



ZONING BOARD OF APPEALS

City Hall, Room 303
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CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

CITY CLERK'S OFFICE
NEW BEDFORD, MA
2015 NOV - 4 A 10:41
CITY CLERK

Case Number: #4109	
Request Type: Extension of Special Permit	
Address: ES North Water Street	
Zoning: Mixed Use Business and Downtown Overlay Zoned District	
Recorded Owner: Candleworks Ventures, LLC. and New Bedford Parcel A, LLC.	
Applicant: Candleworks Ventures, LLC. and New Bedford Parcel A, LLC.	
Applicant Address: 72 N. Water Street, New Bedford, MA 02740	
Request Submittal Date	Public Hearing Date
September 28 th , 2015	October 22 nd , 2015
Decision Date	
October 22 nd , 2015	
Assessor's Plot Number	Lot Number(s)
53	68 and 291
Book Number	Page Number
10419	212-7
Certificate Number	

Petitioner requests a one-year extension for a Special Permit approved December 6, 2013 under provisions of Chapter 9, Comprehensive Zoning relative to property located at ES N. Water Street, Assessor's Map Plot 53 Lot 68 and 291 in a Mixed-Use-Business Zoned District. The petitioner proposes to: Build a Five (5)-Story Hotel with 141 Rooms, a 4,745 sf. Conference Center, a 150 Seat Restaurant and 10 Condominiums, which will require a Special Permit under Chapter 9 Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District) Sections 5300-5330 5360- 5390 (Special Permit). The petitioner seeks an extension for good cause, which includes without limitation that certain of the permits initially granted for the subject project remain under appeal.

Action: Granted, for the reasons set forth in the attached Decision. (See Attachment)

A copy of this decision was filed with the City Clerk of the City of New Bedford on November 4th, 2015.

Nov. 4, 2015
Date

Allen Decker
Clerk, Zoning Board of Appeals

APPLICATION SUMMARY

Petitioner requests a one-year extension for a Special Permit approved December 6, 2013 under provisions of Chapter 9, Comprehensive Zoning relative to property located at ES N. Water Street, Assessor's Map Plot 53 Lot 68 and 291 in a Mixed-Use-Business Zoned District. The petitioner proposes to: Build a Five (5)-Story Hotel with 141 Rooms, a 4,745 sf. Conference Center, a 150 Seat Restaurant and 10 Condominiums, which requires a Special Permit under Chapter 9 Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District) Sections 5300-5330 5360- 5390 (Special Permit). The petitioner seeks an extension for good cause, which includes without limitation that certain of the permits initially granted for the subject project remain under appeal.

1.) MATERIALS REVIEWED BY THE BOARD

Letter to the ZBA from Candleworks Ventures LLC and New Bedford Parcel A, LLC By: Partridge Snow & Hahn LLP, its attorneys, signed by Attorney Michael A Kehoe, requesting a one-year extension of permit #4109-72 North Water Street. Date stamped received by City Planning Division, September 28th, 2015.

2.) DISCUSSION

On the evening of the October 22nd, 2015 meeting, board members: James Mathes, John Walsh, Allen Decker, Sherry McTigue, and Robert Schilling were present for the public hearing. City of New Bedford staff: Danny D. Romanowicz (Commissioner of Buildings & Inspectional Services) and Jennifer Gonet (Assistant Project Manager, Planning Division) were present during proceedings for the subject case review.

Mr. Decker made a motion, seconded by Mr. Schilling to receive and place on file correspondence dated September 28th, 2015, from Candleworks Ventures LLC and New Bedford Parcel A, LLC submitted by Partridge Snow & Hahn LLP, requesting a one year extension of the previously approved special permit. With all in favor the motion passed.

Representative of the Petitioner: Attorney Tim Wenger (128 Union Street New Bedford, MA) explained the request is for the extension of a special permit granted in December 2013. In connection with this project the Zoning Board granted two variances, which have been appealed. That case is still ongoing therefore the petitioner believes that constitutes good cause for another one year extension for the permit.


DECISION:

The Zoning Board of Appeals hereby **grants the request for a one-year extension of the Special Permit for Case #4109.**

On a motion by A. Decker seconded by J. Walsh to **grant the request** the vote carried 5-0; with members J. Walsh, A. Decker, J. Mathes, S. McTigue, and R. Schilling voting in the affirmative, no members voting in the negative. (Tally 5-0)

Filed with the City Clerk on:

Nov. 4, 2015
Date


Allen Decker, Clerk of the Zoning Board of Appeals