



## 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 COMMENTS

### PLANNING BOARD MEETING

December 9, 2015

**Case # 29-15: SPECIAL PERMIT**  
414 ASHLEY BLVD  
Map: 108, Lot: 45

**Case #30-15: SITE PLAN APPROVAL**  
414 ASHLEY BLVD  
Map: 108, Lot: 45

**Applicant:** Couto Construction Inc.  
478 N. Front Street  
New Bedford, MA 02740

**Owner:** Jason O. Couto  
23 High Hill Road  
Dartmouth, MA 02747  
508.509.4414  
[Coutoconstruction@gmail.com](mailto:Coutoconstruction@gmail.com)



**414 Ashley Boulevard-West Elevation**

#### Overview of Request:

Request to consider a Special Permit for reduction of parking spaces, and Site Plan approval for the expansion of an existing two family residential structure, constructed in approximately 1910, located at the SE corner of Ashley Boulevard and Belleville Road at 414 Ashley Blvd (Map 108, Lot 45), on a 2004 +/- SF lot, in the Mixed Use Business zoning district.

The applicant is proposing interior and exterior renovation of an existing structure, and conversion of the first floor commercial space to a 1,148 +/- SF residential dwelling unit having three (3) bedrooms. Multifamily dwelling units of three stories are permitted by right in the Mixed Use zoning district and the adjacent Residential C zoning district.

The Special Permit application does not state the number of parking places the applicant is seeking. The zoning ordinance stipulates six (6) off-street parking spaces are required to accommodate the proposed use. Currently, a garage provides one (1) off street parking space to serve the multifamily and business structure. Tenants historically park at the street on Belleville Road and Ashley Boulevard.

**Existing Conditions:**

The Mixed Use Business site and structure is located at the intersection of Ashley Boulevard and Belleville Road. The existing parcel is 2004 SF, having 34.58 feet of frontage along Belleville Road and 58 feet along Ashley Boulevard. Belleville Road is a one-way, east-west collector road conducting and distributing traffic from Acushnet Avenue to Ashley Boulevard. Abutting zoning district is Residence C.

An accessory, detached garage provides one (1) on-site parking space. The accessory garage is sited 3'6" from the principal structure. Under **Section 2330.**



**Accessory Structures. 2331 Private Garages**, where a private garage is detached and accessory, the garage must be at least ten (10) feet from the principal building, except for garages that meet the fire rating standards of the MA Building Code. The minimum distance from the rear lot line for detached garages shall be four (4) feet. The garage—constructed prior to the present zoning codes--does not meet current zoning requirements and is therefore considered legal nonconforming.

Under **Section 3130**, multifamily dwellings of two (2) or more per structure, require two (2) or more spaces per dwelling unit. Businesses engaged in retail sale of goods and services require one (1) space per 200 SF of gross floor area, and not less than two (2) spaces for each business use intended to occupy the area, in general

Table 4-3: New Bedford Zoning Districts

Zoning District	Description
Residence A District (RA)	Single-family residence district with an 8,000 square foot minimum lot size. A density of one dwelling unit per lot is allowed. <sup>1</sup>
Residence B District (RB)	Two-family house, also with a minimum lot size of 8,000 square feet for RA use. One dwelling unit per 10,000 square feet and two per 5,000 square feet are allowed by right.
Residence C District (RC)	Multi-family housing on lot sizes that are at least 15,000 square feet. One unit per 1,000 square feet is allowed for multi-family dwellings of three or more units.

One dwelling unit per 15,000 SF of site area is the permitted density of dwelling units per lot allowed for a two-family dwelling in the MUB and Residential C zoning district. The existing two (2)

family structure, as shown on the Assessor's card, is 3,044 SF which does not meet the ratio for density for the 2004 SF lot; therefore, the structure is an existing, non-conforming use.

The structure meets the ten foot (10) side and rear setbacks for the abutting Ashley Street parcel; however, side setback requirements are not met for the neighboring property at Belleville Road. Side setback is dimensioned on the plan as 4 FT+/- . This narrow buffer area between neighboring structures negates the possibility of constructing additional off-street parking with circulation between Belleville Road and Ashley Boulevard.

This parcel is non-conforming under the current zoning ordinance.

Current zoning permits multifamily housing on lot sizes that are at least 15,000 SF. The existing parcel is 2004 SF, having 34.58 feet of frontage along Belleville Road and 58 feet along Ashley Boulevard. Lot frontage requirements are 100 feet for two-family dwellings and 150 feet for three or more dwelling units in both the MUB zoning district and adjacent RC zoning district.

It may be notable that this land, shown as Parcel A on the Plan of Land Surveyed for Maria A. Benjamin dated May 28, 1970 as an Approval Not Required plan of land, was separated from the original parcel in 1970. Historical research of Licensing and Building Department records reflect the structure had been in continuance use as a business since 1938 thru 2005.



**Proposal Conditions:**

The applicant has submitted a proposal to convert a commercial business space in the Mixed Use Business zoning district to the lesser by-right, residential use, eliminating the by-right use to transact business or provide services at this corner location.

This proposal for expansion of use does not meet current zoning requirements for minimum parking spaces and comes before the Planning Board seeking a Special Permit for Parking Reduction. The number of parking spaces the applicant petitions the Board for has not been specified within the case submittal documents.



The proposed expansion of existing construction with the introduction of an additional three bedroom residential unit will intensify the residential density in this area of multifamily structures that already have limited or no off-site parking. The proposal to discontinue the historical retail use on this site and instead create additional residential units, despite being a by-right use in the MUB district, will detract from the concept of the urban village that reflects the history and culture of each neighborhood under the goals of the City of New Bedford Master Plan.

**Special Permit for Parking Reduction:**

When considering an application for Special Permit, the Board takes into account the characteristics of the site and of the proposal in relation to that site, in addition to any specific factors that may be set forth under Section 5300 of the zoning ordinance. As to those thresholds, the staff offers the following considerations:

- **Social, economic, or community needs which are served by the proposal.**  
The vision of the City includes the creation of dynamic neighborhoods. This proposal allows the restoration of an existing property, and removes a blighted structure from the neighborhood through improvement. However, off-street parking is not provided to serve each apartment, nor is the goal and objective of creating a vibrant pedestrian friendly community achieved when a business use is taken out of the zoning mix.
- **Traffic flow and safety, including parking and loading.**  
The parking to be provided at the site is not consistent with existing zoning standards. While many of the properties in this dense neighborhood either have inadequate parking or not off-street parking, this proposal does not improve the traffic flow and safety at the busy intersection.
- **Adequacy of utilities and other public services.**  
Whereas the applicant is renovating an existing structure within an area with complete utility and public services, there is no issue with this adequacy.
- **Neighborhood character and social structures.**  
Housing is the most prevalent land use in New Bedford, and its cost and availability are critical components that define much of the city's character. Within this neighborhood, housing is quite dense and a recent windshield survey indicated there were not too many vacant apartments or houses for sale thus suggesting that the renovation of existing aging housing stock is appropriate in this area. However, there is a growing demographic seeking smaller apartments. The proposal to add three bedrooms in an already over-burdened, dense, populous area is an adverse affect of this model of reconstruction.
- **Impacts on the natural environment**  
The applicant is renovating an existing structure and will be improving the land area surrounding the building. However, parking and circulation access will not be improved under the proposed plan.
- **Potential fiscal impact, including impact on City services, tax base, and employment**  
Having this vacant property renovated and the site improved will provide a positive fiscal impact on the city and the broader neighborhood by improving property values. Outside of water/sewer/trash services, no additional city services are necessitated by this application.
- **Master Plan Goal**  
While 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, utilizes existing housing, the vision is a city comprised of small village like settings, each with their own distinct historic and cultural fabric that create dynamic neighborhoods where people meet on the street, buy local goods, and enjoy the experiences of their community. The applicant has submitted a proposal to convert a commercial business space in the Mixed Use Business zoning district to the lesser by-right, residential use, eliminating the by-right use to transact business or provide services at this corner location.

## Review Comments

Plans were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department offices. The Conservation Commission noted there were no local or State protected wetlands in or within 100' of the subject proposal, therefore no permit was required from the Conservation Commission. The School Department and Health Department noted there were no issues with the subject proposal. Outside of this, no further comments from city offices were received in this matter.

## For Board Member Consideration:

- There are pros and cons with the approval of such a request. If the Board votes to approve the application for Special Permit for Parking Reduction, the higher use of Mixed Use Business will be lost. Residential density will increase in an area already burdened by lack of parking and concentrated population. It is suggested that the applicant be questioned as to the possibility of retaining the retail component rather than converting to residential (similar to follow the precedent model established by TRI in the redevelopment of 157 Ash Street and maintain the retail store front and create interior residences that are suitable for single family occupancy.
- The applicant has indicated on the site plan the demolition of the garage may offer a solution to creating additional parking for tenants of the project. Demolition of the garage could provide an open space of approximately 15' x 40', yielding space for two (2) tandem parking spaces that comply with the city of New Bedford zoning regulations under **Section 3150**.
- Housing is the most prevalent land use in New Bedford, and its cost and availability are critical components that define much of the city's character. Within this neighborhood, housing is quite dense and a recent windshield survey indicated there were not too many vacant apartments or houses for sale thus suggesting that the renovation of existing aging housing stock is appropriate in this area. There is a growing demographic seeking smaller apartments and at this time, the Board may want to ask that the applicant consider constructively rehabilitating the space to serve a demographic seeking smaller living spaces in a pedestrian friendly urban setting.

The parking to be provided at the site is not consistent with existing zoning standards. While many of the properties in this dense neighborhood either have inadequate parking or not off-street parking, this proposal does not improve the traffic flow and safety at this intersection. If the Board were to consider an approval of the Special Permit, they may consider conditioning the approval on the applicant's successful arrangement for shared tenant parking within the immediate neighborhood.

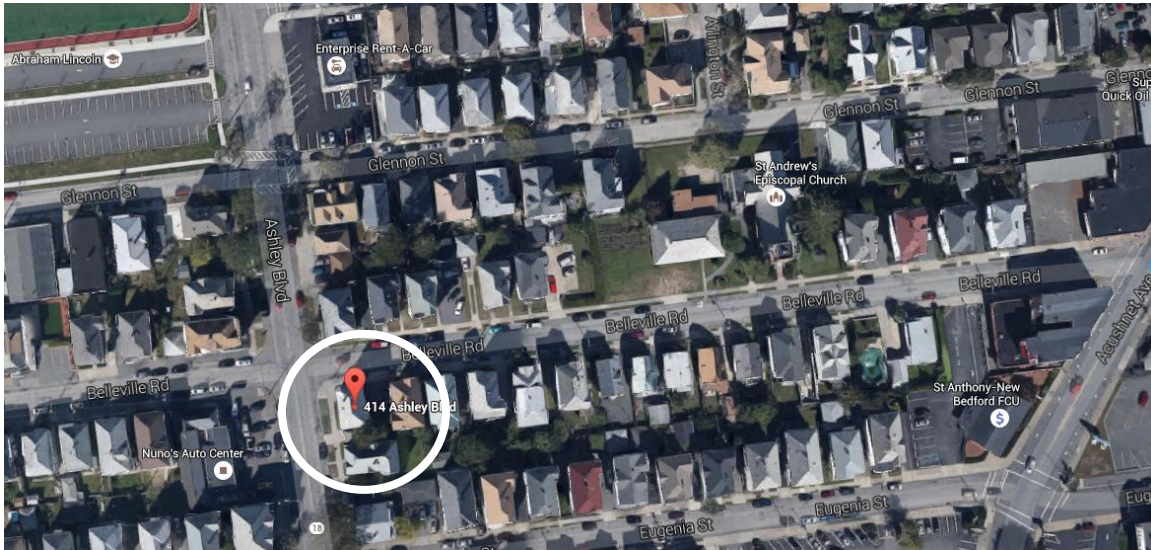
- There are typographical errors on cover sheet that should be corrected.
- The Deed Book and Page number should be referenced on plan cover sheet.

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## Attachments:

1. Plan Set
2. Special Permit Application
3. Site Plan Approval Application
4. Architects Seal

5. Quitclaim Deed – Bristol County (S.D) Registry of Deeds Book 11289, Page 202
6. Photos
7. Plan of Land Surveyed for Maria A. Benjamin –Approval Not Required Bristol County (S.D) Registry of Deeds Book 82, Page 33
8. Copies-Index Cards from City of New Bedford Licensing Board and Building & Inspectional Services



Context Aerial  
414 Ashley Boulevard

414 ASHLEY BLVD  
 NEW BEDFORD MA  
 MAP 108 LOT 45

EXISTING PROPOSED

ZONING - MUB RES  
 CLASS - R-2

*DR609*  
 Remarks:

PLAN REVIEW FOR CHANGE OF USE OF AN EXISTING COMMERCIAL RETAIL SPACE TO A RESIDENTIAL APARTMENT.

EXISTING SPACE HAS HAD 6 DIFFERENT TYPES OF BUSINESSES SINCE 1990 WITH NO LUCK OF SUCCESS

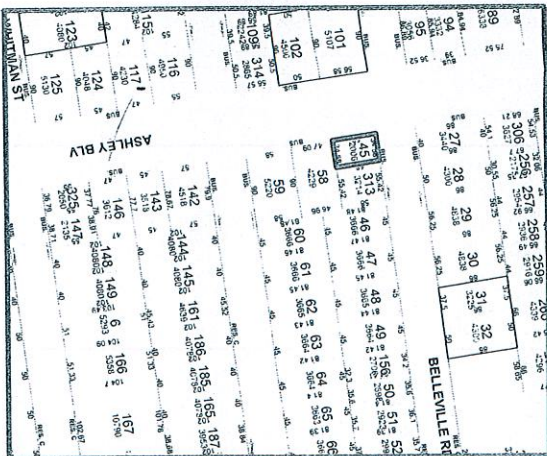
INTENTIONS ARE TO REMODEL STOREFRONT TO A UPSCALE LIVING ENVIRONMENT WITH EASY ACCESSIBILITY AND KEEP THE EXISTING ARCHITECTURAL THEME WITH LOW MAINTENANCE MATERIALS WITHIN BUILDING CODE REQUIREMENTS AND THE BUDGET OF +/- 45,000.00

POSSIBLE FUTURE LIVING SPACE FOR PARENTS AT AN ELDERLY AGE



11/13/2015  
 Google Maps  
 2015 NOV 13 P 3:58  
 CITY CLERK'S OFFICE  
 NEW BEDFORD MA 02745

**List of Plans**  
 T-1 TITLE PAGE  
 A-1 FIRST FLOOR PLAN  
 S-1 SITE PLAN



Contractor: Jason Couto  
 Couto Construction Inc  
 478 N. Front St New Bedford MA

Owner: Jason Couto  
 23 High Hill Rd Dartmouth MA 02747

414 Ashley Blvd Map108 45  
 New Bedford MA 02745

JASON COUTO  
 11/9/15 1/8"=1' 0

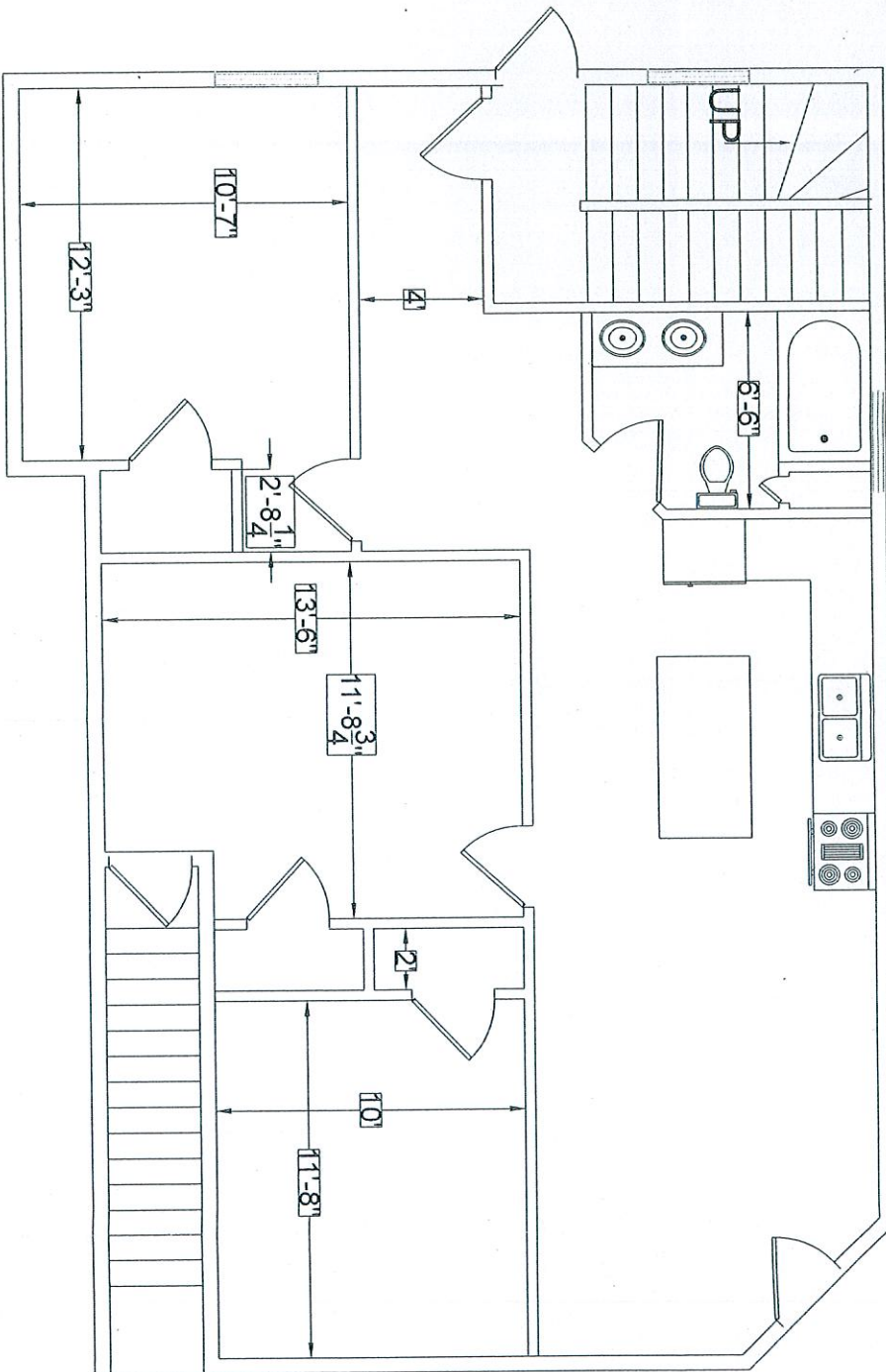
ATTACHMENT 1

Check 29-15  
 Check 30-15  
 COPY

ZONE	REV	DESCRIPTION	DATE	APPROVED
		GENERAL REVISIONS		

2015 NOV 13 P 3:53

CHY GLENN



PLANNING  
 NOV 13 2015  
 DEPARTMENT

Contractor: Jason Couto Couto Construction Inc 478 N. Front St New Bedford MA	Owner: Jason Couto 23 High Hill Rd Dartmouth MA 02747	DWG. A 1	414 Ashley Blvd Map108 45 New Bedford MA 02745	JASON COUTO
				6/9/15
				1/4"=1'
				0

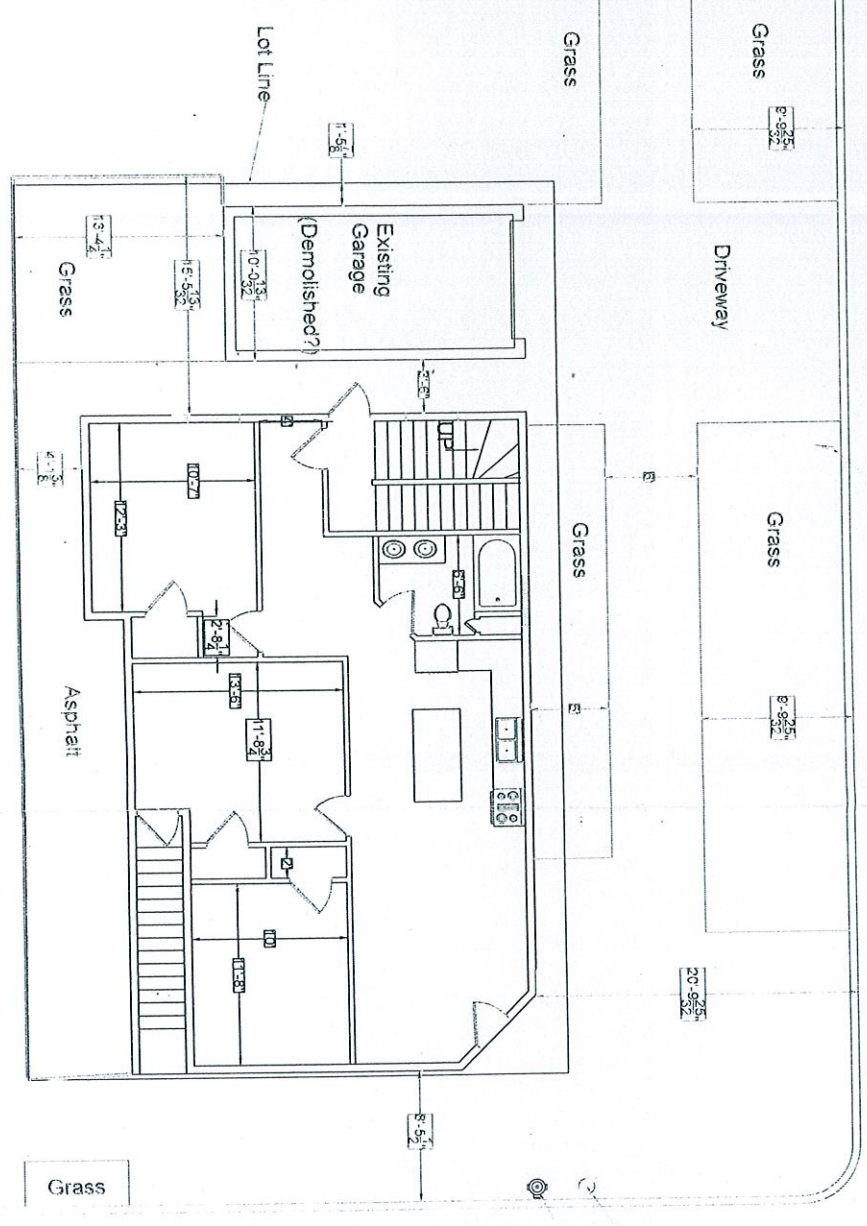
CHKD 28-15  
 DATE 30-15

CPY



# Ashley Blvd

15 Minute Parking Sign



Belleville Rd

Electrical Pole  
FireHydrant

REVISIONS			
DATE	REV	DESCRIPTION	APPROVED
2015 NOV 13 P 3:58		CITY CLERK'S OFFICE NEW BEDFORD, MA	

2015 NOV 13 P 3:58  
CITY CLERK

Contractor: Jason Couto  
Couto Construction Inc  
478 N. Front St. New Bedford MA

Owner: Jason Couto  
25 High Hill Rd Dartmouth MA 02747

DWG Site Plan

414 Ashley Blvd Map108 45  
New Bedford MA 02745

JASON COUTO  
11/9/15 1/8"=1'  
0

016 20-15  
014 20-15

COPY



CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE  
NEW BEDFORD, MA

# PLANNING BOARD

CITY CLERK

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

## SPECIAL PERMIT APPLICATION

The undersigned, being the Applicant, seeks Special Permit Approval for property depicted on a plan entitled: \_\_\_\_\_ by: \_\_\_\_\_ dated: \_\_\_\_\_

### 1. Application Information

Street Address: 414 Ashley Boulevard

Assessor's Map(s): 108 Lot(s) 45

Registry of Deeds Book: 11289 Page: 202

Zoning District: MUB

Applicant's Name (printed): Jason Cooto

Mailing Address: 23 High Hill rd Dartmouth MA 02747  
(Street) (City) (State) (Zip)

Contact Information: 508 509 4414 CootoConstruction@gmail.com  
Telephone Number Email Address

Applicant's Relationship to Property:  Owner  Contract Vendee  Other \_\_\_\_\_

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

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.



\_\_\_\_\_ Date



\_\_\_\_\_ Signature of Applicant

PLANNING  
NOV 13 2015  
DEPARTMENT

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

FILE COPY

Case 29-15

ATTACHMENT 2

**2. Zoning Classifications**

Present Use of Premises: Commercial

Proposed Use of Premises: Residential

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

**3. Briefly Describe the Proposed Project and Specify all Requested Special Permits:**

Convert first floor commercial space to residential  
Convert use of building to entirely residential  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**4. Please complete the following:**

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	2,003.76 sq ft	8000	2,003.76
Lot Width (ft)	58 ft	75	58
Number of Dwelling Units	2 + (1 commercial)	3	3
Total Gross Floor Area (sq ft)	3,444 sq ft	3444	3444 sq. ft
Residential Gross Floor Area (sq ft)	2296.00		3444.00
Non-Residential Gross Floor Area (sq ft)	1148.00		0
Building Height (ft)	+/- 40 ft	60	
Front Setback (ft)			
Side Setback (ft)			
Side Setback (ft)	15'		
Rear Setback (ft)	4'		
Lot Coverage by Buildings (% of Lot Area)	85%	40%	85%
Permeable Open Space (% of Lot Area)			
Green Space (% of Lot Area)	0	35%	
Off-Street Parking Spaces	0	2	2
Long-Term Bicycle Parking Spaces	N/A		
Short-Term Bicycle Parking Spaces	N/A		
Loading Bays	N/A		

5. Please complete the following:

	Existing	Proposed
a) Number of customers per day:	<u>0</u>	_____
b) Number of employees:	<u>0</u>	_____
c) Hours of operation:	<u>0</u>	_____
d) Days of operation:	<u>0</u>	_____
e) Hours of deliveries:	<u>0</u>	_____
f) Frequency of deliveries:	<input type="checkbox"/> Daily	<input type="checkbox"/> Weekly
	<input type="checkbox"/> Monthly	<input type="checkbox"/> Other: _____

6. OWNERSHIP VERIFICATION

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

I hereby authorize the following Applicant: Jason Coote

at the following address: 23 High Hill Road

to apply for: \_\_\_\_\_

on premises located at: 414 Ashley Blvd

in current ownership since: 2/6/15

whose address is: 23 High Hill road Dartmouth, MA 02747

for which the record title stands in the name of: Jason Coote

whose address is: \_\_\_\_\_


by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 11289 Page: 202

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.

\_\_\_\_\_  
Date

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

# Planning Board Special Permit Application Checklist

1. **Completed Application Form** (with all required signatures; Original plus 15 Copies)
2. **Plans**
- Four (4) stapled and folded sets of full-sized plans (24" x 36") and Twelve (12) sets of reduced plans (11" x 17") are required for all applications. Staff reserves the right to require additional copies.
  - One ~~(1)~~ electronic copy (PDF & CAD) of all proposed activity plans (See Section 10 of Checklist for Requirements) **LATER**
  - All plans oriented so that north arrow points to top of sheet
  - Plans shall be drawn at a minimum scale of 1" = 40' or less
  - All plans shall be stamped by Commonwealth of Massachusetts-registered Professional Engineer, Professional Land Surveyor, and/or Professional Landscape Architect, as appropriate **CONTRACTOR**
  - Plan sets shall be comprised of separate sheets as listed below unless otherwise approved by the City Planner
  - All plans shall have a title block comprised of the following: Project Title, Sheet Title, Sheet Number; Registrant Stamp (i.e. PE, PLS, LA); Registrant's name and address; Street addresses of the project area parcels; Scale at which the plan is drawn; Plan Issue Date; and all plan revision dates (with corresponding revision descriptions). **MAP + LOT**
3. **Certified Abutters List** (4 copies)
4. **Proof of Ownership** (Deed(s) for All Involved Parcels; 4 Copies)
5. **Photos Depicting Existing Conditions** (Minimum of 3, In Color, 1 Aerial + 2 Other Views; 16 Copies)
6. **Development Impact Statement (DIS)**, completed per §5350 of Zoning Code, (16 Copies), if required by Board
7. **Traffic Impact & Access Study (TIAS)** (16 Copies), if required by Board
8. **Electronic PDF and AutoCAD Files** **LATER**
- Shall consist of a CD with a printed CD Label in a CD case
  - CAD files shall be 2010 format or the latest revision of AutoCAD Civil 3D
  - All project submissions shall include the following file types. All project related Drawing Files shall be provided in all 2 supported formats, listed below.
    - AutoCAD Drawing format (.dwg)
    - Adobe Portable Document Format (.pdf)

- PDF files shall be created from within the AutoCAD environment and contain Layer information.
- It is a requirement that each project drawing/sheet created for a project shall be published/plotted to DWG and PDF, and placed in the appropriate folder in the CD submission. All external references (DWG, DWF, DGN, PDF, TIFF, MrSID, JPG, etc.) which are used in support of the creation of these project sheets shall be stored within the XREF folder only (Subfolder of DWG) on the CD. Also the AutoCAD support files (fonts, plot style, etc.) should be supplied on the CD.

- **File Naming:**

The following file naming standard for all CAD related files created, used, or submitted to the Planning Department shall be followed. This applies to all CAD drawings, DWF's, PDF's used in support of, or used in conjunction with this CAD Standard.

File names shall begin with their project Planning Board Case number assigned (available through the Planning Department), followed by an underscore and the appropriate discipline code. In the instance where there is more than one file, assign an appropriate sequential number to the end (ex. 1,2,3). Special characters are not permitted except for the following; hyphens [ - ], underscores [ \_ ], and/or parenthesis [ ( ) ].

*Example 1.*

A set of engineering design plans and documents were prepared for project file number 12-34; acceptable filenames would be as follows:

- 12-34\_Existing Conditions1.dwg
- 12-34\_Existng Conditions2.dwg
- 12-34\_General1.dwg
- 12-34\_Generale.dwg

- 9. Completed Department Sign-Off Sheet** (1 original copy) *WE DISTRIBUTE YOU AS OF 11-1-15*
- 10. Application Fee** (All fees are due at time of application submission)

**Official Use Only:**

For the Planning Board, this application has been received by the Planning Division of the Department of Planning, Housing & Community Development on the date specified below:

Review date: 11/17 All materials submitted: Yes No

Signature: *Estelina Sanchez* Fee 600



CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE  
NEW BEDFORD, MA

2015 NOV 13 P 4:00

# PLANNING BOARD

CITY CLERK

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

## SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: \_\_\_\_\_ by: \_\_\_\_\_ dated: \_\_\_\_\_

### 1. Application Information

Street Address: 414 Ashley Boulevard

Assessor's Map(s): 108 Lot(s) 45

Registry of Deeds Book: 11289 Page: 302

Zoning District: MUB

Applicant's Name (printed): Jason Coto

Mailing Address: 23 High Hill Road Dartmouth MA 02747  
(Street) (City) (State) (Zip)

Contact Information: 508 509 4414 Coto Construction@hotmail.com  
Telephone Number Email Address

Applicant's Relationship to Property:  Owner  Contract Vendee  Other \_\_\_\_\_

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

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.

11-13-15  
Date

[Signature]  
Signature of Applicant

PLANNING  
NOV 18 2015  
DEPARTMENT

CASE 30-15

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

Category	Construction	Scale
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> New Construction	<input type="checkbox"/> < 2,000 gross sq feet
<input type="checkbox"/> Commercial	<input type="checkbox"/> Expansion of Existing	<input type="checkbox"/> > 2,000 gross sq feet
<input type="checkbox"/> Industrial	<input type="checkbox"/> Conversion	<input type="checkbox"/> 3 or more new residential units
<input type="checkbox"/> Mixed (Check all categories that apply)	<input type="checkbox"/> Rehabilitation	<input type="checkbox"/> 1 or more new units in existing res. multi-unit
		<input type="checkbox"/> Drive Thru Proposed
		<input type="checkbox"/> Ground Sign Proposed
		<input type="checkbox"/> Residential Driveway With > 1 curbcut

3. Zoning Classifications

Present Use of Premises: Commercial space

Proposed Use of Premises: Residential

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

---

4. Briefly Describe the Proposed Project:

Convert first floor Commercial space to Residential unit  
Convert use of building to entirely Residential

---

5. Please complete the following:

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	2,003.76 sq ft	8000	2003.76 sq
Lot Width (ft)	58 ft	75	58
Number of Dwelling Units	2 (+1 Commercial)	3	3
Total Gross Floor Area (sq ft)	3444	3444	3444
Residential Gross Floor Area (sq ft)	2296		3444
Non-Residential Gross Floor Area (sq ft)	1148		0
Building Height (ft)	1 1/2 ft	60	
Front Setback (ft)			
Side Setback (ft)			
Side Setback (ft)	15'		



Rear Setback (ft)	4'		
Lot Coverage by Buildings (% of Lot Area)	85%	40%	85%
Permeable Open Space (% of Lot Area)			
Green Space (% of Lot Area)	0	35%	
Off-Street Parking Spaces	0	2	2
Long-Term Bicycle Parking Spaces	N/A		
Short-Term Bicycle Parking Spaces	N/A		
Loading Bays	N/A		

**6. Please complete the following:**

	Existing	Proposed
a) Number of customers per day:	0	_____
b) Number of employees:	0	_____
c) Hours of operation:	0	_____
d) Days of operation:	0	_____
e) Hours of deliveries:	0	_____
f) Frequency of deliveries:	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> 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:

Specify zoning code section & title

\_\_\_\_\_

\_\_\_\_\_

The applicant is also requesting a variance from the ZBA:

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: Jason Cooto

at the following address: 23 High Hill Road

to apply for: \_\_\_\_\_

on premises located at: 414 Ashley Blvd

in current ownership since: 7/16/15

whose address is: 23 High Hill Road Dartmouth, MA 02747

for which the record title stands in the name of: Jason Cooto

whose address is: \_\_\_\_\_

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 11289 Page: 202

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.

→

Date

→

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

# Gregory Jones Architect

June 16, 2015

Mr. Daniel Romanowicz  
Building Commissioner  
City of New Bedford, MA

Re: Miscellaneous Renovations - 414 Ashley Boulevard  
New Bedford MA

Mr. Romanowicz,

As architect for the above referenced project, I certify that I will provide controlled construction services for the work to be performed by Couto Construction, Inc., at 414 Ashley Boulevard and in accordance with the requirements of the Massachusetts Building Code-8th Edition.

Should you have any questions please do not hesitate to contact me.

Sincerely,



Gregory Jones  
Principal  
Gregory Jones - Architect

Case 29-15  
Case 30-15

BK 11289 PG 202

02/06/15 12:14 DOC. 2194  
Bristol Co. S.D.

**QUITCLAIM DEED**

**I, Paulo G. Fernandes**, of 906 Maplewood Street, New Bedford, Bristol County, MA 02745, for consideration of ONE HUNDRED THOUSAND AND 00/100 (\$100,000.00) DOLLARS paid, grant to **Jason O. Couto, a(n) a married man, Individually**, of 23 High Hill Road, Dartmouth, Bristol County, MA, with *Quitclaim Covenants*, the following described parcel of land, and the improvements and appurtenances thereto in the County of Bristol Commonwealth of Massachusetts to wit:

Property Address: 414 Ashley Blvd, New Bedford, MA 02745

The Land in the City of New Bedford, County of Bristol, Commonwealth of Massachusetts, with any buildings thereon, bounded and described as follows:

Beginning at the northwest corner thereof at the point of the intersection of the east line of Ashley Boulevard with the south line of Belleville Road; thence

Easterly by said south line of Belleville Road for a distance of thirty-four and 58/100 (34.58) feet to a point; thence ✓

Southerly by a line parallel to the said east line of Ashley Boulevard for a distance of fifty-eight and no/100 (58.00) feet to a point; thence ✓

Westerly in a line parallel to the said south line of Belleville Road for a distance of thirty-four and 58/100 (34.58) feet to the said east line of Ashley Boulevard; and thence

Northerly in the said east line of Ashley Boulevard for a distance of fifty-eight and no/100 (58.00) feet to the point of beginning. ✓

Being shown as Lot "A" on a "Plan of Land Surveyed for Maria A. Benjamin by Cattley, Hanack & Richard Engineering Corp." dated May 28, 1970, filed in the Bristol County (S.D.) Registry of Deeds in Plan Book 82, Page 33. ✓

Being the same premises as conveyed by Deed to Donna M. Balut recorded with the Bristol South Registry of Deeds on February 7, 2003 in Book 5997, Page 194.

For title reference see Deed recorded immediately prior hereto.

PLANNING

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DEPARTMENT

I, Paulo G. Fernandes, the Grantor herein, state that the property conveyed hereby was not homestead

Return to:

Jordana Roubicek Greenman  
185 Devonshire Street  
Suite 302  
Boston, MA 02110

CASE 29-15  
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FILE COPY

ATTACHMENT 5

I, Paulo G. Fernandes, the Grantor herein, state that the property conveyed hereby was not homestead property; was not the principal residence of the grantor nor my spouse, or any other person at the time of this conveyance, and that there were no other persons entitled to the protection of the homestead act with respect to the property conveyed hereby.

Witness my hand and seal, this 3<sup>RD</sup> day of February, 2015

*Paulo G. Fernandes*  
Paulo G. Fernandes

Commonwealth of Massachusetts

BRISTOL, SS

February 3, 2015

On this 3<sup>RD</sup> day of February, 2015, before me, the undersigned notary public, personally appeared Paulo G. Fernandes proved to me through satisfactory evidence of identification, which was MASS DRIVERS LICENSE to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

*Michael Medeiros*  
MICHAEL MEDEIROS, Notary Public  
My commission expires: 1/21/16



REG OF DEEDS  
REG #07  
BRISTOL S

02/06/15 12:14PM 01  
10000-#1705  
FEE \$456.00  
CASH \$456.00



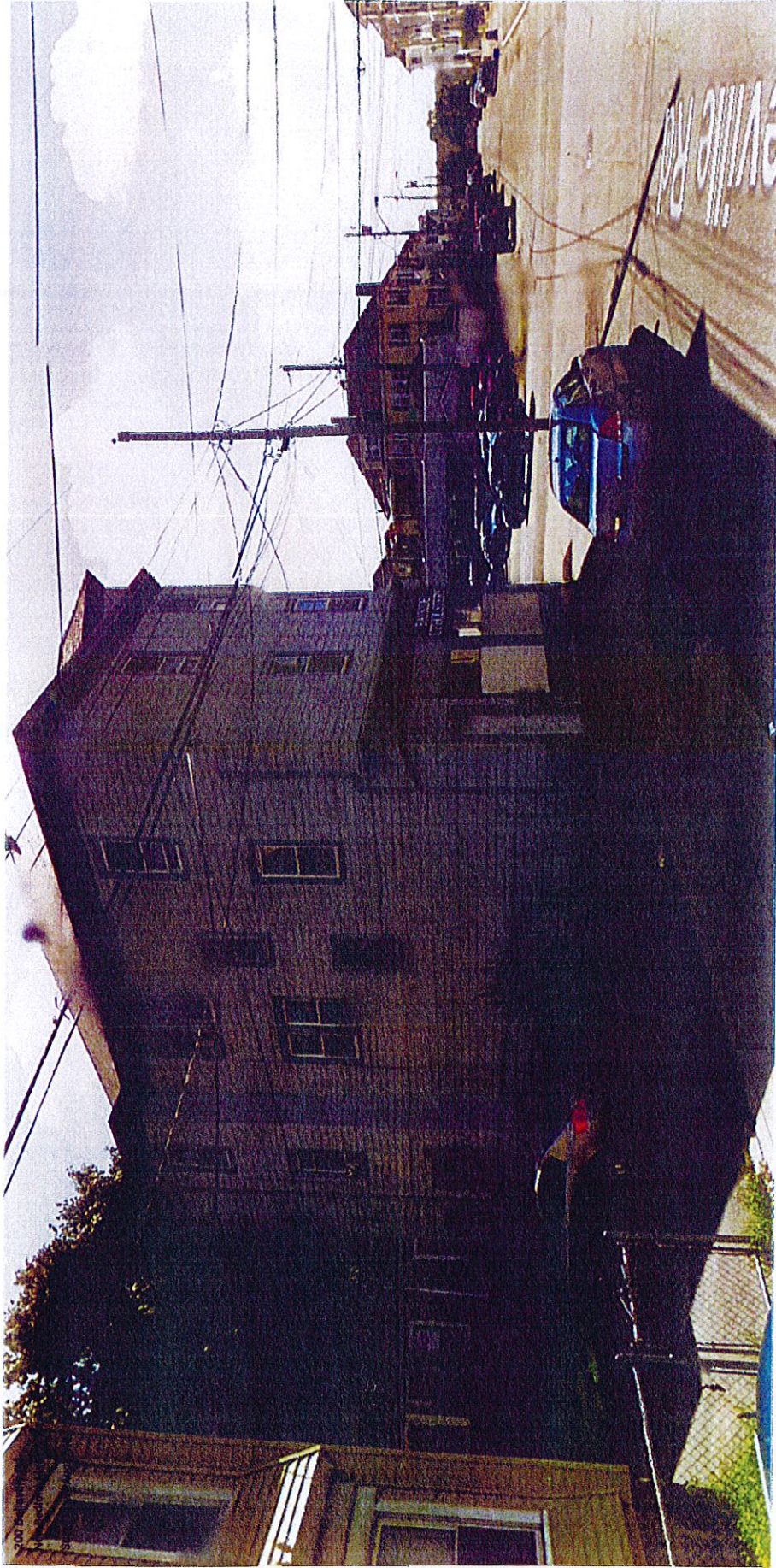
ATTACHMENT 6

PLANNING  
 NOV 13 2015  
 DEPARTMENT  
 CASE 29-15  
 CASE 30-16



414 Ashley Blvd  
 New Bedford, Massachusetts  
 Street View - Sep 2012

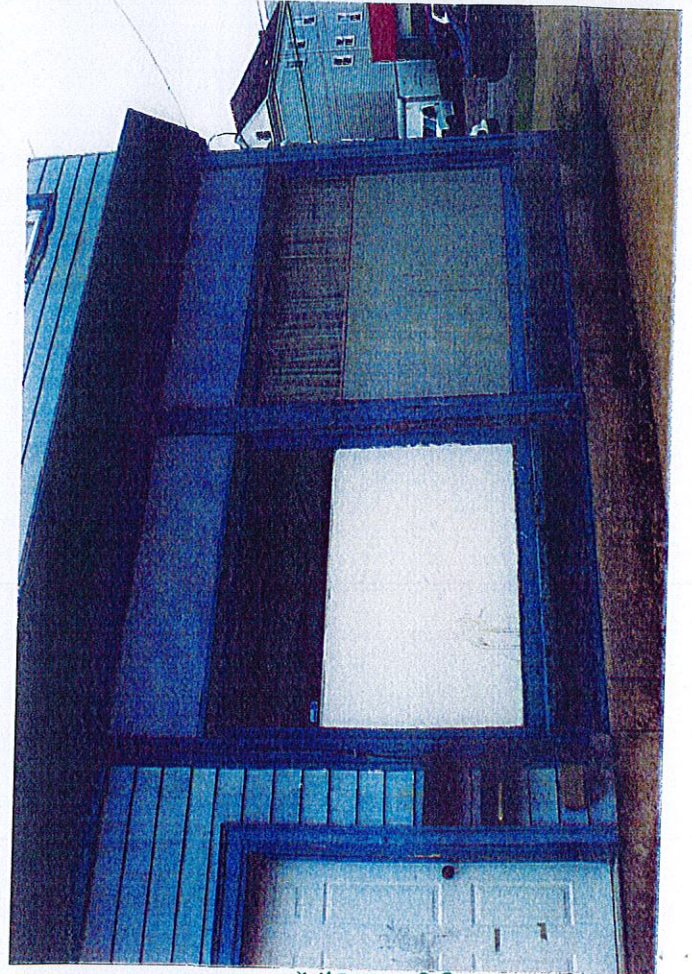
PLANNING  
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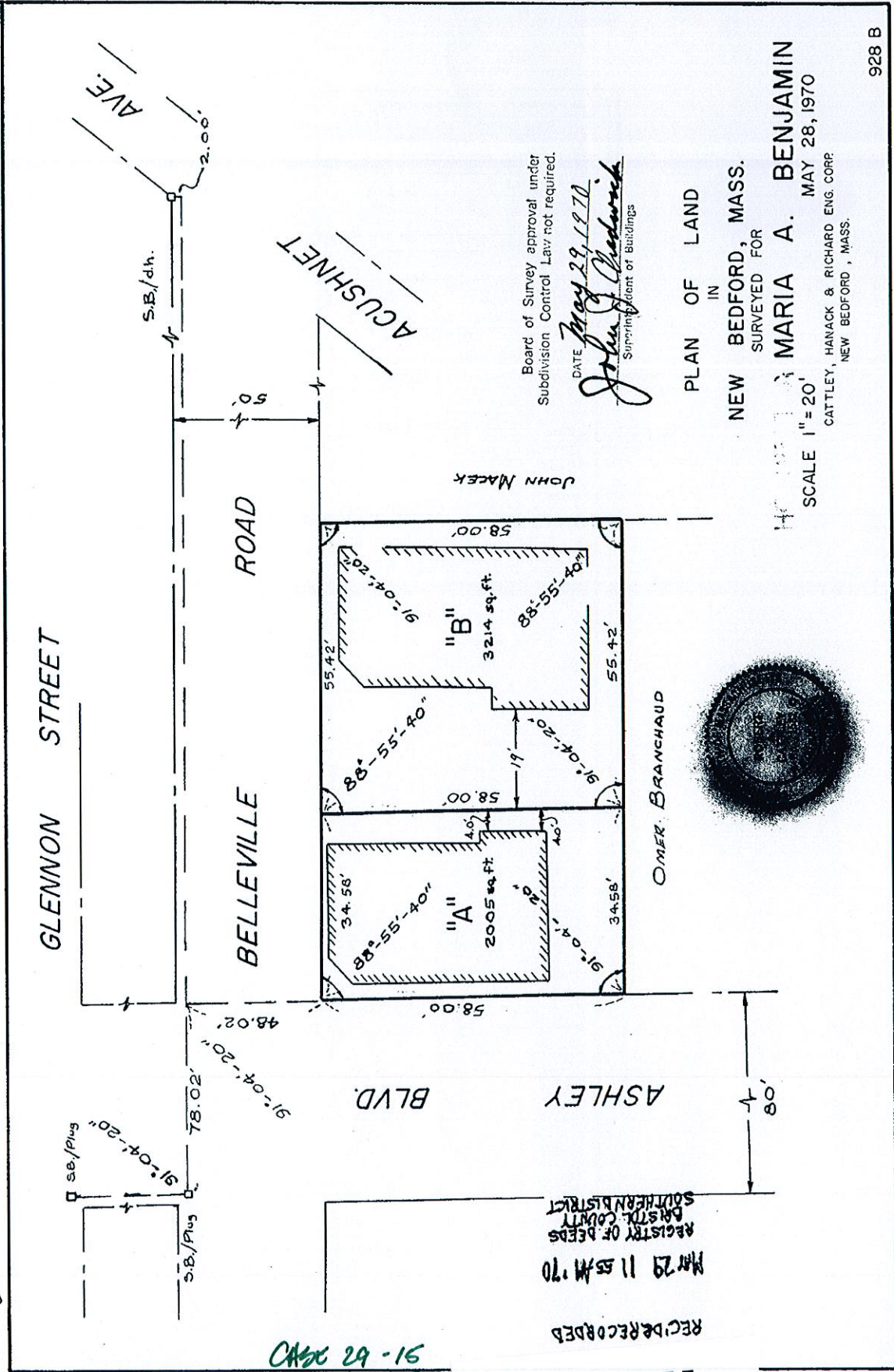




CASO 29-18  
CASO 30-18

82-33

82-33



Board of Survey approval under  
 Subdivision Control Law not required.

DATE May 29, 1970  
*John J. Chiodwick*  
 Superintendent of Buildings

PLAN OF LAND  
 IN

NEW BEDFORD, MASS.  
 SURVEYED FOR  
 MARIA A. BENJAMIN  
 MAY 28, 1970  
 CATTLEY, HANACK & RICHARD ENG. CORP.  
 NEW BEDFORD, MASS.

SCALE 1" = 20'

928 B

82-33

Eugene Bonoit

108 313

ATTACHMENT 7

82-33

CASE 29-16  
 CASE 30-15

RECORDED  
 MAR 29 11 55 AM '70  
 REGISTRY OF DEEDS  
 SOUTHERN DISTRICT

1930-	Fred Gaeng	G Vol.XX1, p.132	
1931-	Leger & St. Germain	G Vol.XX1, p.335	
1932-	Leger & St. Germain	G Vol.XX11, p.175	
1933-	Leger & St. Germain	G Vol.XX111, p.7	
1938-39	Andrew M. Hall, Jr.	G. Vol. 27, p. 69	
1938-39	Alban A. Duchesneau	G. Vol. 27, p. 182	
1939-40	Adelino B. Cabral	G. Vol. 28, p. 74	
1940-41	Adelino B. Cabral	G. Vol. 28, p. 250	
1941-42	Adelino B. Cabral	G. Vol. 29, p. 181	
1942-43	Arsenio Carreiro	G. Vol. 30, p. 105	
1943-44	Ansonio Carreiro	G. Vol. 30, p. 268	
1944-45	Louis Conrad Pincince	G. Vol. 31, p. 191	revoked-surrendered
	Arsenio Carreiro	G. Vol. 31, p. 143	(Over)

## ATTACHMENT 8

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- 1944-45 Eva E. Mellor, Doris Vargas G. Vol. 31, p. 202  
1945-46  
1946-47 Eva E. Mellor - Sunday License granted May 16, 1946.  
1947-48 Leonard Perry and Manuel Jason - Sunday License granted May 1, 1948  
1948-49 Manuel Jason and Leonard D. Perry - Sunday lic. gr. 6/3/48 -  
Ashley Blvd. Mkt. & Variety.  
1949-50 Manuel Jason and Leonard D. Perry - Sunday Lic. gr. 6/16/49 -  
Ashley Blvd. Mkt. & Variety.  
1950-51 Leonard D. Perry - Ashley Blvd. Mkt. & Variety-Sun. Lic. gr. 11/16/50  
1951-52 Leonard D. Perry - Ashley Blvd. Variety - Sunday license gr. 2/3/53  
1952-53 Leonard D. Perry - Ashley Blvd. Variety - Sunday license gr. 2/3/53  
1953-54 Leonard D. Perry - Ashley Blvd. Variety - Sunday license gr. 4/7/53  
1956-57 Leonard D. Perry - Ashley Blvd. Variety - Sunday license gr. 9/24/56  
1960-61 Gerard J. Desrosiers - Jerry's Variety - Sunday license gr. 2/13/61  
1961-62 Gerard J. Desrosiers - Jerry's Variety - Sunday license gr. 1/8/62  
1962-63 Gerard J. Desrosiers - Jerry's Variety - Sunday license gr. 1/14/63  
1963-64 Robert Resendes - dba Jerry's Variety - Sunday license gr. 2/17/64  
1964-65 Robert J. Resendes - dba Jerry's Variety - Sunday license gr. 5/4/64

CASE 29-15  
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414 Ashley Boulevard

Page Three.

1984 - C.V. Lic. gr. 8/20/84 to Richard Desrosiers dba Gerry's Variety

1985 - C.V. Lic. gr. 2/11/85 to Gerard J. Desrosiers dba Gerry's Variety

1986 - C.V. Lic. gr. 2/10/86 to Gerard J. Desrosiers d/b/a Gerry's Variety

1987 - C.V. Lic. gr. 4/6/87 to Karl & Lori Cunha-Kevin & Susan Santos d/b/a Short Stc

CASE 29-15  
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LOCATION		414 Ashley Boulevard cor. Belleville Rd.	206
			BOA 9/27/84
DISTRICT		Business	LOT 45
PERMIT NO.	USE	PLANS	PLOT 108 CONST.
Store & Tenement			
1026-84	Case # 2501	Proposes to divide to Variety Store and Coffee Shop with tenements on levels above	
265-90	Alter existing space for Beauty Salon (Plans)		Granted 9/27/84
1388-95	Change of tenant for arts and crafts		
1186-04		Change of	Tenant/Use
International Amazon			

77-05	Change of Tenant + Signs	"Image Audio"
1014-05	C.O.T.	"THE TREASURE CHEST"

PLANNING  
NOV 13 2015  
DEPARTMENT

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