



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

## PLANNING BOARD

City Hall, Room 303  
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[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

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CITY CLERK

## NOTICE OF DECISION

Case Number:	04-17	2: 26 OFFICE MA		
Request Type:	Special Permit			
Address:	89-93 W. Rodney French Blvd			
Zoning:	Industrial B (IB) Zoning District and West Rodney French Mill Overlay District (WRFMOD)			
Recorded Owners: Erika Realty Trust				
Applicant: Erika Realty Trust				
Applicant Address: 92 Kilburn Street New Bedford, MA 02745				
Application Submittal Date		Decision Date		
February 10, 2017		March 17, 2017		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
15	151	1481	427	

**Application:** Request for Special Permit for parking reduction on a 4.2+/- acre site located at 89-93 West Rodney French Blvd (Map 15, Lot 151) in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD).

**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 March 17, 2017. Any person aggrieved by this decision for Special Permit 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.

3/17/17  
Date

  
Colleen Dawicki, Chair  
City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

SITEC, Inc (49 Faunce Corner Road, Dartmouth, MA 02747) submitted concurrent applications under **Chapter 9 Comprehensive Zoning §5400 Site Plan Review** for Case 03-17-Site Plan Approval for adaptive reuse from a 290,191+/- SF mill building to 195 residential apartments and **Chapter 9 Comprehensive Zoning §3100** Case 04-17 Special Permit for Parking Reduction on a 4.2+/- acre site located at 89-93 West Rodney French Blvd (Map 15, Lot 151) in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD) for applicant/owner Erika Realty Trust. The applicant/owner proposes interior and exterior renovations to the former No. 2 Kilburn Mill located at the SW corner of West Rodney French Boulevard and Grit Street in the city of New Bedford's south end. The property is bordered by Grit Street at the north, W. Rodney French Blvd at the east, former mill structures at the south, and the newly constructed Hurricane Barrier walkway at Clark's Cove to the west.

The applicant will apply for a Special Permit from the Zoning Board of Appeals for the rehabilitation of the existing structure under **§4600A-West Rodney French Mill Overlay District (WRFMOD)** and **§5300-Special Permits**.

The intent of this project is to create a mix of 195 residential apartments consisting of 28 one-bedroom units, 155 two- bedroom units, and 12 three-bedroom units. Exterior building improvements will include new windows, brick repair, and the demolition of commercial components. The northern most structure fronting Grit Street will offer residential dwelling units on the upper three (3) floors. The former mill building to the south presents three (3) floors of residential units consisting of one (1) and two (2) bedroom mix. The third building, overlooking Cove Harbor Walk, will feature two (2) and three (3) bedroom townhouse-style dwelling units. A fourth building, known as the Office/Administrative Building (Building #2), will also provide housing units.

The applicant seeks a Special Permit from the Planning Board for parking reduction from **390 to 238** parking spaces to accommodate residents and guests.

Access to the site is via one curb cut at Grit Street and one curb cut at W. Rodney French Blvd. The ground level of the northern most structure fronting Grit Street will provide 104 covered parking spaces for residents and guests of the property, to include three (3) ADA compliant spaces. The remaining 134 on-site parking spaces to serve the residents' needs are shown on plans at the southern area of the site area, and include four (4) ADA compliant spaces. The applicant was asked by the Planning Board to revise and submit a parking plan as a condition of approval that provides an increase in additional on-site parking from requested **238 to 244** spaces.

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application

The submittal is named on the Cover Sheet as Apartments on the Cove, 89-93 West Rodney French Boulevard, New Bedford, MA, dated January 29, 2017, prepared for Erika Realty Trust, 92 Kilburn Street, New Bedford, MA 02740 by SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747, consisting of ten (10) sheets.

- **Cover Sheet**
- **Site Layout – Sheet 1 of 9**
- **Locus Plan – Sheet 2 of 9**
- **Site Grading & Utilities – Sheet 3 of 9**



- Landscaping Plan – Sheet 4 of 9
- Lighting Plan – Sheet 5 of 9
- Existing Conditions – Sheet 6 of 9
- Demolition Plan - Sheet 7 of 9
- Erosion Control Plan – Sheet 8 of 9
- Detail Sheet – Sheet 9 of 9

And

Architectural Plans for 89 W. Rodney French Blvd, New Bedford, dated 11-29-2016, prepared by Ganek Architects, Inc, One River Road, Carlisle, Ma 01741, consisting of five (5) sheets.

- Elevation Sheet A101
- Ground Floor Alt A2.0A
- First Floor A2.1
- Second Floor A2.2
- Third Floor A2.3

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

A Staff Report was provided for the March 8, 2017 Planning Board meeting with the following attachments:

- Narrative
- Site Plan Review Application
- Special Permit Application
- Photographs
- Deed – Bristol County (S.D) Registry of Deeds Book 1481, Page 427
- Lighting Tear Sheet
- Stormwater Management Report Dated February 7, 2017
- Construction Erosion and Sediment Control Plan
- Plan Set

Received into the record:

- Floor Plan and Elevations for Building #2

### **3) DISCUSSION**

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Associate Member George Smith were present on the evening of the discussion.

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

Steve Gioiosia, P.E. of SITEC described the proposal for the redevelopment site comprised of several structures. Garry Ganek, (Ganek Architects, Inc., 1 River Road, Carlisle, MA 01741) architect for the project elaborated on design integrity. In attendance was Mr. Paul Bishons on behalf of Erika Realty Trust.

Discussion ensued between the design team and Planning Board regarding the site characteristics and development proposal, specifically: storm water mitigation; removal of the loading docks and other appurtenances; parking design and circulation; nomination of the structure to the National Register of Historic Places for eligibility for tax credits; preservation/repurposing of excavated Belgium Block for

repaving at the site; design specifications calling for period Washingtonian lighting for illumination of the parking area; preservation of the existing distinctive fence design; landscaping; street trees; granite curbing to be added within the site perimeter; sidewalk construction and installation of granite curb at Grit Street; snow storage; refuse receptacles; and on-site and off-site recreation. Monument signage is forthcoming and will be considered by the Planning Board at a later date.

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

Speaking in favor of the project were Ward 6 City Councilor Joseph P. Lopes and Executive Director of the New Bedford Economic Development Council Derek Santos. No one asked to be recorded in favor of the project.

No one spoke or asked to be recorded in opposition of the proposal.

After further clarification between Board Members and applicant's agent, the public hearing was closed on a motion by Board Member K. Duff, with second by Associate Board Member G. Smith. Motion carried unanimously five (5) to zero (0).

In considering this application for Special Permit, the Board took into account the characteristics of the site and the proposal in relation to that site, specific factors set forth under **Section 5320. Criteria** of the zoning ordinance and the project's consistency in meeting the strategic goals set forth by the city's Master Plan. The proposed plan for adaptive reuse from a 290,191+/- SF mill building to 195 residential apartments and a Special Permit for Parking Reduction from 390 to 244 spaces met the thresholds for the provision of a Special Permit from a practical standpoint (economic, pedestrian, environmental and potential fiscal benefits) as well as meeting site plan approval.

#### **4) DECISION**

Board Member K. Duff made the motion to approve the Special Permit associated with the Site Plan (set) Apartments on the Cove, 89-93 West Rodney French Boulevard, New Bedford, MA, dated January 29, 2017, prepared by SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747, filed by the applicant for Case 04-17 for Erika Realty Trust, 92 Kilburn Street, New Bedford, MA 02740, for the site located at 89-93 W. Rodney French Blvd., New Bedford, MA (Map 15, Lot 151) with the following conditions:

##### **List of Specific Conditions:**

There were no specific conditions.

##### **List of General Conditions:**

1. That 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, which include the plans submitted to the Planning Board on the evening of the meeting.
2. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure dated March 3, 2017 and that the Planning Board incorporates the DPI memo as part of these conditions (Attachment 1).



3. 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.
4. 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.
5. 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.
6. 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.
7. The rights authorized by the granted Special Permit 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.

This motion to approve with conditions is for a Special Permit for a parking reduction from 390 to 244 spaces on a 4.2+/- acre site located at 89-93 West Rodney French Blvd (Map 15, Lot 151) in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD).

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 9 Section 5300 relative to the granting of Special Permits because the board found that the benefit to the city and the neighborhood outweighs the adverse effects of the proposed use, and because the board found that the proposal conforms with the standards for special permits in Chapter 9 Sections 5321-5326. This request was also found to be in accordance with the City of New Bedford's Code of Ordinances Chapter 9 §3000-General Regulations, 3100-Parking & Loading, 3110-Applicability, 3120-Special Permit for Parking Reduction, §5300 thru 5390. Special Permit, and 3130-Table of Parking and Loading Requirements - Appendix C - Multifamily.

As a result of such consideration, the Board moved approval on the subject application with the conditions so noted, with motion seconded by Board Member Glassman. A roll call vote was taken and unanimously approved five (5) to zero (0).

Board Member Duff - Yes  
Chair Person Dawicki – Yes

Board Member Glassman – Yes  
Associate Member Smith - Yes

Board Member Cruz – Yes

Filed with the City Clerk on:

3/17/17  
Date



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Colleen Dawicki, Chair  
City of New Bedford Planning Board



Euzebio Arruda  
Commissioner

Water  
Wastewater  
Highways  
Engineering  
Cemeteries  
Park Maintenance  
Forestry  
Energy

**CITY OF NEW BEDFORD**

**Jonathan F. Mitchell, Mayor**

**MEMORANDUM**

TO: City of New Bedford Planning Board

FROM: Euzebio Arruda, Commissioner, DPI

DATE: March 3, 2017

RE: Apartments on the Cove  
West Rodney French Blvd.  
Plot 15, Lot 151

The Department of Public Infrastructure has reviewed the proposed site plan referenced above and recommends approval with the following conditions:

1. Driveways to be built in accordance with City of New Bedford regulations, 90 degrees to curb line with 4 foot transition curb on both sides. (22 foot curb cut at gutter line of West Rodney French Blvd & 18 foot curb cut at gutter line of Grit St)
2. Developer to install granite curb along south side of Grit St in conjunction with the installation of new cement concrete sidewalks and grass ribbon.
3. Install cement concrete wheelchair ramp at the northeast corner of Shore St and Grit St.
4. Install cement concrete wheelchair ramp at the northwest corner of Grit St and West Rodney French Blvd.
5. Wheelchair ramps to be constructed in accordance with ADA and City of New Bedford standards. (Revise detail sketch on "Detail Sheet" of plan set.)
6. Permits for driveways, sidewalk and utilities must be obtained from the Department of Public Infrastructure Engineering Division.
7. Typical paving section for any work to be performed within City Layout requires 2 ½ inch binder and 1 ½ inch top course.
8. Location of three proposed trees, on Grit Street, east of UP#284-2 to be moved easterly 20 feet.
9. Location of Catch Basin #2 and associated culvec recharge system to be moved easterly along curb line to center of parking lot south line.
10. All buildings require rain leaders to be contained within site and tie into the site's infiltration drainage system.
11. Developer to check condition of existing sewer and water services.

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PLANNING

DEPARTMENT

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**ATTACHMENT 1**



12. Any existing water and/or sewer services to be abandoned are to be capped. Water services are to be capped at the main. Sewer services are to be capped at the property line.
13. Engineer must show the connection into building for the existing water lines located in the northwest corner of the subject parcel.
14. What is the purpose of the proposed 8" water main? (Plans do not show fire supply tie into buildings.)
15. All utilities to be installed in accordance with City of New Bedford standards.
16. Owner/Developer must contact the Department of Public Infrastructure Engineering Division to assign a new address for the renovated buildings.
17. The Department of Public Infrastructure requires a final set of plans to be submitted that reflects all revisions made prior to the start of construction.
18. Developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
19. Upon completion, Engineer must submit "As Built Drawings" in AutoCAD format prior to the certificate of occupancy being issued.

/sd

Cc: Department of Inspectional Services  
Environmental Stewardship  
SITEC  
Erika Realty Trust