



Zoning Board of Appeals

Agenda

July 16, 2020 6:00 – 9:00 PM

To participate, copy and paste this link: <https://zoom.us/j/95229742852> and enter Meeting ID: 952 2974 2852 Password: 870179 or Dial 1 646 558 8656

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Please note: Due to the COVID- 19 outbreak, Governor Baker issued an Executive order prohibiting gathering of 10 or more people, effective March 24, 2020. Further, Mayor Mitchell closed City Hall to public access, effective March 17, 2020. This effectively means that boards and commissions may not meet in person with the public during the time that these state and city orders are in effect. However, pursuant to a March 12 executive order issued by Governor Baker that relaxed the requirements of the Open Meeting Law, boards and commissions may meet **entirely remotely**.

The Zoning Board of Appeals will hold an Advertised Public Hearing on **Thursday, July 16, 2020 at 6:00 via ZOOM. To participate, copy and paste this link: : <https://zoom.us/j/95229742852> and enter Meeting ID: 952 2974 2852 Password: 870179 or Dial 1 646 558 8656 on any phone and the chair will direct you in the call.** Online materials for each case will be posted at <https://www.newbedford-ma.gov/planning/zoning-board-agenda-info-2020>. This public hearing will review on the following appeals as set forth under the provisions of the City Code of New Bedford:

MEETING CALLED TO ORDER

APPROVAL OF MINUTES

- June 18, 2020 meeting minutes

SCHEDULED HEARINGS

- #4412** Notice is given of a public hearing on the petition of: **Ocean View Realty Trust**, (680 Acushnet Avenue, New Bedford, MA 02740), and **Pearl Street Solar Roof, LLC** and **Pearl Street Solar Canopy, LLC** (405 Atlantis Road, Suite E115, Cape Canaveral, FL 32920) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements - Appendix B, front yard-Ft. & side 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 existing industrial building roof and construct two free standing carport canopies with solar panels within the front and side setback of the property per plans filed. **Continued Agenda Item from June 18, 2020.**
- #4419** Notice is given of a public hearing on the petition of: **161 Popes Island LLC**, (867 Middle Road, Acushnet, MA 02743) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2400 (non-conforming uses 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 5300-5390 (special permit); relative to property located at **161 Popes Island**, Assessors' map 60 lot 26 in an Industrial A [IA] zoned district. The petitioner proposes to reduce the building area by 16% and renovate the existing structure into a retail/service facility per plans filed. **Continued Agenda Item from June 18, 2020**
- #4420** Notice is given of a public hearing on the petition of: **Antoinette T. Pacheco & Thomas S. Pacheco**, (335 Rockdale Avenue, New Bedford, MA 02740) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2400

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(non-conforming uses and structures), 2410 (applicability), 2420 (nonconforming uses), 2421 (change or substantial extension of use), 2422 (change from one nonconforming use to another, less detrimental, nonconforming use), 2440 (nonconforming single-and two-family structures) and 5300-5390 (special permit); relative to property located at **335 Rockdale Avenue**, Assessors' map 26 lot 107 in a Residential B [RB] zoned district. The petitioner proposes to convert a commercial space into an in-law apartment per plans filed.

#4421 Notice is given of a public hearing on the petition of: **Antoinette T. Pacheco & Thomas S. Pacheco**, (335 Rockdale Avenue, New Bedford, MA 02740) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3000 (general regulations), 3100 (parking & loading), 3110 (applicability) and 3145 (open air off-street parking facilities may be located in required front, rear and side yards, except that in a residential district, no open air off street parking space shall be located in front of the dwelling or principal building); relative to property located at **335 Rockdale Avenue**, Assessors' map 26 lot 107 in a Residential B [RB] zoned district. The petitioner proposes to convert a commercial space into an in-law apartment per plans filed.

#4394 Notice is given of a public hearing on the petition of: **PRL Realty, LLC, Patricia L. Andrade, Wayne G. Tessler & Pauline Massed; Trustee of Suite 5 Real Estate Trust, Elizabeth Silva & Durval Silva; Trustee of Suite 6 Realty Trust** (52-54 Brigham Street, New Bedford, MA 02740), **Cleanslate Centers, C/O Michael Keleher** (12 Cadillac Drive, Brentwood, TN 37027) and **Thomas P. Crotty & Associates PLLC**, (5 Dover Street, Ste 102, New Bedford, MA 02740) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2200 (use regulations), 2210 (general), 2230 (table of use regulations-Appendix A, commercial #25 medical offices, center or clinic) and 5300-5330 & 5360-5390 (special permit); relative to property located at **52-54 Brigham Street**, Assessors' map 39 lot 18A-D,F,H,K in a Mixed Use Business [MUB] zoned district. The petitioners are proposing to operate a medical office space for outpatient treatment per plans filed. ***This item has been continued by request of the applicant to August 20, 2020***

OTHER BUSINESS

- Next Scheduled Meeting will be held on Thursday, August 20, 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.