

IX. HOMEOWNER LICENSE EXEMPTION

Supplement #1

The current exemption for "homeowner" was extended to include owner-occupied dwellings of two units or less and to allow such homeowners to engage an individual for hire who does not possess a license, provided that the owner acts as supervisor. (State Building Code Section 110.5)

DEFINITION OF HOMEOWNER:

Person(s) who own a parcel of land on which he/she resides or intends to reside, on which there is, or is intended to be, a one to two family dwelling, attached or detached structures accessory to such use and /or farm structures. A person who constructs more than one home in a two-year period shall not be considered a homeowner. Such "homeowner shall submit to the Building Official, on a form acceptable to the Building Official, that he/she shall be responsible for all such work performed under the building permit. (Section 110.5)

The undersigned "homeowner assumes responsibility for compliance with the State Building Code and other applicable codes, ordinance, rules and regulations, and will comply with the City of New Bedford Building Department minimum inspection procedures and requirements.

HOMEOWNERS SIGNATURE _____

X. CONSTRUCTION DEBRIS DISPOSAL

Supplement #2

In accordance with provisions of Massachusetts General Law C40, S54, debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by Massachusetts General Law C111, S150A

The debris will be disposed of in: _____

(Location of Facility)

Signature of Permit Applicant _____

Date _____

XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT

(Residential Use Only) Supplement to Permit Application

Supplement #3

MGLc. 142 A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units... or to structures which are adjacent to such residence of building" be conducted by registered contractors, with certain exceptions, along with other requirements

Type of Work: Construct a 5 Story Commercial/Residential building on lots 40, 41, 215, 216, 146

Address of Work: 115 & 117 + 127-129 Union and 7 N Second St.

Owner Name: _____

Date of Permit Application: _____

I hereby certify that: Registration is not required for the following reason(s):

_____ Work excluded by law _____ Job under \$1,000 _____ Building not owner-occupied _____ Owner obtaining own permit

Other (specify) _____

Notice is hereby given that:

OWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLC. 142A.

signed under penalties of perjury

I hereby apply for a permit as the agent of the owner.

Date _____

Contractor Signature _____

Registration No. _____

OR

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property.

Date _____

Owner Signature _____

XII. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS

C. Building Permit Rejected ☒

MODIFICATIONS TO ZBA CASE # 4372

Fee _____

Reason For Rejection

Permit # _____

" See Attachments "

Comments and Conditions:

Signed _____

Danny D. Romanowicz
Building Commissioner

Date: 9/21

2020

Not valid unless signed (not stamped) by Building Commissioner



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

DEPARTMENT OF INSPECTIONAL SERVICES

**133 WILLIAM STREET - ROOM 308
NEW BEDFORD, MA 02740**

New Bedford Comprehensive Zoning Code Review Code of Ordinances – Chapter-9

115 Union Street – Plot: 53 – Lot: 41 – Zoned District: MUB
117 Union Street – Plot: 53 – Lot: 216 – Zoned District: MUB
121 Union Street – Plot: 53 – Lot: 215 – Zoned District: MUB
127-129 Union Street – Plot: 53 – Lot: 146 – Zoned District: MUB
7 North Second Street – Plot: 53 – Lot: 40 – Zoned District: MUB

Special Permit is Required from the Zoning Board of Appeals

Site Plan Review & Special Permit is Required from the Planning Board

Zoning Code Review as follows:

Special Permit

Zoning Board of Appeals

❖ SECTION

- 2200 – Use Regulations
- 2210 – General
- 2230 – Table of Use Regulation – Appendix-A
 - Commercial: #17 – Live/Work
- 2400 – Nonconforming Uses and Structures
- 2410 – Applicability
- 2420 – Nonconforming Uses
 - 2421 – Change or substantial extension of the use
- 5300-5390 – Special Permit

Special Permit

Zoning Board of Appeals

❖ SECTION

- 4500-4572 – Downtown Business Overlay District (DBOD)
- 5300-5390 – Special Permit

Modification to Special Permit #19-07

Planning Board

❖ SECTIONS

- 3100 – Parking and Loading
- 3110 – Applicability
- 3130 – Table of Parking Loading Requirements – Appendix-C
 - Multi-family (3) or more per structure
 - Office
 - Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein
- 5300-5390 – Special Permit

Site Plan Review

Planning Board

❖ SECTIONS

- 5400 – Site Plan Review
- 5410 – Purpose
- 5420 – Applicability
 - 5421. Any new industrial or commercial construction or expansion over two thousand (2,000) gross square feet or any new industrial or commercial construction or expansion requiring more than five (5) additional parking spaces
 - 5422. New multiple-family residential construction of three (3) or more units or expansion of existing multifamily residential structures resulting in the creation of one or more additional units.
- 5430-5490B



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET – ROOM 308
NEW BEDFORD, MA 02740

Modifications to Parking & Loading Spaces Calculations from Special Permit #19-07

115-129 Union Street & 7 North Front – Mixed Use Business

Parking Spaces Calculations

Number of Spaces Required – Retail Space #1

Number of Space Required = 2,914sf / 200sf gross floor/parking space = 14.57 = 15 Parking Spaces

Number of Spaces Required – Retail Space #2

Number of Space Required = 2,294sf / 200sf gross floor/parking space = 11.47 = 12 Parking Spaces

Number of Spaces Required – General Office Space

Number of Space Required = 4,839sf / 200sf gross floor/parking space = 24.2 = 25 Parking Spaces

Number of Spaces Required – Multi-Family

Number of Space Required = 2 Parking Spaces/Unit x 46-Units = 92 Parking Spaces

Total Number of Parking Spaces Required = 143 Parking Spaces

Number of Parking Spaces Provided = 1 Parking Space

Loading Spaces Calculation

Number of Spaces Required – 1st Business – Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein

1 Loading Spaces is required after 10,000sf of gross floor area = 1 Loading Space

Number of Spaces Required – 2nd Business – Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein

1 Loading Spaces is required after 10,000sf of gross floor area = 1 Loading Space

Number of Spaces Required – Multi-Family

1 Loading Spaces is required after 10 dwelling units = 1 Loading Space

Total Number of Loading Spaces Required = 3 Loading Spaces

No Loading Spaces Provided

Total Number of Spaces Required

Number of Spaces Required for Relief = 145 Parking Spaces

Number of Spaces Previously Granted for Relief = 105 Parking Spaces

(Relief granted for a reduction in Parking & Loading Spaces Calculations from Special Permit #19-07)

Number of Spaces Required for Relief = 40 Parking Spaces

**ZONING BOARD of APPEALS**

City Hall, Room 303
133 William Street,
New Bedford, MA 02740
(508) 979-1488
www.newbedford-ma.gov

CITY CLERKS OFFICE
NEW BEDFORD, MA

Registry of Deeds/City Clerk Use Only.

2019 MAY -7 P 3:01

CITY CLERK

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number:	#4372			
Request Type:	Special Permit			
Address:	115,117 & 121 Union, 7 N. Second St. & 127-129 Union Street			
Zoning:	Mixed Use Business (MUB) & Downtown Business Overlay District (DBOD)			
Recorded Owner:	Paul A. Piva & Gail Florek			
Owner Address:	10 Pequod Road, Fairhaven, MA 02719			
Applicant:	117 Union Street LLC & Moby Dick LLC			
Applicant Address:	128 Union Street, New Bedford, MA 02740			
Application Submittal Date	Public Hearing Date		Decision Date	
February 15, 2019	April 25, 2019		April 25, 2019	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
53	40,41,215,216,146	1838	1144	-

2019 00011177
Bk: 12807 Pg: 192 Pg: 1 of 8 BS
Doc: 6P 05/30/2019 11:00 AM

A Special Permit under Chapter 9 Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District-DBOD) and 5300-5330 & 5360-5390 (special permit); relative to property located at 115, 117 & 121 Union Street, 7 N. Second Street & 127-129 Union Street Assessors' map 53 lot 40, 41, 215, 216, 146 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to raze five existing attached buildings located on lots 40, 41, 215 & 216, as well as the rear, one story addition located on lot 146 and construct a (5) story commercial/residential building on lots 40, 41, 215 & 216, and a one-story building in the rear of lot 146 per plans filed.

Action: GRANTED, WITH CONDITIONS, for the reasons set forth in the attached decision with the Conditions as described therein.

A copy of this Decision was filed with the City Clerk of the City of New Bedford on May 7, 2019. Any person aggrieved by this decision has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 17 of Chapter 40A of the General Laws of Massachusetts.

Date

This is to certify that notice of the grant of this appeal was filed with City Clerk on 5-14-19 and no appeal from the decision of the Board has been filed within the 20 day appeal period.

City Clerk

Stephen Brown, Clerk of the Zoning Board of Appeals

MAY 30 2019

Date Issued

A TRUE COPY ATTEST

CITY CLERK NEW BEDFORD, MA

JONATHAN F. MITCHELL

APPLICATION SUMMARY

The petitioner proposes to raze five existing attached buildings located on lots 40, 41, 215 & 216, as well as the rear, one story addition located on lot 146 and construct a (5) story commercial/residential building on lots 40, 41, 215 & 216, and a one-story building in the rear of lot 146 per plans filed, which requires a Special Permit under Chapter 9 Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District-DBOD) and 5300-5330 & 5360-5390 (special permit); relative to property located at 115, 117 & 121 Union Street, 7 N. Second Street & 127-129 Union Street, Assessors' map 53 lot 40, 41, 215, 216 & 146 in a Mixed Use Business [MUB] zoned district.

1.) MATERIALS REVIEWED BY THE BOARD

Plans Considered to be Part of the Application

- Plan set, drawn by STANTEC Architecture & Engineering P.C., dated February 1, 2019, date stamped received by City Clerk's Office February 15, 2019, including:
 - Cover Sheet-Site Locus
 - Existing Conditions & Demolition Plan
 - Site Layout & Utilities Plan
 - Details
 - Floor Plan-Level 1 & Level 2
 - Floor Plan-Level 3 & level 4
 - Level 5 & Roof
 - Elevations- North & South
 - Elevations-East & West
 - Building Sections
- Plan set, drawn by STANTEC Architecture & Engineering P.C., dated March 21, 2019, date stamped received by City Clerk's Office March 26, 2019, including:
 - Cover Sheet-Site Locus
 - Existing Conditions & Demolition Plan
 - Site Layout & Utilities Plan
 - Details
 - Floor Plan-Level 1 & Level 2
 - Floor Plan-Level 3 & level 4
 - Level 5 & Roof
 - Elevations- North & South
 - Elevations-East & West
 - Building Sections

Other Documents & Supporting Material

- Completed Petition for a Special Permit, stamped received by City Clerk's Office February 15, 2019.
- Letter to ZBA from the Commissioner of Buildings & Inspectional Services, Danny D. Romanowicz, dated March 1, 2019.
- Staff Comments to the ZBA from the Office of the City Planner, dated March 22, 2019.

2.) DISCUSSION

On the evening of the April 25, 2019 meeting, board members: John Walsh, Allen Decker, Stephen Brown and Celeste Paleologos were present for the public hearing. City of New Bedford staff: Danny D. Romanowicz (Commissioner of Buildings & Inspectional Services), and Angela Goncalves (Assistant Project Manager) were present during proceedings for the subject case review.

In regards to Case #4372 Clerk Brown made a motion, seconded by Mr. Decker to receive and place on file the communications from the Commissioner of Buildings & Inspectional Services, Danny D. Romanowicz, dated March 1, 2019; staff comments from the Department of Planning, Housing & Community Development, dated March 22, 2019; the appeal packet as submitted; the plan as submitted; and, that the owners of the lots as indicated are the ones deemed by the Board to be affected; and that the action of the Clerk in giving notice of the hearing as stated be and is hereby ratified. With all in favor, the motion carried.

Acting Chairperson Walsh then declared the hearing open.

The petitioner: Michael Galasso, Executive Director, New Bedford Development Corporation (128 Union Street) presented the case at the hearing representing the applicant 117 Union Street, LLC. Mr. Galasso began the presentation by introducing the affiliates of the subject project; Louis Craft, Project Manager, Stantec, Richard Rheume, Civil Engineer, Prime Engineering, Inc. and Steven Beauregard, President of New Bedford Development Corporation. Mr. Galasso stated the proposal is a mixed use/mixed income project situated on the intersection of Union Street and North Second Street on a 12,524± SF parcel. Mr. Galasso explained the proposal is to construct a (5) story commercial/residential building comprised of 42 residential units and 3000 SF of ground level retail space.

The petitioner proposes to raze five existing attached buildings located on lots 40, 41, 215 and 216, as well as the rear, one story addition located on lot 146 and construct a (5) story commercial/residential building on lots 40,41,215 & 216, and a one-story building in the rear of lot 146.

The project site is located in the Downtown Business Overlay District (DBOD), therefore requiring a special permit. The (DBOD) allows residential uses on upper floors, variation from dimensional requirements, and increased density by granting a special permit. The applicant seeks relief for the construction of new dwellings for residential use.

Mr. Galasso proceeded by stating that several informal & formal meetings have been held with the Historical Commission, Planning Board and City Staff to revise plans submitted. Mr. Galasso explained the caliber of the project, stating the proposal will set the mark for Downtown Development, providing needed and desired services.

Mr. Galasso continued his presentation by stating they are seeking approval for a Special Permit located in the Downtown Business Overlay District (DBOD) for a 14.5-million-dollar mixed use retail/residential project. Mr. Galasso briefly mentioned a one-unit work/live space proposed as well. A separate special permit is required from the Zoning Board of Appeals for Commercial Work/Live Space. There have been no plans submitted thus far for the separate Special Permit.

Mr. Galasso concluded his presentation stating that there are conditions to be considered for the approval of the proposal by the Historical Commission and the Planning Board, a special joint meeting is scheduled for May 6, 2019.

Mr. Richard Rheume, Civil Engineer, Prime Engineering, Inc. (PO Box 1088, Lakeville, MA) continued the presentation by demonstrating the shape and location of the subject property depicted on the site plan. Mr. Rheume stated that there are (5) existing separate one-story buildings with a small parking area; the parcel is 100% impervious. Mr. Rheume explained the proposal is to raze the existing buildings and construct a new 5 story building and a one-story work/live space. Mr. Rheume briefly mentions the rebuilding of the sidewalk on North Second Street with proposed outdoor seating. Additionally, Mr. Rheume mentions a proposed cafe, handicap parking, transformer, bicycle storage and trash receptacles.

In response to inquiries from board members relative to the one-story work/live space and parking, Mr. Rheume states the work/live space would be the 43rd unit. Mr. Rheume states there are two parking garages in the immediate vicinity that offer long term rental rates, the Zeiterion Parking Garage to the south of the site and Elm Street Parking Garage to the north. Mr. Rheume also notes metered and unmetered parking in the area.

Mr. Galasso states the proposal does not offer on site parking, other than the one proposed handicap space, but will offer alternative transportation modes. Mr. Galasso states the proposal will offer (5) fully handicap accessible apartments.

Board member Brown inquired about the affordability component being offered, Mr. Galasso stated the rent differential between a Market apartment and an Affordable apartment would be \$600-\$800 monthly difference. Mr. Galasso also notes the proposal would offer affordable components that comprise 40% and 80% of the median household income. Mr. Galasso concluded the presentation by stating the goal of the proposal is to provide workforce housing in the downtown area.

Following the petitioner's testimony, Acting Chairperson Walsh invited to the podium anyone wishing to speak in favor or be recorded in favor of the petition of the application. Jeff Pontiff, EJ Pontiff Real Estate (13 Hamilton Street) spoke in favor of the petition. Mr. Pontiff clarified he represents the buyer and the seller in this proposal. Mr. Pontiff stated that he has resided and worked in the downtown area for the past 20 years and believes for the past 15 years that the downtown area has been stagnant. Mr. Pontiff states the subject proposal would be a tipping point of the redevelopment of the downtown area.

Following the petitioner's testimony, Acting Chairperson Walsh invited to the podium anyone else wishing to speak in favor or be recorded in favor of the petition of the application. Mark Li Mandri, (42 Pearl Street) spoke in favor of the petition. Mr. Li Mandri stated he is a resident of San Diego, California but purchased a residence in New Bedford and visits frequently. Mr. Li Mandri's career is to work in downtown areas throughout the United States. Mr. Li Mandri stated New Bedford's downtown has all the components of a successful area but lacks the element of residential housing. Mr. Li Mandri states

workforce housing is critical to downtown. Mr. Li Mandri notes this proposal would be the redevelopment of New Bedford's downtown.

Following the petitioner's testimony, Acting Chairperson Walsh invited to the podium anyone else wishing to speak in favor or be recorded in favor of the petition of the application. There was no response to Acting Chair Walsh's invitation to speak or be recorded in favor.

Acting Chairperson Walsh invited to the podium anyone wishing to speak or be recorded in opposition of the petition. There was no response to Acting Chair Walsh's invitation to speak or be recorded in opposition.

With no further discussion, Acting Chairperson Walsh closed the hearing.

The board had a brief discussion relative to the need of residential housing in the downtown area, Vice Chair Walsh agrees that the downtown area would benefit with the proposed workforce housing and revitalizing a vacant property. Board Member Decker also agrees with Mr. Walsh in the need to redevelop the vacant property.

With no further discussion, the board indicated their readiness to vote.

3.) FINDINGS

The Board found that in accordance with City of New Bedford Code of Ordinances Chapter 9 Section 5320, the benefit to the City and the neighborhood outweighs the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site. This determination included consideration of each of the following:

- *Social, economic, or community needs which are served by the proposal;*
The proposed residential use would offer 43 residential units to the downtown area, 21 of those units offering an affordable component, servicing the ongoing community's housing needs.
- *Traffic flow and safety, including parking and loading;*
The proposal has an insignificant impact on traffic, parking and loading. The project is located within a walkable distance of two parking garages, the Zeiterion Parking Garage to the south of the site and Elm Street Parking Garage to the north.
- *Adequacy of utilities and other public services;*
The proposed use is neutral, as utilities are sufficient for the proposed use.
- *Neighborhood character and social structures;*
As proposed, the project is located in a Mixed Used Business (MUB) zone as well as a Downtown Business Overlay District (DBOD) with an existing mix of commercial retail, office and mixed-use buildings and residential units on the upper floors. As such, the proposed use

would not alter the neighborhood's character, as the use would fit within an existing residential overlay district.

- *Impacts on the natural environment;*

The proposed use would have a neutral impact on the natural environment. There will be no anticipated substantial change in the existing impacts on the natural environment at this site.

- *Potential fiscal impact, including impact on City services, tax base, and employment*

The proposal would add 43 residential units to a vacant site and provide housing and commercial/retail services for the community, therefore increasing the city's tax base.

4.) RELIEF

With respect to the relief requested by the Applicant, the Board has been presented with sufficient information at the hearing to justify the relief described below, subject to the conditions set forth in Section 6.

The Board grants the applicant's request for relief from Chapter 9 Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District-DBOD) and 5300-5330 & 5360-5390 (special permit); relative to property located at 115, 117 & 121 Union Street, 7 N. Second Street & 127-129 Union Street, Assessors' map 53 lot 40, 41, 215, 216, 146 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to raze five existing attached buildings located on lots 40, 41, 215 & 216, as well as the rear, one story addition located on lot 146 and construct a (5) story commercial/residential building on lots 40, 41, 215 & 216, and a one-story building in the rear of lot 146 per plans filed.

5.) DECISION

Based on a review of the application documents, testimony given at the public hearing and the findings described above, the Zoning Board of Appeals hereby **GRANTS, WITH CONDITIONS**, the requested special permit.

A motion to approve was made by Clerk Brown and seconded by Mr. Decker as follows:

In regards to Case #4372 for: Paul A. Piva & Gail Florek (10 Pequod Road, Fairhaven, MA 02719), 117 Union Street LLC, Moby Dick, LLC (128 Union Street, New Bedford, MA 02740) and Prime Engineering, Inc., C/O Richard J. Rheaume (PO Box 1088, Lakeville, MA, 02347) relative to property located at 115, 117 & 121 Union Street, 7 North Second Street & 127-129 Union Street, Assessors' map 53 lot 40, 41, 215, 216 & 146 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to raze the raze five existing attached buildings located on lots 40, 41, 215 & 216, as well as the rear, one story addition located on lot 146 and construct a (5) story commercial/residential building on lots 40, 41, 215 & 216, and a one story building in the rear of lot 146 per plans filed, which requires a Special Permit under Chapter 9 Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District-DBOD) and 5300-5330 & 5360-5390 (special permit). Having reviewed this petition in light of the City of New Bedford Code of Ordinances Chapter 9 Comprehensive Zoning Sections as cited; the board finds that in respect to these sections the board finds in regard to the criteria as follows:

The board finds that in respect to these sections 5300-5330 and 5360-5390 relative to the granting of Special Permits, that the benefit to the city and the neighborhood outweighs the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site.

This determination included consideration of each of the following:

- *Social, economic, or community needs which are served by the proposal;*
- *Traffic flow and safety, including parking and loading;*
- *Adequacy of utilities and other public services;*
- *Neighborhood character and social structures;*
- *Impacts on the natural environment;*
- *Potential fiscal impact, including impact on City services, tax base, and employment*

In light of its review of the specifics of this case, the applicable sections of the city's zoning ordinance, the findings subsequently made based on these items along with all properly submitted materials and testimony made, and the board's careful consideration of the petitioner's request, the Zoning Board of Appeals finds that the petition satisfactorily meets the basis of the requested relief.

Also, in accordance with the City of New Bedford Code of Ordinance Chapter 9 section 4500

The Board finds that the proposed project complies with the requirements of this Section; and

The proposed project does not cause substantial detriment to the neighborhood after considering the following potential consequences:

- a. noise, during the construction and operational phases;
- b. pedestrian and vehicular traffic;
- c. environmental harm;
- d. visual impact caused by the character and scale of the proposed structure(s);
- e. where relief to parking requirement has been sought, applicant has demonstrated that reasonable efforts have been made to comply with parking requirements;
- f. For the conversions of the existing structure, the Zoning Board of Appeals finds that the proposed project protects the City's heritage by minimizing removal or disruption of historic, traditional or significant uses, structures or architectural elements, whether these exist on the site or on adjacent properties.

With the following (specific) conditions (if any):

- This project requires approval by the New Bedford Planning Board and the Historical Commission. Any conditions imposed by the Planning Board and Historical Commission decisions shall also be conditions of this special permit.
- Demolition review is required per City ordinance Ch. 2 Sections 2-157 through 2-157.9.


- The demolition plan shall be revised to note at 127-129 Union Street (Map: 53 Lot 146), the three-story, southern most portion of the building fronting on Union Street is not to be demolished.
- Further, prior to issuance of a demolition permit, stamped engineered plans are to be submitted and approved by the Historic Commission that minimizes any disruption to and includes a detailed protection plan for 127-129 Union Street (Map: 53 Lot 146), the three-story, southern most portion of the building fronting on Union Street.
- A development schedule is submitted and approved by the Planning Board that details the rate of construction and development, including stages, if applicable, and the estimated cost of construction and date of completion; the plan must detail proposed methods to mitigate any noise, and pedestrian and vehicular impacts during demolition and construction phases.

General Conditions on this decision shall include:

- That the project be set forth according to the plans submitted with the application.
- That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk's Office be recorded at the Registry of Deeds.
- The rights authorized by the granted special permit must be exercised by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date the decision was granted, or the approval will lapse.

On a motion by S. Brown seconded by A. Decker to grant the requested Special Permit, the vote carried 4-0-0 with members C. Paleologos, A. Decker, S. Brown and J. Walsh, voting in the affirmative; no members voting in the negative or abstaining. (Tally 4-0-0).

Filed with the City Clerk:


Stephen Brown

Clerk of the Zoning Board of Appeals

May 7, 2014
Date