



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

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

Registry of Deeds/City Clerk Use Only:

NOTICE OF DECISION

Case Number:	35-16			
Request Type:	Site Plan			
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			
Application Submittal Date		Public Hearing Date		Decision Date
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	

CITY CLERK'S OFFICE
NEW BEDFORD, MA
2016 DEC 22 A 10:38
CITY CLERK

Application:

Request for Site Plan approval for expansion of an existing multifamily residential structure 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, WITH CONDITIONS, AND WAIVERS as described in section four (4).

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 Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

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.

Exterior modifications specific to this project are described as the addition of four (4) windows at the west elevation for emergency ingress and egress.

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 separately 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 under Case #36-16.

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).

Mr. Pereira described the plan for adaptive reuse of the two-family residence and abandoned business use located on the northeast corner of Vernon and Wood Streets. Exterior alterations proposed for the first-floor west elevation addressing Vernon Street specifically introduce the installation of new double-hung, movable windows to meet building code requirements for safety. Glass block had been previously inserted within window frames, permanently sealing the window openings. The glass block will remain.

Concurrent 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.

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, a motion made to close the public hearing by Board Member K. Duff, seconded by Board Member P. Cruz. Motion carried unanimously five (5) to zero (0).

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 site plan review as set forth under **Section 5400** of the city's zoning ordinance with conditions and waivers.

4) DECISION

Board Member K. Duff made the motion to approve the Site Plan for **Case 35-16** for expansion of an existing multifamily residential structure at 331-337 Wood Street (Map 117, Lot 26) located on 3400 SF site in the Residence-B zoning district as presented with the following conditions:

- ☐ The petitions for waivers as described under Attachment 1 are approved.

- ☐ The project shall be undertaken according to the plans submitted with the application with adherence to all notes on plans as reviewed by the Planning Board on this date as modified by the conditions of this decision.
- ☐ The applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents.
- ☐ The applicant shall submit final plan revisions to the Planning Division in the following formats:
 - One (1) -11" x 17" Plan Set
 - One (1) CD or USB with Plan Set in PDF format
 and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
- ☐ The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the office of the City Clerk for the Planning division case file folder.
- ☐ The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before this Board for further review.
- ☐ The rights authorized by the granted Site Plan Approval must be exercised, by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date they were granted or they will lapse.

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

Board Member Duff -Yes
Board Member 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



Colleen Dawicki, Chair
City of New Bedford Planning Board



City of New Bedford
REQUEST FOR WAIVER

CASE #: 35-46 + 36-16

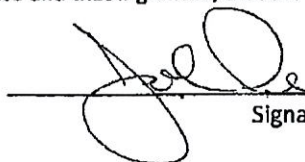
APPLICATION FOR WAIVER FROM SITE PLAN REVIEW REQUIREMENTS

In certain instances, after consulting with the City Planner, the applicant may submit, in writing, a request for waiver for any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans. The Planning Board will take a separate vote on written waiver requests by the applicant. Each request for waiver must be submitted individually to be considered by the Board. Please provide one (1) original and fifteen (15) copies of the request.

Any granted waivers must be disclosed on the final submitted and approved site plan.

SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	117	LOT(S)#	26
REGISTRY OF DEEDS BOOK:	11697	PAGE #	300
PROPERTY ADDRESS: 331 - 337 Wood Street			
ZONING DISTRICT: RB			
OWNER INFORMATION			
NAME: JMP Property & Development, LLC			
MAILING ADDRESS: 24 Jocelyn Street, New Bedford, MA 02745			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): <i>John Pereira</i>			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: Check one:	OWNER <input checked="" type="checkbox"/>	CONTRACT VENDEE <input type="checkbox"/>	OTHER Describe <input type="checkbox"/> _____
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #	774-263-0723		
EMAIL ADDRESS:	jmpdev@comcast.net		

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). If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.


Signature of Applicant/s

11-9-16
Date

ATTACHMENT 1

If the applicant differs from the owner, this section must be completed/signed by the property owner/s:

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.

Signature of Owner/s

Date

DESCRIPTION	Ordinance Section		CLEARLY Describe why this request is being made.
	1	***Example*** 5451. b. Topography and Drainage Plan	***Example*** There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered.
	2	5451.b Topography and Drainage Plan	There is an existing structure and gravel parking area on the site. No excavation or topography, paving or drainage alterations required.
	3	5451.c Utility Plan	There is an existing structure on the site. No new utilities or upgrade required.
	4	5451.e Landscaping Plan	There is an existing structure and gravel parking area on the site. No excavation or topography, paving or drainage alterations required. All work is on the inside of the building.

Additional pages describing the waiver request may be attached to this form following the same chart format, if necessary.



Please check here if additional pages are attached.



Number of Waiver requests submitted for consideration:

331 - 337 Wood Street
New Bedford, MA 02745

Waiver Request, cont.

5451.f.
Lighting Plan

There is an existing structure and gravel parking area on the site. All work is on the inside of the building.

5454
Drainage Calculations

There is an existing structure and gravel parking area on the site. No excavation or topography, paving or drainage alterations required. All work is on the inside of the building.
