



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

**PLANNING BOARD**  
City Hall, Room 303  
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NEW BEDFORD, MA  
2016 DEC 22 A 10:39  
CITY CLERK

## NOTICE OF DECISION

Case Number:	36-16			
Request Type:	Special Permit			
Address:	331-337 Wood Street			
Zoning:	Residence B (RB) zoning district			
Recorded Owners:	JMP Property & Development, LLC			
Applicant:	JMP Property & Development, LLC			
Applicant Address:	24 Jocelyn Street, New Bedford, MA 02745			
<b>Application Submittal Date</b>		<b>Public Hearing Date</b>		<b>Decision Date</b>
November 18, 2016		December 14, 2016		December 22, 2016
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
117	26	11697	300	

**Application:** Request for Special Permit for reduction of off-street parking from six (6) to four (4) spaces on a 3,400+/- SF site located at 331-337 Wood Street (Map 117, Lot 26) in the Residence B (RB) zoning district.

**Action:** GRANTED.

A copy of this Decision was filed with the City Clerk of the City of New Bedford on December 22, 2016. 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.

12/21/16  
Date

  
Colleen Dawicki, Chair  
City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

JMP Property & Development, LLC submitted concurrent applications for **Case 35-16: Site Plan Review** and **Case 36-16: Special Permit for Parking Reduction under Chapter 9 Comprehensive Zoning, §5400 Site Plan Review, §5422-Creation of one more units, §3120-3125-Special Permit for Parking Reduction, and §3130-Table of Parking and Loading Requirements - Appendix C**. The request was submitted for an interior expansion of an existing 3744+/- SF multifamily structure, circa 1925, by converting a first floor business use into a third residential dwelling unit, in the Residence B (RB) zoning district. The non-conforming business use that had existed had been abandoned, or not used, for more than two years, thereby losing its protected status.

On October 13, 2016 the Zoning Board of Appeals approved Case #4245 for Special Permit for a non-conforming structure to allow the creation of one (1) additional residential unit in the Residential B zoning district under **§2430. Nonconforming Structures, Other Than Single-and Two-Family Structures**. The ZBA conditioned approval of Case #4245 on a future decision by the Planning Board concerning the amount of parking required on-site.

Parking requirements for residential uses stipulate two (2) spaces per unit under the ordinance. Four (4) on-site tandem spaces are currently provided for tenant use. The applicant therefore petitioned the Planning Board for a Special Permit for a parking reduction for on-site parking requirements from six (6) spaces to four (4) spaces.

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application

The plan submittal was named on the Title Sheet as Proposed Interior Renovations for 331-337 Wood Street, New Bedford, MA dated 11.17.2016, prepared for JMP Property & Development, LLC., 24 Jocelyn Street, New Bedford, MA 02745 by CDBS-A Division of Integrated House Wrights, LLC, P.O. Box 578, West Wareham, MA 02576 and Fred K. Hanack, P.E., 274 Slocum Road, Dartmouth, MA 02747, consisting of four (4) sheets:

#### **Cover Sheet – A0.1**

#### **Existing and Proposed Site Plan – C1.1**

#### **Existing and Proposed Floor Plan – A1.1**

#### **Existing and Proposed West Side Elevation – A1.1**

### Other Documents and Supporting Materials

Staff Review Comments were provided for the December 14, 2016 Planning Board meeting with the following attachments:

- Narrative
- Site Plan Approval Application
- Special Permit Application
- Request for Waivers
- Deed – Bristol County (S.D) Registry of Deeds Book 11697, Page 300
- ZBA Decision for Case #4245
- Plan Set Dated 11.17.2016



### 3) DISCUSSION

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion.

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

Presenting the project proposal was the applicant's agent, Armando Pereira (CDBS-A Division of Integrated House Wrights, LLC, P.O. Box 578, Wareham, MA 02576-0578).

Discussion related to the Special Permit for parking reduction focused on the existing, tandem parking spaces serving tenants and site constraints prohibiting expansion of off-street parking area. The existing 3,744+/- SF combined two-family and business use structure is a zero lot-line building bordered by city sidewalk on the south and west, and abutting property at the east. The set back from the north property lot line abutter is approximately twenty (20) feet. The north property line set back area is comprised of gravel and grass and provides for four (4) tandem parking spaces for existing tenants. The overall area available for parking use is 18+/- feet wide by 40+/- deep, meeting ordinance requirements for the minimum nine (9) FT by twenty (20) FT dimensional parking space.

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).

As part of the general concurrent discussion, speaking in favor of the project was applicant/owner John Pereira. No one asked to be recorded in favor of the project submittal; no one asked to speak or be recorded in opposition of the proposal.

With no further questions and with no member of the public body speaking or asking to be recorded in support or opposition of the concurrent applications, motion was moved to close the public hearing by Board Member K. Duff, seconded by Board Member P. Cruz. 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 of a former business use as an additional dwelling unit and reduction of off-street parking from six (6) to four (4) spaces met the thresholds for the provision of a special permit from a practical standpoint (economic, pedestrian, environmental and potential fiscal benefits).

### 4) DECISION

Board Member K. Duff made the motion to approve the Special Permit Application for **Case 36-16** for Special Permit for reduction of off-street shared parking from six (6) to four (4) spaces located at 331-337 Wood Street (Map 117, Lot 26) in the Residence B (RB) zoning district

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 A. Kalife – Yes

Board Member Glassman – Yes

Chair Person Dawicki – Yes

Board Member Cruz – Yes

Filed with the City Clerk on:

12/21/16  
Date

  
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Colleen Dawicki, Chair  
City of New Bedford Planning Board