



Zoning Board of Appeals

Agenda

March 19, 2020– 6:00 PM

**New Bedford Main Library, 3rd Floor Meeting Room
613 Pleasant Street, New Bedford, MA**

3/4/2020 1:29:07 PM CITY CLERK

MEETING CALLED TO ORDER

APPROVAL OF MINUTES

- December 12 meeting minutes

SCHEDULED HEARINGS

- #4407** Notice is given of a public hearing on the petition of: **City of New Bedford** (133 William Street, New Bedford, MA 02740) and **Waterfront Historic Area League (WHALE), C/O Teri Bernert** (15 Johnny Cake Hill, New Bedford, MA 02740) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2400 (nonconforming uses 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 located at **109 Hillman Street**, Assessors' map 58 lot 157 in a Mixed Use Business [MUB] zoned district. The petitioner is proposing to rehabilitate and change the use of an existing vacant building into a 9 unit mixed residential building per plans filed. **Continued Agenda Item from February 13, 2020.**
- #4408** Notice is given of a public hearing on the petition of: **Charter Dartmouth II, LLC, C/O Charter Realty & Development Corp.** (75 Holly Hill Lane, Suite 305, Greenwich, CT 06830) and **Mechanics Cooperative Bank, C/O John McMahon** (PO BOX 552, Taunton, MA 02780) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3210 (general regulations), 3250 (regulation governing particular types of signs), 3255 (area restrictions for ground signs-in Mixed Use Business districts, no ground sign shall exceed one square foot in area for each linear foot of street frontage of the lot upon which it is erected, but in no event shall such sign exceed twenty-five (25) SF in area, nor shall there be a distance of more than ten (10) Ft. from the ground to the bottom of the sign and more than fifteen (15) Ft. from the ground to the top of the sign) and 3256 (location restrictions. No ground sign shall project over a public way, nor shall a ground sign be located closer than six (6) Ft. from a lot line. Only one ground sign shall be permitted per lot in a Mixed Use Business district); relative to property located at **1238 Kempton Street**, Assessors' map 54 lot 6 in a Mixed Use Business [MUB] zoned district. The petitioners are proposing to install an electronic message board to a new free-standing ground sign which measures 121.4 SF, 10' to the bottom, 22'.3" to the top of the sign, and within 6' of the front lot line per plans filed. **Continued Agenda Item from February 13, 2020.**

3/4/2020 1:29:07 PM CITY CLERK

#4409 Notice is given of a public hearing on the petition of: **Charter Dartmouth II, LLC, C/O Charter Realty & Development Corp.** (75 Holly Hill Lane, Suite 305, Greenwich, CT 06830) and **Mechanics Cooperative Bank, C/O John McMahon** (PO BOX 552, Taunton, MA 02780) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature), 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **1238 Kempton Street**, Assessors' map 54 lot 6 in a Mixed Use Business [MUB] zoned district. The petitioners are proposing to install an electronic message board to a new free-standing ground sign which measures 121.4 SF, 10' to the bottom, 22'.3" to the top of the sign, and within 6' of the front lot line per plans filed. **Continued Agenda Item from February 13, 2020.**

#4410 Notice is given of a public hearing on the petition of: **Ian Shields**, (PO Box 51204, Boston, MA, 02205) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3110 (applicability), 3130 (table of parking loading requirements-Appendix C, business engaged in retail sale of goods and services, not elsewhere enumerated herein, business engaged in the warehousing and distribution of goods and materials including building & construction contractors, equipment & supplies on premises; relative to property located at **138-142 Arnold Street**, Assessors' map 45 lot 212 in a Mixed Use Business [MUB] zoned district. The petitioner is proposing to operate a grocery store, with no parking per plans submitted. **Continued Agenda Item from February 13, 2020.**

#4411 Notice is given of a public hearing on the petition of: **NB Practice Realty, LLC**, (906 Hathaway Road, New Bedford, MA 02740) and **Marc R. Deshaies, Esq.**, (115 Orchard Street, New Bedford, MA 02740) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature), 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **906 Hathaway Road**, Assessors' map 120 lot 16 in a Mixed Use Business [MUB] zoned district. The petitioners are proposing to replace the existing non-illuminated ground mounted monument sign with a double-sided LED illuminated sign of greater dimensions per plans filed.

#4412 Notice is given of a public hearing on the petition of: **Ocean View Realty Trust** (680 Acushnet Avenue, New Bedford, MA 02740), **Pearl Street Solar Roof, LLC** and **Pearl Street Solar Canopy, LLC** (405 Atlantis Road, Suite E115, Cape Canaveral, FL 32920) and **SITEC** (499 Faunce Corner Road, N. Dartmouth, MA 02747) for a **Variance**

3/4/2020 1:29:07 PM CITY CLERK

under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements – Appendix B, front, side & rear yard-Ft.); relative to property located at **1 Pearl Street**, Assessors' map 72 lot 172 & 173 in an Industrial B [IB] zoned district. The petitioners are proposing to install solar panels on the roof of the existing industrial building and construct two free standing carport canopies with solar panels within the southwest front and side setback of the property per plans filed.

OTHER BUSINESS

- Next Scheduled Meeting will be held on Thursday, April 23, 2020

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact **Angela Goncalves at 508-979-1488 (Angela.Goncalves@newbedford-ma.gov) or Mass Relay 711**. Requests should be made as soon as possible but at least **48 hours** prior to the scheduled meeting.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law. Massachusetts General Laws, chapter 30A, Section 20(f) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.