Councilor-at-Large Linda M. Morad, City Councilor Kerry Winterson (Ward 5), and Paul Santos opined the residential structure would not fit into the neighborhood's context. Richard DeSouza spoke of his concern for increased traffic and impact on the neighborhood school enrollment. Nancy Andrade recapitulated the topics of snow storage, drainage, school enrollment, building mass, architectural style and embellishment. Ms. Andrade also asked that emergency contact information be posted on site. City Councilor Steven Martins (Ward 2) asked to be recorded in opposition to the project.

Finding no other remarks in opposition to the proposal, motion to suspend the public hearing was made by Board Member K. Duff, with second by A. Glassman, for a vote Five (5) – Zero (0).

Chair Dawicki responded with assurance that the City of New Bedford School Department reviewed the case submittal and provided written response in regard to the project's impact on the schools. The department recorded No Comment on this redevelopment project.

Applicant's agent Steve Gioiosa, Project Engineer for SITEC, Inc., summarized the net benefits of the new, improved drainage system, noting that excess rain and ground water between Court and Union will remain onsite. It is not permissible for surface water, roof run-off, and parking lot drainage to be combined with a sewer system.

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Chair Dawicki opened the suspended hearing to the floor, inviting additional questions and comments. L. Brita again delivered her concerns regarding drainage. E. Stotts and N. Andrade reminded the Board of the importance of a snow removal plan.

Seeing no further comments, Board Member K. Duff moved the motion to close the public hearing; second by Board Member A. Glassman. By a vote of Five (5) – Zero (0) the hearing was closed.

Board Member K. Duff motioned to grant Site Plan approval for Case #38-14 for 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), in the Mixed Use Business zoning district with the following conditions:

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.

The motion received a second by Board Member A. Glassman and case unanimously approved Five (5) – Zero (0).

Approved 5 – 0; Motion by Board Member K. Duff, second by Board Member A. Glassman.

Item #4

Case #17-15: Request by applicant, Michael Panagakos of Panagakos Development (133 Faunce Corner Road, Dartmouth, MA 02747), for Site Plan Review and New Ground Sign Permit, for a change of use from a retail to commercial business development, located at 1771 Acushnet Avenue (Map 108, Lot 43) in the Mixed Use Business /Residence C zoning district. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747.

This case had been previously heard as Case #13-15, but because of technical oversight in abutter notification, the applicant requested in writing that conditional approval be rescinded. The Planning Board granted the applicant's petition at their meeting on July 8, 2015.

Applicant's agent, Steve Gioiosa, addressed the Board. The applicant seeks to redevelop 1771 Acushnet Avenue, site of the former 4,500 +/- SF Sullivan Brothers Clothing Store, and adjacent office and garage of approximately 1600 +/- SF, by constructing two commercial structures, on two combined parcel lots, one lot of which is located partially within the Residence C zoning district.

The redevelopment project before the Planning Board describes two new buildings, one having 1,680 +/- SF and second consisting of 600 +/- SF, thereby downgrading the intensity of use and reducing impervious surface area. A landscaping plan and improved drainage plan are provided for the site redevelopment. Zoning dimensional requirements have been met; however the applicant seeks a Special Permit from the Zoning Board of Appeals for a 1. Non-conforming use and structure and 2. Commercial parking in a residential zone.

The applicant proposes to relocate one on-street handicap parking space, serving a multifamily dwelling unit adjacent to the redevelopment easterly at Belleville Road, so a new curb cut may be created to facilitate parking and pedestrian circulation at the site, with new sidewalks reconstructed along Acushnet Avenue and Belleville Road. Landscaping will

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17 July, 2017

Preferred Realty Services LLC
Box 40714
Philadelphia, Pa 19107

City Of New Bedford
Planning Board
133 William St.
New Bedford, MA 02740

RE: 475 Union St (Modifications to Elevations)
Developer Narrative-Statement

Dear Planning Board Chair,

This narrative shall serve as the developers statement with regards to the modifications of the building located at 475 Union St. New Bedford, Ma

The project received a variance and special permit from the Zoning Board of Appeals case #'s 4150 & 4151 respectively, along with Site Plan & Planning Board approval 26 October 2015 case #38-14.

The developer now wishes to modify the elevations of the East, West, and North elevations as per the plans submitted created by Neshamkin French Architects, Inc (6/23/17), and submitted to the Department of Inspectional Services 26 June 2017 for code compliance the issuance of final building permit.

The modified design was the result of the following design changes:


- *Relocation of 3rd Floor exterior egress balcony to utilize the interior stairs case (from East elevation to West elevation)*
- *Remove any safety concerns that may exist with an open exterior stair case (North elevation)*
- *Provide better light & fenestration, more desirable interior lay-out of the units within the building. (East & West elevations)*

As a result of the modified design change to the East, West and North Elevations relocation of exterior doors and windows result as indicted an the plans submit herewith the application for Planning Board approval of modifications.

The footprint of the building has not change nor the overall design or intent of the proposed building submitted to the Zoning Boards of Appeals.

It is our understanding that a code compliance review of the modified plans has been preformed by The Department of Inspectional Services and that the building is in full compliance and harmony with the Commonwealth of Massachusetts State Building.

Respectfully Submitted


Edward Redmond
as authorized agent
Preferred Realty Services LLC

Case 27-17
07/17/2017

ATTACHMENT 3



CITY OF NEW BEDFORD
MASSACHUSETTS
ENGINEERING - 508-979-1550

PH2

**APPLICATION FOR
 CONSTRUCTION OF
 PAVED
 SIDEWALK/DRIVEWAY**

RECEIVED
 DEC 04 2015
 BY: JS

Traffic

Expires: 12/1/16

Application No. 11,205 Since 508-979-2125 Date: 12/1/15
 Property Owner: Preferred Realty Services Tel: 617-719-6789
 Address: 396 B Third Beach Rd Middletown RI 02942
 street city state zip code

The above hereby requests permission to construct a paved: ☒ driveway / ☒ sidewalk located at
475 Union Street, plot 51, lot 269 in accordance with the
 terms and conditions set forth herein, and the Ordinances of the City of New Bedford.

Sidewalk	Dimensions	Driveway	Width (ft)
<input checked="" type="checkbox"/> Bituminous Concrete		<input checked="" type="checkbox"/> Residential	
<input checked="" type="checkbox"/> Concrete Full Width	<u>West St side</u>	<input checked="" type="checkbox"/> Commercial <u>18' x 8'</u>	<u>Closing Union St side</u>
<input checked="" type="checkbox"/> Concrete Ribbon	<u>Union St side</u>	Relocation/Widening	
<input type="checkbox"/> Curb Needed		<input checked="" type="checkbox"/> Curb Removal	<u>18' on corner of St</u>
		<input checked="" type="checkbox"/> Concrete	<u>with transition</u>
		Bituminous Concrete	<u>with approved plans</u>

1 Driveway opening
*Pending

Bonded Contractor: _____ Tel: _____

Traffic Commission: ☒ Approved ☐ Rejected 1/27/16 Date

[Signature]
 Signature

Building Dept. _____ Approved (New Building)
 _____ Approved - Bldg. Permit# _____
 _____ Rejected

 Signature

*Pending
 Engineering Department ☒ Approved ☐ Rejected 2/26/16 Date

Manuel H. Silva
 Signature

Permit/Inspection fee of \$150.00 must accompany this application.

SPECIAL REQUIREMENTS: Contractor to call 24 hrs. in advance for pre-inspection (prior to pouring)
 If curbing is removed, it must be returned within 24 hrs to the D.P.I. Yard
notified since 2/9/16
for pick up: 1105 Shawmut Ave., New Bedford

PAID: \$ 150.00

Manuel H. Silva
 Supervising Civil Engineer

Property Owner
X. [Signature]

BY: Cheoch Torres



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

PLANNING
PLANNING
JUL 17 2017
DEPARTMENT
DEPARTMENT

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

(MODIFICATION) SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: 475 UNION ST by: NESHAMKEN FURNITURE ARCHITECTS dated: 6/23/17

1. Application Information

Street Address: 475 Union ST

Assessor's Map(s): 51 Lot(s) 269

Registry of Deeds Book: 10833 Page: 268

Zoning District: MUB

Applicant's Name (printed): PREFERRED REALTY SERVICES LLC

Mailing Address: Box 40714 Philadelphia PA 19107
(Street) (City) (State) (Zip)

Contact Information: 617-719-6789 preferredrealtysvcs@gmail.com
Telephone Number Email Address

Applicant's Relationship to Property: ☐ Owner ☐ Contract Vendee ☒ Other agent

List all submitted materials (include document titles & volume numbers where applicable) below:

Owner's Deed of Record, Existing Elevation Plans 27/5/14 approved 26/10/15 Planning Board case #38-14, Modified Elevation Plans 23/6/17

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

17/7/17

Date

[Signature]
Signature of Applicant

City Hall • 133 William Street • Room 303 • New Bedford, MA 02740 • www.newbedford-ma.gov
PH: (508)979-1488 • FX: (508)979-1576

ATTACHMENT 5

3

Case 27-1/
07/17/2017

2. Review Applicability (Check All That Apply to Your Proposal)

Category

- ☒ Residential
☐ Commercial
☐ Industrial
☐ Mixed (Check all categories that apply)

Construction

- ☒ New Construction
☐ Expansion of Existing
☐ Conversion
☐ Rehabilitation

Scale

- ☐ < 2,000 gross sq feet
☐ > 2,000 gross sq feet
☒ 3 or more new residential units
☐ 1 or more new units in existing res. multi-unit
☐ Drive Thru Proposed
☐ Ground Sign Proposed
☐ Residential Driveway With > 1 curbcut

3. Zoning Classifications

Present Use of Premises: MUB-Approved Foundation completed

Proposed Use of Premises: MUB-Multi Fam Residential

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):

Variance Case # 4150 29/10/14 Special Permit Case# 4151 29/10/14

4. Briefly Describe the Proposed Project:

Erect Multi-Family Dwelling atop existng foundation

5. Please complete the following:

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	10 084	15200	10 084
Lot Width (ft)	45.58	150	45.58
Number of Dwelling Units	0	10	6
Total Gross Floor Area (sq ft)	7200	3360	1750
Residential Gross Floor Area (sq ft)	0	13445	7000
Non-Residential Gross Floor Area (sq ft)	-	-	-
Building Height (ft)	25	60	41 5/8
Front Setback (ft)	0.8	15	15.6
Side Setback (ft)	0.8	12	12
Side Setback (ft)	12	10	10

Rear Setback (ft)	0	30	128.8
Lot Coverage by Buildings (% of Lot Area)	70%	30%	17.5%
Permeable Open Space (% of Lot Area)			40%
Green Space (% of Lot Area)	-	35%	35%
Off-Street Parking Spaces	1	12	12
Long-Term Bicycle Parking Spaces			6
Short-Term Bicycle Parking Spaces			1
Loading Bays			1

6. Please complete the following:

Existing

Proposed

a) Number of customers per day:

b) Number of employees:

c) Hours of operation:

d) Days of operation:

e) Hours of deliveries:

f) Frequency of deliveries: ☐ Daily ☐ Weekly ☐ Monthly ☐ Other: _____

7. Planning Board Special Permits:

☐

The applicant is also requesting a Special Permit from the Planning Board.

Specify the requested Special Permit(s) below, and set forth within attached Development Impact Statement how the request meets approval criteria listed in §5320 of the zoning code.

8. ZBA Variances and Special Permits:

NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.

☒

The applicant is also requesting a special permit from the ZBA: #4151

Specify zoning code section & title

☒

The applicant is also requesting a variance from the ZBA: #4150

Specify zoning code section & title

9. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: PREFERRED REALTY SERVICES LLC

at the following address: 475 UNION ST

to apply for: MODIFICATIONS OF APPROVED ELEVATIONS

on premises located at: 475 UNION ST

in current ownership since: JULY 2013

whose address is: BOX 40714 PHILADELPHIA PA 19107

for which the record title stands in the name of: PREFERRED REALTY SERVICES LLC

whose address is: BOX 40714 PHILADELPHIA PA 19107

by a deed duly recorded in the:

BRISTOL
Registry of Deeds of County: 10833 Book: 10833 Page: 268

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

17/7/17
Date

[Signature]
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

CITY CLERK
2017 JUL 17 A 10:56
CITY CLERKS OFFICE
NEW BEDFORD, MA

QUITCLAIM DEED

Reining Hope Therapeutic Riding, a Rhode Island Corporation and having its usual place of business at 287 Third Beach Road, Middletown, RI 02842,

for Consideration of Forty-Five Thousand and 00/100 Dollars (\$45,000.00),

grant to Preferred Realty Services LLC, a Pennsylvania Limited Liability Company of 1735 Market Street, A492, Philadelphia, PA, 19103

with quitclaim covenants

the land with the buildings thereon in said New Bedford, bounded and described as follows:

BEGINNING at the southwesterly corner of the premises to be conveyed at a point in the northerly line of Union Street, said point being fifty and 51/100 (50.51) feet east of the easterly line of Newton Street;

thence NORTHERLY in line of land now or formerly of one Silva and land now or formerly of one Palletroni, two hundred seventeen and 54/100 (217.54) feet to the southerly line of Court Street;

thence EASTERLY in the said southerly line of Court Street, forty-six and 74/100 (46.74) feet to land now or formerly of one J. G. Dantsizen;

thence SOUTHERLY in line of said last-named land, two hundred seventeen and 50/100 (217.50) feet to the said northerly line of Union Street; and

thence WESTERLY in the said northerly line of Union Street, forty-five and 98/100 (45.98) feet to the point of beginning.

CONTAINING 37.03 square rods, more or less.

For title see deed recorded at the Bristol County (S.D.) Registry of Deeds in Book 9854, Page 342.

Property Address: 475 Union Street, New Bedford, MA 02740

This transfer does not constitute a sale or transfer of all or substantially all of the assets the grantor corporation, Reining Hope Therapeutic Riding, within the Commonwealth of Massachusetts.

Included in the purchase price above is the assumption of outstanding real estate taxes by the buyer.

Executed as a sealed instrument, this 10 day of July, 2013

Signed and sealed in presence of

Witness

Reining Hope Therapeutic Riding

By: Kamala S. Duffy
Kamala S. Duffy (Corporate Seal)

Its: President

Duly Authorized

Witness

By: Suzanne A. Hourihan
Suzanne A. Hourihan (Corporate Seal)

Its: Treasurer

Duly Authorized

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss

July 10, 2013

On this 10 day of July 2013, before me, the undersigned Notary Public, personally appeared Kamala S. Duffy, the President and Suzanne A. Hourihan, the Treasurer of REINING HOPE THERAPEUTIC RIDING, who proved to me through satisfactory evidence of identification, which were P.I. Mr. Lee to be the persons whose names are signed on this document, and acknowledged to me that said instrument was signed and sealed on behalf of said company and that they signed it voluntarily for its stated purpose before me,



Raymond J. Quintin
Notary Public: Raymond J. Quintin
My Commission Expires: 6/24/2016

REG OF DEEDS
REG #07
BRISTOL S

07/11/13 12:59PM
000000 #7190

01

FEE

\$205.20

CASH

\$205.20

475 UNION ST

NFA #1322

CITY CLERKS OFFICE
NEW BEDFORD, MA

2017 JUL 17 AM 11:02

CITY CLERK

NEW BEDFORD, MA

Site Map



Assessor's Map



Map 51 Parcel 269
Registry Book and Page= BK 10833 PG 268

Drawing list

CS-01 COVER SHEET
CS-02 PROJECT OVERVIEW AND CODE SUMMARY
CIVIL

SL-1 SITE LAYOUT
AERIAL-1 AERIAL LOCUS MAP
GU-1 SITE GRADING AND UTILITIES
LP-1 LANDSCAPING PLAN
EC-1 EXISTING CONDITIONS
DP-1 DEMOLITION/EROSION CONTROL PLAN
DET-1 DETAIL SHEET

ARCHITECTURAL

A-001 WALL TYPES
A-002 FLOOR/CEILING, ROOF/CEILING ASSEMBLIES
& MISC. FIRE-RATING DETAILS
A-021 SITE PLAN/LANDSCAPE/LIGHTING
A-100 BASEMENT FLOOR PLAN
A-101 FIRST FLOOR PLAN / SECOND FLOOR PLAN
A-102 THIRD FLOOR PLAN / FOURTH FLOOR PLAN
A-103 ROOF PLAN
A-301 LONGITUDINAL SECTION
A-302 TRANSVERSE SECTION
A-401 ELEVATIONS
A-402 ELEVATIONS
A-501 EXTERIOR DETAILS
A-701 DOOR SCHEDULE
A-711 DOOR DETAILS
A-721 WINDOW SCHEDULE/WINDOW DETAILS
A-741 FINISH SCHEDULE

STRUCTURAL

S-100 GENERAL NOTES
S-101 FOUNDATION PLAN
S-201 SECTIONS & DETAILS
S-301 FIRST & SECOND FLOOR FRAMING PLAN
S-302 THIRD & FOURTH FLOOR FRAMING PLAN
S-303 ROOF FRAMING PLAN
S-401 BASEMENT, FIRST & SECOND FLOOR
WALL BRACING PLANS
S-402 THIRD & FOURTH FLOOR WALL BRACING PLANS
S-501 WIND BRACING SECTIONS & DETAILS
S-502 WOOD TRUSS & FRAMED OPENINGS
SECTIONS & DETAILS

Project Team

Owner/Developer

Preferred Realty Services LLC
1234 Market Street
P.O. Box 40714
Philadelphia, PA 19107
617-719-6789

Civil Engineer/Surveyor

Sitec, Inc.
449 Faunce Corner Road
Dartmouth, MA 02747
508-998-2125

Architect

Neshamkin French Architects, Inc.
5 Monument Square
Charlestown, MA 02129
617-242-7422

Structural Engineers

Rivermoor Engineering, LLC
146 Front Street, Suite 211
Scituate, MA 02066
781-545-2848

HardPine, Inc.
100 Weaver St.
Fall River, MA 02720
508-678-6332

Zoning table

Zoning District: (MUB)

Lot Area: Provided=10,084sf Required=15,000sf

Lot Frontage: Provided= 45.98' Required 150'

Set Backs:

Provided

F=15'-6"

Side=12'/10'

Rear= 128.8'

Required

F=15'

S=12'/10'

R=30'

Building Height/Story:

Provided: 38'-8"

Permitted: 60'/4-Story max.

Lot Coverage:

Provided: 1750 sq. ft

Permitted: 3025.20 sq.ft max.

Green Space:

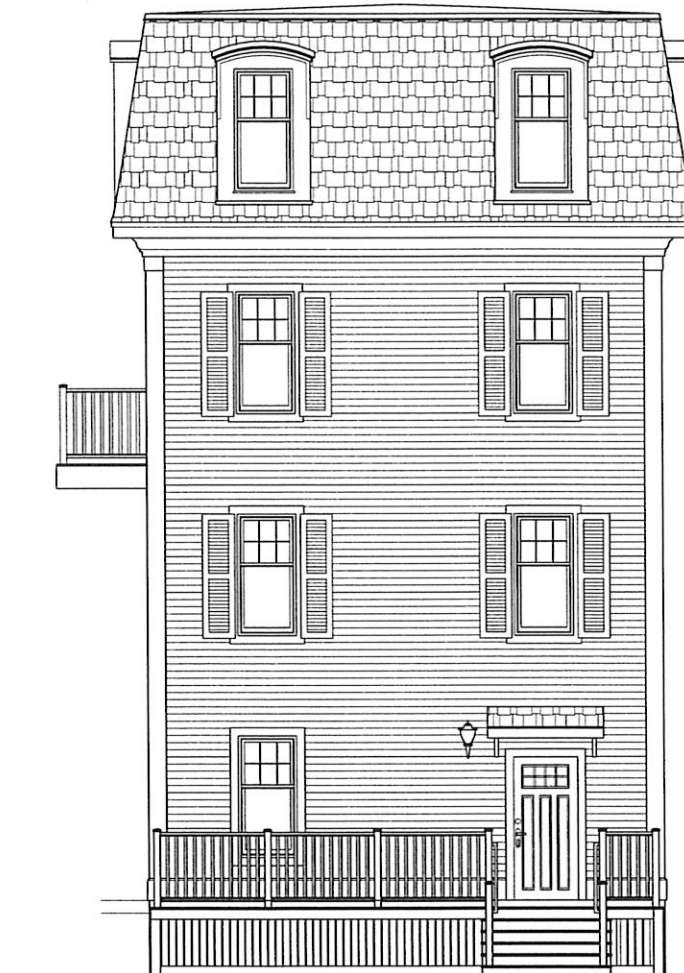
Provided: 3940 sq.ft

Required: 3025.20 sq.ft min.

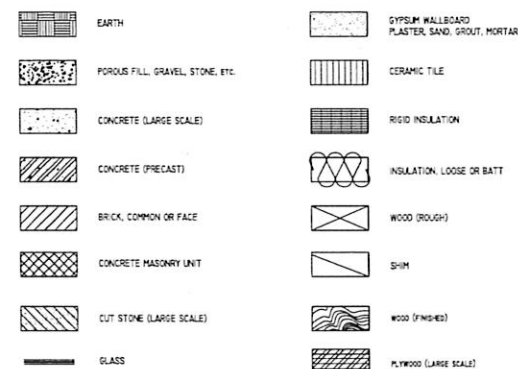
Off Street Parking:

Provided: 12 spaces

Required: 2 per dwelling unit



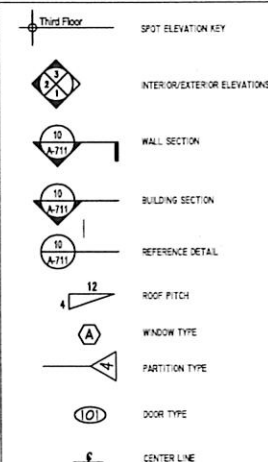
ARCHITECTURAL MATERIALS SYMBOLS - SECTION



ARCHITECTURAL MATERIALS SYMBOLS - ELEVATION



ARCHITECTURAL STANDARD SYMBOLS



PLANNING

JUL 17 2017

DEPARTMENT

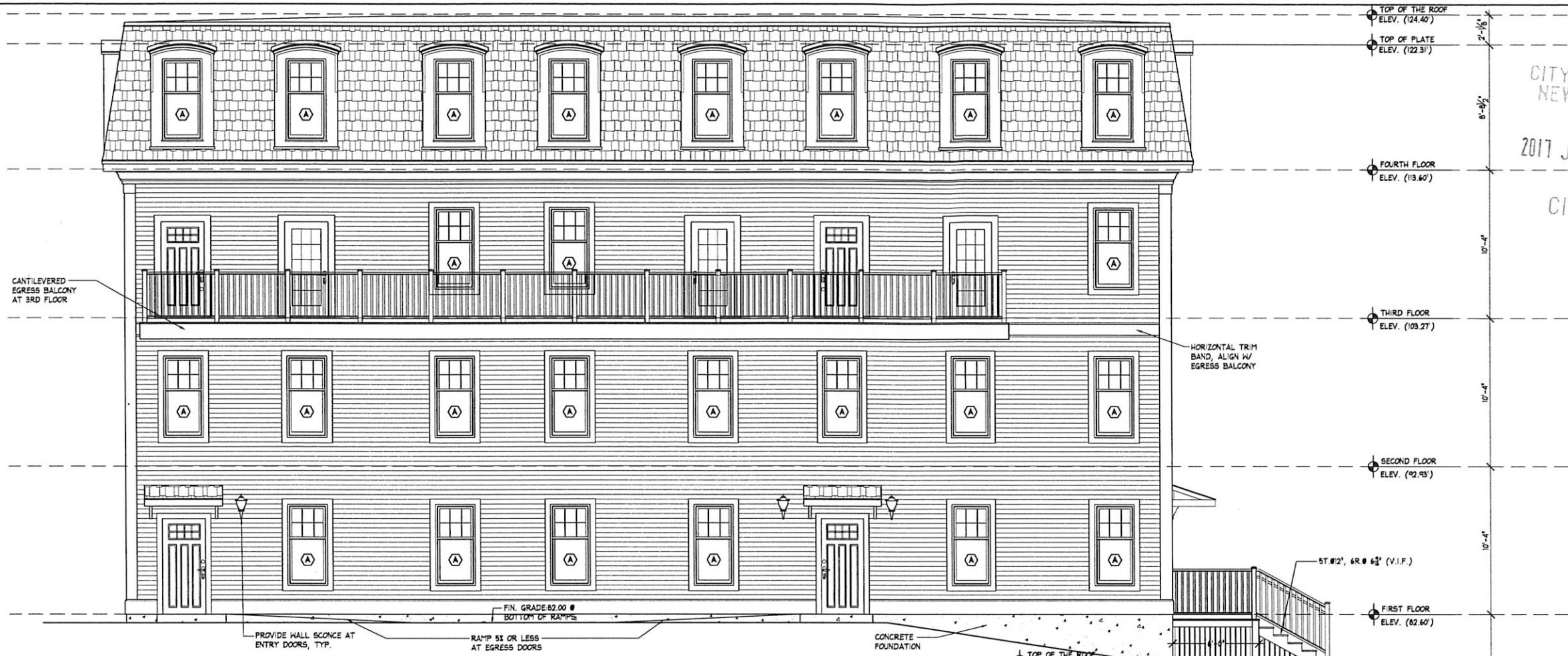
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Sheet No.

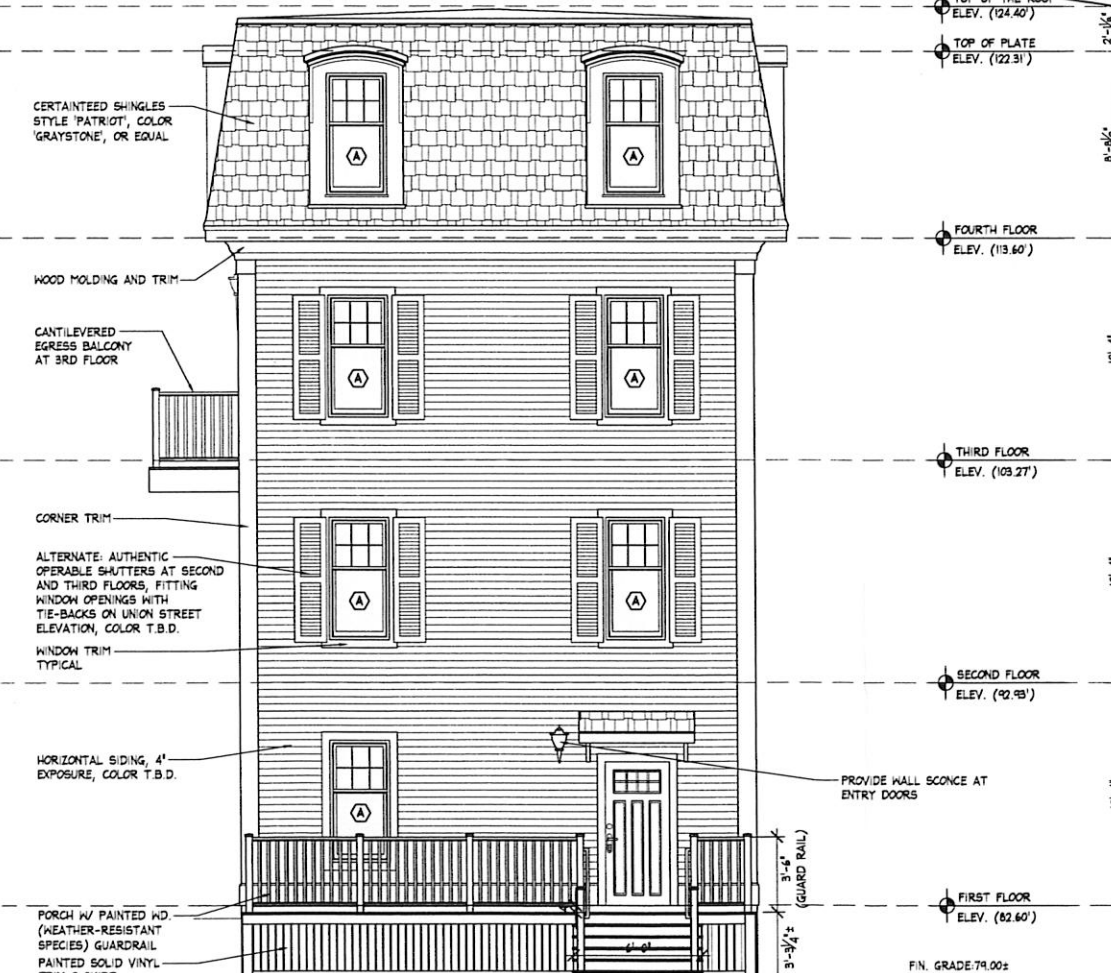
JUNE 23, 2017

Case 27-17
07/17/2017

ATTACHMENT 7



2 WEST ELEVATION
1/4" = 1'-0"



1 UNION STREET ELEVATION
1/4" = 1'-0"

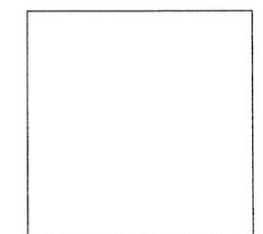
TOP OF THE ROOF
ELEV. (124.40')
TOP OF PLATE
ELEV. (122.31')
FOURTH FLOOR
ELEV. (113.60')
THIRD FLOOR
ELEV. (103.27')
SECOND FLOOR
ELEV. (92.93')
FIRST FLOOR
ELEV. (82.60')

CITY CLERKS OFFICE
NEW BEDFORD, MA
2017 JUL 17 A 11:02
CITY CLERK

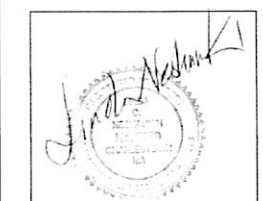
ST. 12", 6R @ 62" (V.I.F.)

FIN. GRADE 79.00±

475
UNION ST
NEW BEDFORD, MA



Neshamkin French Architects, Inc.
ARCHITECTS PRESERVATION PLANNING DEVELOPMENT CONSULTANTS
10 Monument Square
Charlestown, MA 02129
Tel: 617.243.7433
Fax: 617.243.7434



Stamped By: LINDA C. NESHAMKIN
Drawn By:
Checked By:
Date: 06/23/2017
Revisions
1 6/24/2015
Project No. NFA #1322
File Name:
Drawing Title:

PLANNING
JUL 17 2017
DEPARTMENT

Sheet No. A-401
Scale: 1/4" = 1'-0"

Case 27-17
07/17/2017

CERTAINTED SHINGLES
STYLE 'PATRIOT', COLOR
'GRAYSTONE', OR EQUAL

WOOD MOLDING AND TRIM

HORIZONTAL TRIM
BAND, ALIGN W/
EGRESS BALCONY

SOLID PANEL

CORNER TRIM

WINDOW TRIM
TYPICAL

HORIZONTAL SIDING, 4"
EXPOSURE, COLOR T.B.D.

ST. #2', 6R # 6 1/2" (V.I.F.)

2 EAST ELEVATION

1/4" = 1'-0"

CONCRETE
FOUNDATION

PROVIDE WALL SCONES AT
ENTRY DOORS, TYP.

CERTAINTED SHINGLES
STYLE 'PATRIOT', COLOR
'GRAYSTONE', OR EQUAL

CORNER TRIM

CANTILEVERED
EGRESS BALCONY
AT 3RD FLOOR

HORIZONTAL TRIM
BAND, ALIGN W/
EGRESS BALCONY

HORIZONTAL SIDING, 4"
EXPOSURE, COLOR T.B.D.

CONCRETE FOUNDATION

1 NORTH ELEVATION

1/4" = 1'-0"

TOP OF THE ROOF
ELEV. (24.40')

TOP OF PLATE
ELEV. (22.31')

FOURTH FLOOR
ELEV. (113.60')

THIRD FLOOR
ELEV. (103.27')

SECOND FLOOR
ELEV. (92.93')

FIRST FLOOR
ELEV. (82.60')

CITY CLERKS OFFICE
NEW BEDFORD, MA

2017 JUL 17 A 11:02

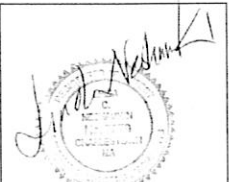
CITY CLERK

475
UNION ST

NEW BEDFORD, MA



Neshamkin French Architects, Inc.
ARCHITECTS PLANNERS INTERIORS CONSULTANTS
1 Monument Square
Charlottesville, MA 02019
Tel: 813.343.7333
Fax: 813.343.7334



Stamped By: LINDA C. NESHAMKIN

Drawn By:

Checked By:

Date: 06/23/2017

Revisions

1	6/24/2015

Project No. NFA #1322

File Name:

Drawing Title:

PLANNING
EAST ELEVATION

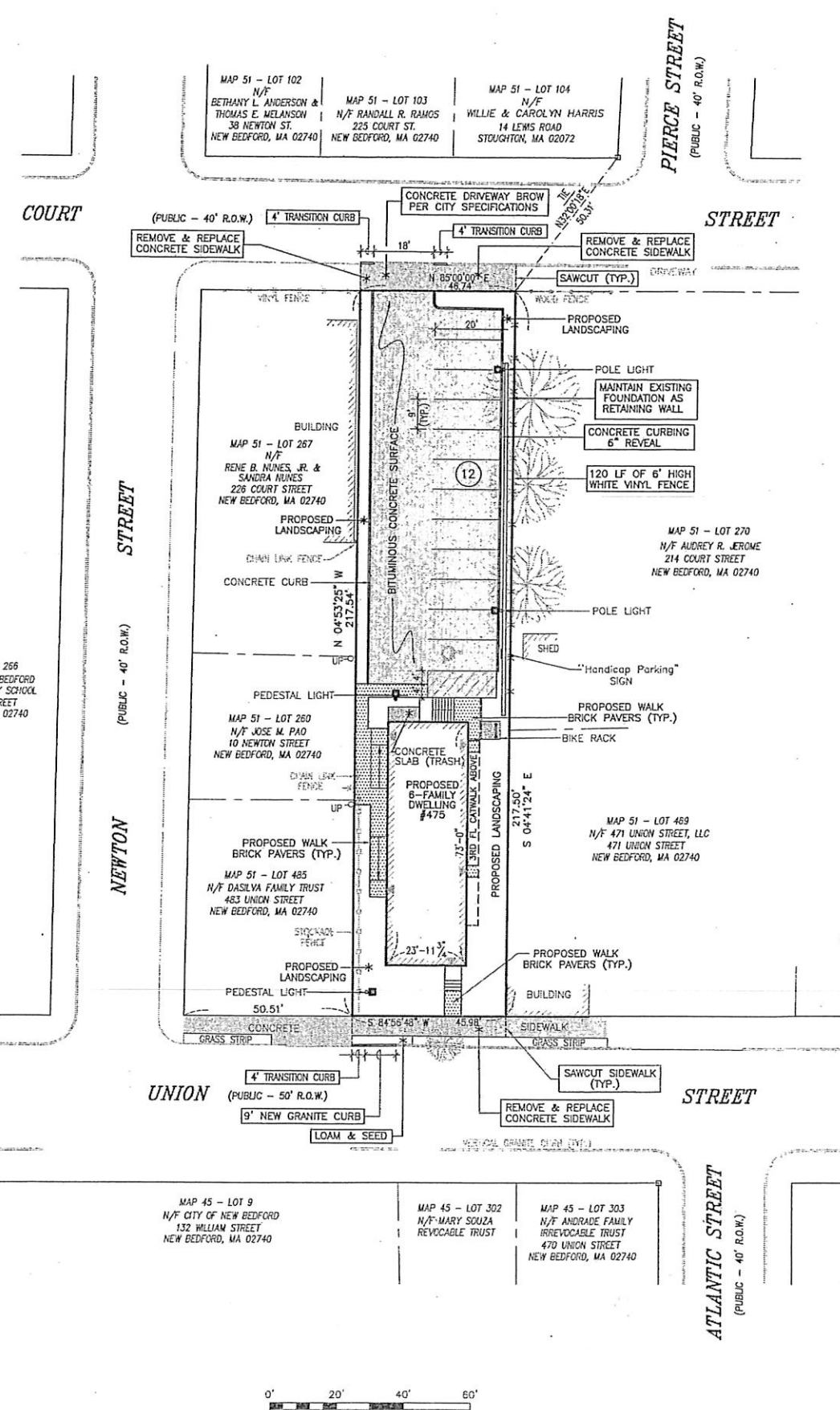
JUL 17 2017

DEPARTMENT

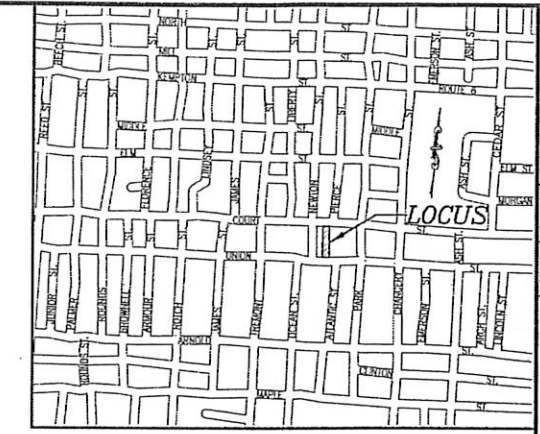
Sheet No. A-402

Scale: 1/4" = 1'-0"

Case 27-17
07/17/2017



SITE SUMMARY		
ASSESSORS MAP 51 - LOT 269		
ZONING DISTRICT: MIXED USE BUSINESS		
PROPOSED USE: (6) UNIT RESIDENTIAL BUILDING		
DEED REFERENCE: BOOK 10833 PAGE 268		
ZONING REQUIREMENTS		
LOT AREA	REQUIRED 15,000 SF	PROPOSED 10,084 SF
DENSITY OF DWELLING UNITS PER LOT	1 UNIT/1000 SF= 10 UNITS ALLOWED	6 UNITS
LOT FRONTAGE	150'	45.98' (EXISTING)
BUILDING SETBACKS		
FRONT	15'	15.6'
SIDE	10'/12'	10'/12'
REAR	30'	128'
BUILDING HEIGHT	100'	39'
LOT COVERAGE BY BUILDING	30%	17.4%
GREEN SPACE	35%	35%
OFF STREET PARKING	12 SPACES	12 SPACES
NOTES		
<p>1. PARKING LOT LIGHTING SHALL BE RAB LIGHTING (LED) MODEL # ALED3T78 SET ON 15 POLES, OR APPROVED EQUAL. WALKWAY LIGHTS SHALL BE RAB LIGHTING (LED) MODEL #BLED 20 SET ON 42" POST OR APPROVED EQUAL (BRONZE COLOR)</p> <p>2. I HEREBY CERTIFY THAT THE PROJECT AS DESIGNED MEETS THE APPLICABLE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) AND THE MASSACHUSETTS ARCHITECTURAL ACCESS BOARD.</p> <p>3. DRIVEWAY PERMIT SUBJECT TO TRAFFIC COMMISSION APPROVAL.</p> <p>4. PERMITS FOR SIDEWALK, DRIVEWAY, DRAINAGE, WATER & SEWER MUST BE OBTAINED FROM THE DEPARTMENT OF PUBLIC INFRASTRUCTURE ENGINEERING DIVISION.</p> <p>5. ANY MINOR MODIFICATIONS (AS DETERMINED BY THE CITY ENGINEER) TO THE INFORMATION SHOWN ON THE APPROVED SITE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AS A MINOR PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED.</p> <p>6. ANY WORK AND MATERIAL WITHIN THE CITY RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF NEW BEDFORD REQUIREMENTS.</p> <p>7. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION.</p> <p>8. ALL PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO MUTCD REQUIREMENTS.</p> <p>9. OWNER MUST CONTACT THE DEPARTMENT OF PUBLIC WORKS INFRASTRUCTURE TO ASSIGN A NEW ADDRESS FOR THE PROPOSED BUILDING.</p> <p>10. IN THE EVENT OF A SIGNIFICANT SNOWFALL EVENT (>2") THE OWNER'S SNOW REMOVAL CONTRACTOR SHALL TRUCK ALL EXCESS SNOW FROM THE PARKING FACILITY AND DISPOSE OF THE SNOW, LEGALLY OFFSITE.</p>		



LEGEND	
	PROPERTY LINE
	EXISTING STOCKADE FENCE
	EXISTING WOOD FENCE
	EXISTING CHAIN LINK FENCE
	EXISTING VINYL FENCE
	EXISTING TREE
	PROPOSED NUMBER OF PARKING SPACES

PLAN INDEX			
SHEET NUMBER	TITLE	DATE	REVISED
1 OF 7	SITE LAYOUT	JULY 20, 2015	
2 OF 7	AERIAL LOCUS MAP	JULY 20, 2015	
3 OF 7	SITE GRADING & UTILITIES	JULY 20, 2015	
4 OF 7	LANDSCAPING PLAN	JULY 20, 2015	
5 OF 7	EXISTING CONDITIONS	JULY 20, 2015	
6 OF 7	DEMOLITION / EROSION CONTROL PLAN	JULY 20, 2015	
7 OF 7	DETAIL SHEET	JULY 20, 2015	

475 UNION STREET
NEW BEDFORD, MASSACHUSETTS

PREFERRED REALTY SERVICES, LLC

SITEC, Inc.
448 Francis Corner Road
Dorchester, MA 02124
FAX (617) 898-7554
WWW.SITEC-ENGINEERING.COM

Acad No.
14-5898 SL.DWG

File No. 14-5898

PLANNING
OCT 19 2015
DEPARTMENT

OWNER/APPLICANT:
PREFERRED REALTY SERVICES, LLC
396 B THIRD BEACH ROAD
MIDDLETOWN R.I. 02942

Scale: 1"=20'

date: JULY 20, 2015

drawn: NAD

checked: SDG

approved: SDG

sheet: 1 of 7

drawing number: SL-1

Revised

Description

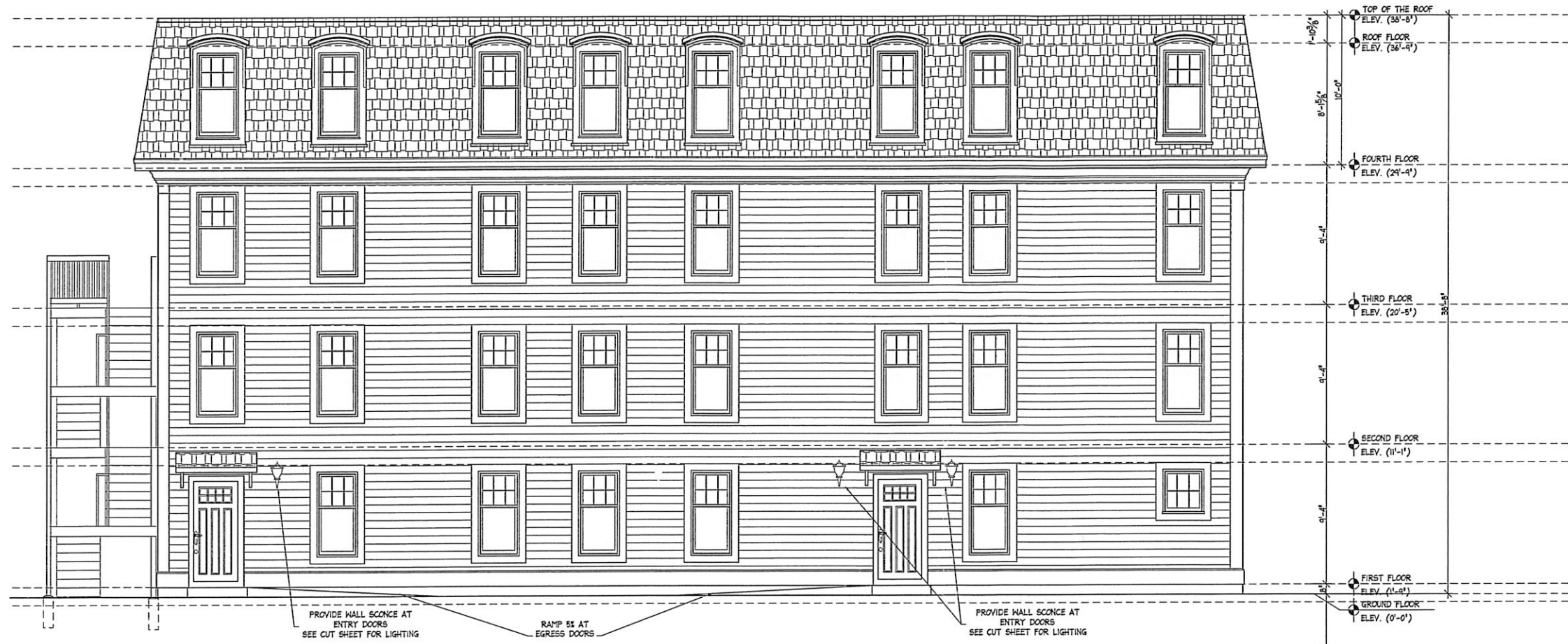
Date

No.

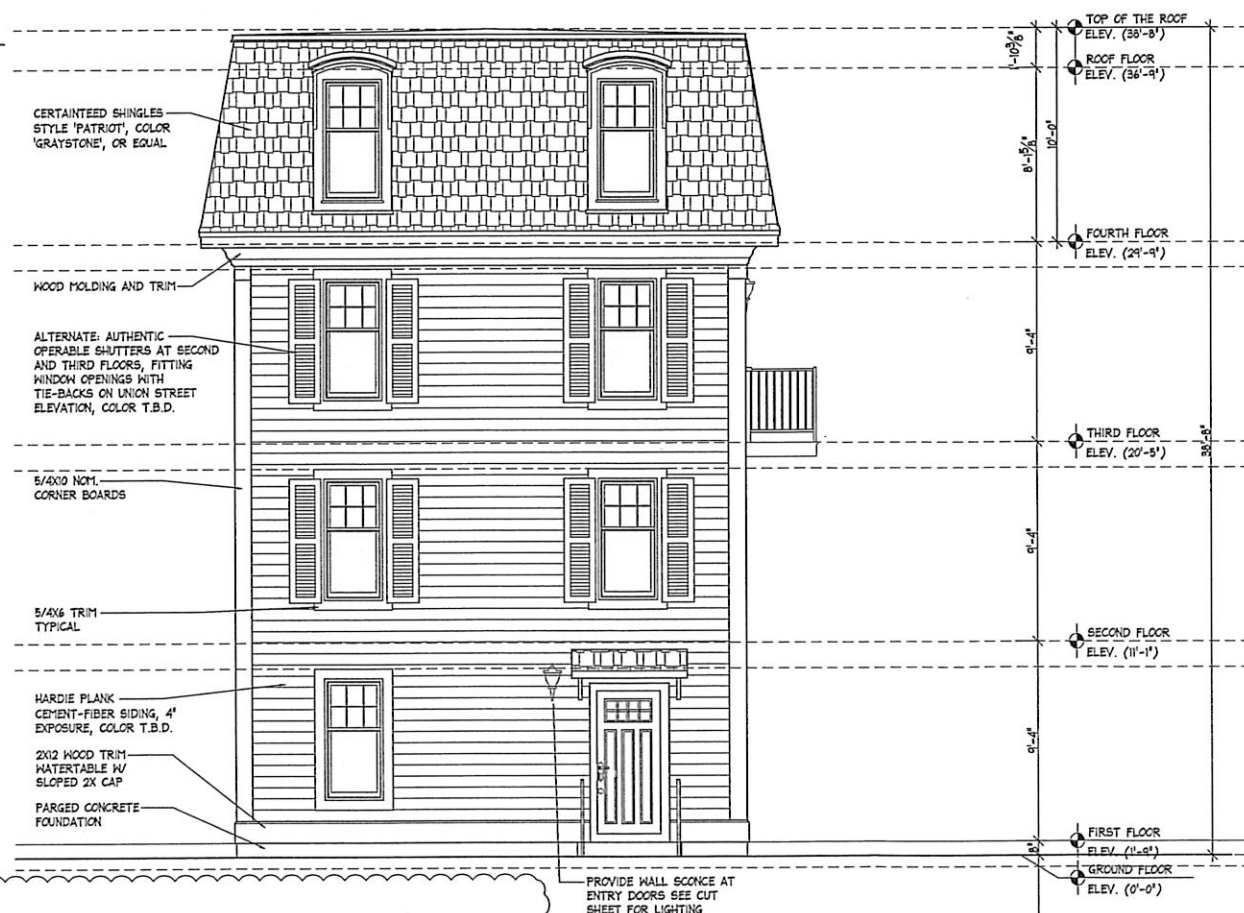
1

SEPT. 22, 2015

REVISE PER DPI AND PLANNING BOARD COMMENTS



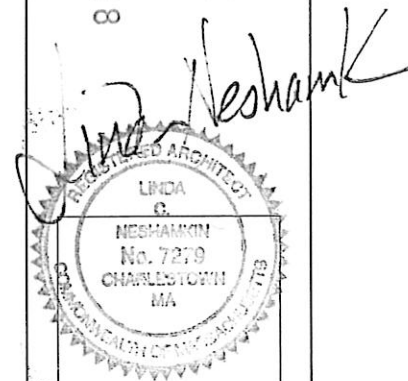
2 WEST ELEVATION
1/4" = 1'-0"



1 UNION STREET ELEVATION
1/4" = 1'-0"

475
UNION ST
NEW BEDFORD, MA

CITY CLERK
2015 JUN 29 P 1:18
Neshamkin French Architects, Inc.
ARCHITECTS PLANNERS ENGINEERS INTERIOR DESIGNERS
1 Monument Square NEW BEDFORD, MA 01905
Tel: 508.447.2100 Fax: 508.447.2101



Stamped By:
Drawn By:
Checked By:
Date: 05/27/2014
Revisions
1 6/24/2015
Project No. NFA #1322
File Name:
Drawing Title:

UNION ST ELEVATION
WEST ELEVATION

PLANNING
JUL 29 2015
DEPARTMENT

Sheet No. A-401
Scale: 1/4" = 1'-0"

CASE 38-14

ATTACHMENT 9

475
UNION ST

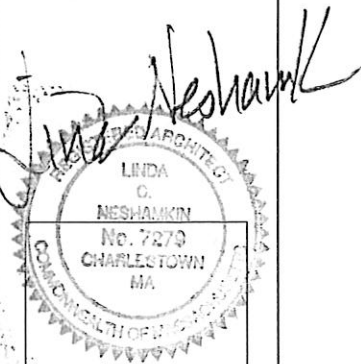
NEW BEDFORD, MA



2115 JUL
CITY CLERK

Neshamkin French Architects, Inc.
ARCHITECTS • PLANNERS • INTERIORS • CONSULTANTS
100 Commercial Street, Suite 200
New Bedford, MA 01905
Tel: 508.445.2112
Fax: 508.445.2114

CITY CLERK'S OFFICE
NEW BEDFORD, MA
P 1:18



Stamped By:
Drawn By:
Checked By:
Date: 05/27/2014

Revisions	
1	6/24/2015

Project No. NFA #1322
File Name:
Drawing Title:

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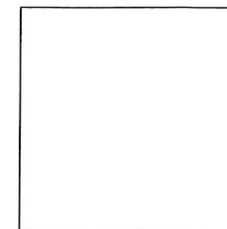
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CASE 3B-14

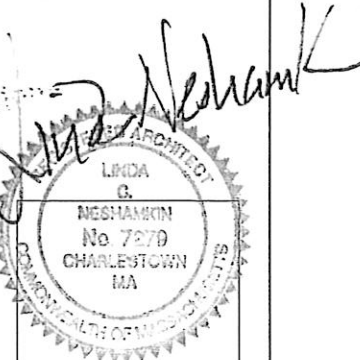
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NEW BEDFORD, MA

Neshamkin French Architects, Inc.
ARCHITECTS PRESERVATION PLANNERS ENVIRONMENTAL CONSULTANTS
150 North Street
New Bedford, MA 01905
Tel: 508.445.2142
Fax: 508.445.2144



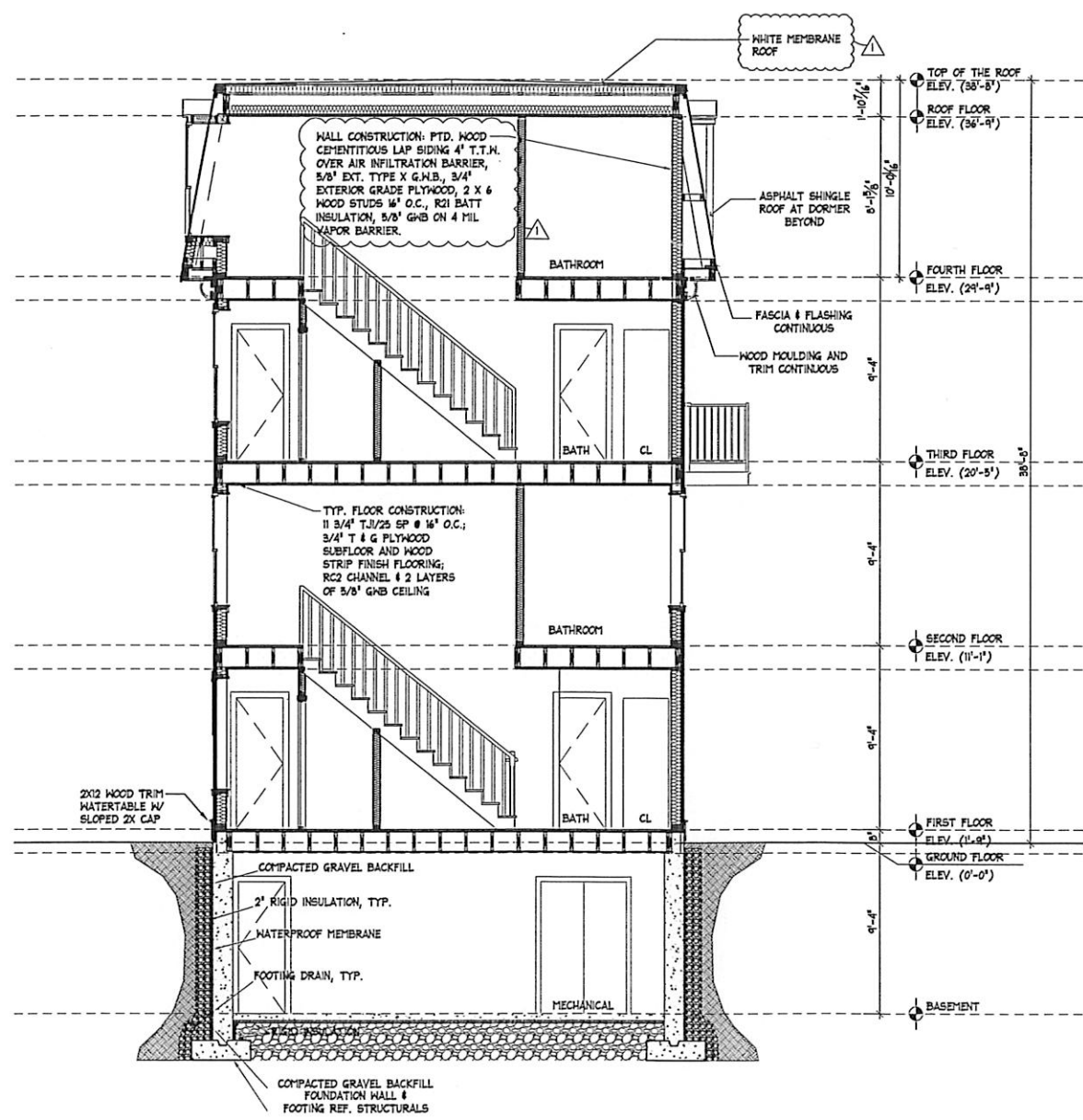
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Date: 05/27/2014

Revisions	
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Project No. NFA #1322
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CROSS SECTION

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DEPARTMENT
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CASE 36-14



STAFF COMMENTS

FROM: Connie Brawders, Staff Planner

OB

TO: Jill Maclean, City Planner

DATE: August 7, 2015

Subject: **Case #38 – 14: Case Continuance for Request for Site Plan Review**

Request by applicant, Preferred Realty Services LLC, for Site Plan approval for New Construction of a Multi-Unit Residential Building (6 Two-Bedroom Units), to include demolition of an existing structure having no historical value, at the property known as 475 Union Street (Map Plot 51, Lot 269), in the Mixed Use Business zoning district.

Applicant: Preferred Realty Services, LLC, 386B Third Beach, Middletown, RI, 02842.

Owner: Preferred Realty Services LLC, 1735 Market Street, A492, Philadelphia, PA 19103

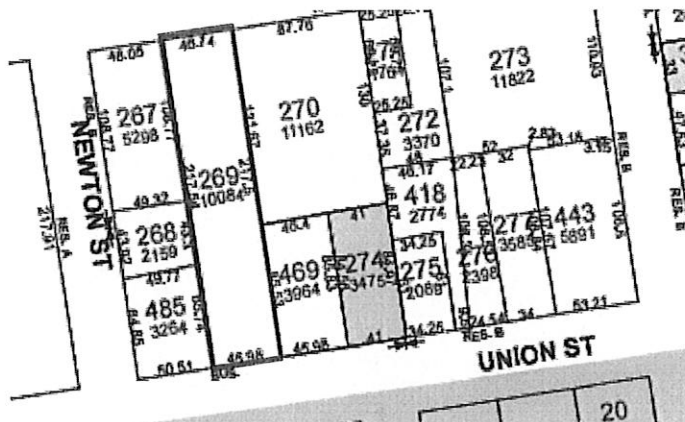
Applicant's Agent: Steven D. Gioiosa, P.E., SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747

Architect: Neshamkin French Architects, Inc., 5 Monument Square, Charlestown, MA 02129

Case History

Case #37-14 was submitted to the Planning Board for consideration of finding as a Repetitive Petition and Site Plan Review on October 8, 2014.

Plans were first submitted to the Zoning Board of Appeals on March 26, 2014 as Case #4129 and Case # 4130; the applicant was *denied* the request for Variance of dimensional regulations and Special Permit for parking and loading. On July 24, 2014 the applicant appealed to the ZBA for the purpose of finding that plan revisions now before the ZBA were significantly different from the case submittals denied previously by the ZBA. Plan submittals initially illustrated construction of a 10-unit multifamily dwelling.



The applicant subsequently reduced the building footprint from 25' wide by 85' deep, to 23' wide by 74' deep, reduced the elevation height by approximately 1.5 feet, decreased the number of dwelling units to six, which include handicap access to all ground floor units, revised the exterior stairway plan, and increased the number of residential off-street parking spaces to 12.

The ZBA unanimously found on July 24, 2014 by a vote of five (5) to zero (0) that case submittals now proposed were significantly and substantially different from the prior application that was denied on March 26, 2014 and, therefore, not a repetitive petition. Case #4150 and 4151 were continued to the October 16, 2014 meeting of the Zoning Board of Appeals.

On October 16, 2014 the Zoning Board of Appeals reopened the hearing for Case # 4150 and Case #4151. The applicant was granted Variance relief for Case #4150 from Chapter 9 Comprehensive Zoning Sections 2700 - Dimensional Regulations. 2710. General. 2720. Table of Dimensional Requirements- Appendix B, by a vote of four (4) – one (1). Concurrently, the applicant received a Special Permit by a vote of four (4) – one (1), as the ZBA found the applicant to have satisfied the requirements under Chapter 9 Comprehensive Zoning Sections 3000 - Parking and Loading 3100. Applicability Section 3149. Vehicular Access from a public way.

A Variance will lapse one year from the finding, which is this case is October 16, 2015. However, the ZBA decision was challenged by legal action, and on June 16, 2015 dismissed by the Court. The Planning Division has requested legal opinion from the City of New Bedford Solicitors Office and will have their response for the Planning Board at the August 12, 2015 meeting.

The revised plan set dated 09/08/2014 prepared by Civil Environmental Architects (8 Peabody Street, Peabody, MA 01960), was delivered to the October 8, 2014 Planning Board meeting. Case #39-14 - Petition for Rehearing, and Case #38-14 - Site Plan Review were date stamped by the City Clerk on September 15, 2014. Board members present on October 8 were Colleen Dawicki, Janine Da Silva, Kathryn Duff, Peter Cruz and Arthur Glassman. The Board unanimously voted in agreement with the Zoning Board of Appeals to find case submittals were significantly and substantially different from the prior deliverables. A copy of the Decision may be reviewed at Attachment 1.

The Board may review the enabling legislation under MA General Law:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40A/Section16>

The Planning Board reviewed plans and specifications for Site Plan Approval, making recommendations for the applicant's second revision of plans, and continued the public hearing for Case # 38-14 to the December 10, 2014 meeting. The case has been continued from December 2014 thru August 2015 with due notice provided to the public. The applicant now presents for the Planning Board's August 12, 2015 consideration revised plans prepared by Sitec, Inc., as stipulated, thereby replacing former agent/engineer Civil Environmental Consultants; the architect remained Neshamkin French Architects, Inc., (Attachment 2).

Case Overview

Subject property is a 10,084 SF parcel located in the MUB zoning district. The site (Map 51, Lot 269) was purchased from Raining Hope Therapeutic Riding, a Rhode Island Corporation, on July 10, 2013 and recorded in Bristol County (S.D) Registry of Deeds at Deed Book 10833, Page 269 on July 11, 2013 (Attachment 3).

The applicant proposes the demolition and construction of a derelict building which requires restoration, adaptive reuse, or demolition. Case file research shows the structure has been used previously as a fish processing market with loading zone and house of worship. The applicant states in the Development Impact Statement that the City of New Bedford has found 475 Union Street to be a building of no historical significance (Attachment 4). A copy of the City of New Bedford Historical Commission Building Demolition Review for 475 Union Street is included for the Planning Board's information and review (Attachment 5). The Bristol County Jail House is three blocks east. The applicant proposes to create six new units of market rate housing with off street parking. Area amenities include a neighborhood park, proximity to a walkable, pedestrian friendly downtown, library, cultural venues, and Ellen R. Hathaway School serving grades pre-Kindergarten to grade five. The applicant has provided the Planning Board with a Project Narrative (Attachment 6).

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 presents a three story structure with Mansard roof, which provides an additional floor of living space for residents, meeting townhouse guidelines. According to Barron's Dictionary of Real Estate Terms (7th Ed.), "a townhouse is a dwelling unit, generally having two or more floors and attached to other similar units via party walls".

The applicant has specified an architectural style reminiscent of a ship captain's home, in keeping with and honoring the nautical history, culture, and contextualism of the City of New Bedford. Cost estimate for this project is \$800,000.00.

Zoning Requirements

- Minimum lot requirement for MUB is 15,000 SF for three or more family units. The applicant was granted a variance by the Zoning Board of Appeals on October 16, 2014 for his 10,084 SF redevelopment site.
- Density of Dwelling Units 1 per 1,000 SF for three or more family dwellings units. The applicant complies with this zoning regulation.
- Lot Frontage required is 150' for three or more dwelling units. The applicant was granted a variance for the non-conforming lot frontage of 45.98'.
- Building Setbacks for the Front are 15.6', thereby meeting zoning code.
- Building Setbacks for Side yard are 10' and 12'. The applicant meets code.
- Building Setbacks for Rear are 100'. The applicant meets code.
- Proposed building height is 39'; MUB by right allows up to 100'.
- Lot coverage by building is 17.4%, below the 30% maximum allowed by code.
- Green space meets the required 35% by code.

- Off street parking provided: 12 spaces. The applicant meets the parking requirements of Appendix C stipulating to two spaces per dwelling unit per multifamily (3) or more structure.

Planning Board Review of Plan Set presented by Civil Environmental Consultants

After review of the Planning Board minutes of the October 8, 2014 meeting, these points were noted:

Board member Duff recommended low maintenance colonial lawn, flowering shrubs and permeable pavement. (Sitec Landscape Plan Sheet 4 shows Stella D'Oro Day Lilies, Arborvitae, Fire Glow Japanese maple, and Emperor Japanese Maple.)

Chair Dawicki asked that the applicant verify Green Space calculations. (Sitec Site Layout Sheet 1 zoning table states proposed Green space to be 35 %.)

Board member Cruz asked that curb stops be constructed for safety in parking and mitigate storm water drainage. The applicant offered edging on both sides of lot in granite cobblestone or reveal cobblestone uniform around the perimeter. (Sitec Site Layout Sheet 1 notes a 6" concrete reveal on the East side of the parking area; Sitec Landscaping Plan Sheet 4 notes "Maintain Existing Foundation as Retaining Wall" at the East edge of parking area and notes "Concrete Curb" at the West edge.) Board member Cruz reminded the applicant to increase the ADA striping to 8' in width and provide van space for parking. (Sitec Plan Grading & Utilities Sheet 3 measures 8' in width by engineers scale).

Discussion ensued regarding lighting: The applicant proposed Washington style lighting which will be placed at every entry and egress, as well as the Union Street entryway. The applicant will provide wall sconces along the catwalk. (Neshamkin French Architects, Inc., Sheet A-402 depicts wall sconces by entrance doors along the cat walk.)

The Planning Board asked for Cut sheets (Attachment 7) and Lighting Plan showing foot candles, illumination casting effects to the neighborhood, and light shields. (No such plan illustrating foot candles and photometrics has been submitted to date; however, Cut sheets illustrate pole lighting style are noted on Sitec Site Layout Plan Sheet 1 and Sitec Site Grading & Utilities Sheet 7.)

The applicant expressed exterior materials used in construction would be 6"-8" clapboard of Hardy plank, with Mansard roof having scalloped asphalt shingles and low reflectivity roof, PVC trim boards. Exterior color palette would be a neutral color pallet, such as tan.

Email was exchanged between City Planner Jill Maclean to confirm desirable deliverables (Attachment 8). These stipulations are as follows:

- Replace asphalt with permeable material if possible – (The proposed walkway is noted as brick on Sitec Plan Sheet 1)
- Install a bike rack and depict on plan – (Bike Rack is shown on Plan Sheet 1)
- Relocated trash and recycle bins closer to the structure and replace current location with landscaping –(See Plan Sheet 1)
- Install **cobble curbing** with a 6" reveal along the parking spaces – (Plan Sheets 1 and 4 do not reflect this stipulation)

- Loading for ADA van must be 8' W and must be signed (Plan Sheet 1 reflects this stipulation; Plan Sheet 7 illustrates sign)
- Drywells must be relocated to the center of the lot (See site Plan 3)
- Relocate the windows on Union St—move towards the center (See Plan A - 401)
- HVAC units must be hidden by the roof lines (See Architectural Plan Sheets. This item is not clearly noted.)

Comments from Ronald Labelle, Commissioner of the Department of Public Works, dated October 3, 2014 are included with this report for the Planning Board's review (Attachment 9).

New Plan Set

A new plan set has been prepared by Site in response to the Planning Board comments at the October 8, 2014 meeting. Fourteen sheets are included in the plan prepared July 20, 2015. Lighting tear sheets have been provided with the case submittal documents.

1. Aerial Locus Map
2. Existing Conditions
3. Site Grading & Utilities
4. Landscaping Plan
5. Demolition/Erosion Control Plan
6. Detail Sheet
7. Basement Floor Plan A-100 (Neshamkin French Architects, Inc., 5 Monument Square, Charlestown, MA 02129)
8. First Floor Plan and Second Floor Plan A-101
9. Third Floor Plan and Fourth Floor Plan A-102
10. Roof Plan A-103
11. Longitudinal Section A-300
12. Cross Section A-301
13. Union Street Elevation-West Elevation A-401
14. East Elevation A-402

Staff Comments

Email response to staff request for comments follow:

475 Union Street is not in or within 100' of any State or Local wetland resource areas. Therefore a permit from the Conservation Commission is not required for this proposal.

-Sarah Porter, Conservation Agent, City of New Bedford, 508-991-6188

We have no comments.

Barry Rabinovitch [brabinovitch@newbedfordschools.org]

Public Comment

Objections and concerns were raised by abutters of the property as recorded in the October 8, 2015 minutes of the Planning Board meeting, with press coverage of the meeting on Southcoasttoday.com publicized on October 22, 2014 (Attachment 10). The Planning Board was asked by abutters to consider the following as they reviewed the application for Site Plan Approval: 1. Absentee landlordism, 2. Overall

height of the three- story, Mansard roof multifamily dwelling in context with existing neighborhood structures, 3. Drainage capacity and serviceable condition of the existing infrastructure, 4. Lighting spill, 5. Loss of on-street parking availability for current residents, 6. Diminishing property values of existing structures, 7. Building and fire safety in proximity to other structures, 8. Waste stream storage, 9. Landscaping, and 10. Snow storage (Attachment 11).

Staff recommendations:

- ☐ The Planning Board may want to remind the applicant to confirm the date the Variance shall lapse. A Variance will lapse one year from the finding, which in this case is October 16, 2015. However, the ZBA decision was challenged by legal action and on June 16, 2015 dismissed by the Court. The Planning Division has requested legal opinion from the City of New Bedford Solicitors Office and will have their response for the Planning Board at the August 12, 2015 meeting.
- ☐ The Planning Board has not received Lighting Plan illustrating foot candles and photometrics affecting abutting properties and may want to remind the applicant of their request of such plan. The Cut sheets provided, may however meet with the Board's satisfaction.
- ☐ The Planning Board has not received a cut sheet of the wall sconce style.
- ☐ The Planning Board may want to request a full drainage plan, which has not been provided for the Planning Board's review.
- ☐ Planning Board members may want to review plan Notes for the curb edge for the parking lot for clarification with the applicant.

Respectfully submitted.

Attachments:

1. Finding for Repetitive Petition by City of New Bedford Planning Board
2. Plan Set
3. Deed Book 10833, Page 269
4. Development Impact Statement
5. City of New Bedford Historical Commission Building Demolition Review
6. Project Narrative
7. Lighting Cut Sheets
8. Email Exchange Dated October 14, 2014 Between City Planner Jill Maclean to confirm desirable deliverables
9. Comments from DPI Commissioner Ronald Labelle Dated October 3, 2014
10. Public Comment
11. Minutes of the October 8, 2014 Planning Board Meeting