



Zoning Board of Appeals

December 15th, 2016 - 6:00 P.M.– **Marked Agenda**
New Bedford City Hall, Room 314
133 William Street, New Bedford, MA

MEETING CALLED TO ORDER

Board members in attendance: Leo Schick, Allen Decker, Bob Schilling, Horacio Tavares, Sherry McTigue, and John Walsh (served on case #4257 & case #4258 in place of Ms. McTigue)

APPROVAL OF MINUTES

- November 17th, 2016 Meeting Minutes – **no action taken**
- December 6th, 2016 Meeting Minutes – **no action taken**

OLD BUSINESS

SCHEDULED HEARINGS

#4257 Notice is given of the public hearing on the petition of: Waterfront Historic League of New Bedford, INC. c/o Teri Bernert (128 Union Street New Bedford, MA 02740) and Studio 2 Sustain, Inc. c/o Kathryn Duff (412 County Street New Bedford, MA 02740) for a Variance under Chapter 9 comprehensive zoning sections 3000 (general regulations), 3100 (parking and loading), 3110 (applicability), and 3130 (table of parking and loading requirements-appendix-C); relative to property located at 139 Union Street, assessor's map 53 lot 144 in a mixed use business zoned district [MUB]. The petitioners propose to create spaces for an art center, office and two apartments as plans filed.

GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0

#4258 Notice is given of the public hearing on the petition of: Waterfront Historic League of New Bedford, INC. c/o Teri Bernert (128 Union Street New Bedford, MA 02740) and Studio 2 Sustain, Inc. c/o Kathryn Duff (412 County Street New Bedford, MA 02740) for a Variance under Chapter 9 comprehensive zoning sections 3000 (general regulations), 3100 (parking and loading), 3110 (applicability), and 3130 (table of parking and loading requirements-appendix-C); relative to property located at 141 Union Street, assessor's map 55 lot 143 in a mixed use business zoned district [MUB]. The petitioners propose to create space for two small restaurants, office, and two apartments as plans filed.

GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0

#4255 Notice is given of a public hearing on the petition of: Paunor Realty, LLC c/o Norman Shurtleff (8 Burgess Point Road Wareham, MA 02571) and Christopher T. Saunders (700 Pleasant Street New Bedford, MA 02740) for a Special Permit under Chapter 9 comprehensive zoning sections 2400 (nonconforming use and structures), 2410 (applicability), 2430 (nonconforming structures other than single and two family structures), 2431 (reconstructed, extended, or structurally changed), 2432 (altered to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent), and 5300-5330 and 5360-5390 (special permit); relative to property located at 44 Fruit Street, assessor's map 28 lot 262 in a residential C [RC] zoned district. The petitioners seek approval to allow the third floor to be used as an apartment as plans filed.

GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0

#4256 Notice is given of a public hearing on the petition of: Edward J. Motyl and Jeanne M. Motyl (1053 Braley Road New Bedford, MA 02745) for a Variance under Chapter 9 comprehensive zoning sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-appendix-b-side yard), 2750 (yards in residence district) and 2755 (side yard); relative to property located at 1053 Braley Road, assessor's map 136-1 lot 278 in a residential-A zoned district. The petitioners propose to erect a 14'x36' addition as plans filed.

GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0

#4259 Notice is given of the public hearing on the petition of: CMAC Realty, LLC c/o Lance Sylvia (83 Cheshire Avenue Acushnet, MA 02743) for a Special Permit under provisions of Chapter 9 comprehensive zoning sections 2400 (nonconforming use and structures), 2410 (applicability), 2430-2432 (nonconforming structures other than single and two family structure), and 5300-5330 & 5360-5390 (special permit); relative to property at 2112 Acushnet Avenue, assessor's map 119 lot 13 in a mixed use business zoned district [MUB]. The petitioner proposes to convert the existing three (3) units on the upper level into three (3) residential living units as plans filed.

GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0

#4260 Notice is given of the public hearing on the petition of: Maria Pereira Costa, Trustee of the 811 Mount Pleasant Street Real Estate Trust (157 Gammons Road Acushnet, MA) and David Costa (157 Gammons Road Acushnet, MA) for a Special Permit under provisions of Chapter 9 comprehensive zoning sections 2200 (use regulation), 2210 (general), 2230 (table of use regulations-appendix-A, (C) Commercial #20-Medical offices, Center, or Clinic) and 5300-5330 & 5360-5390 (special permit); relative to property at 811 Mount Pleasant Street assessors map 123A lot 81 in a mixed use business zoned district. The petitioner proposes to use the building for licensed massage therapy, licensed acupuncturist, or a licensed physical therapist to compliment the current chiropractic use as plans filed.

GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0

NEW BUSINESS

- **Nomination of Officers – Discussion deferred to January meeting, no action taken.**

ADJOURNMENT

The next Zoning Board of Appeals Meeting is scheduled for January 19th, 2017.