



MAYOR
JON MITCHELL

CITY OF NEW BEDFORD DEPARTMENT OF CITY PLANNING

133 William Street • Room 303 • New Bedford, Massachusetts 02740
Telephone: (508) 979.1488 • www.newbedford-ma.gov

PLANNING BOARD

REVISED STAFF REPORT

REPORT DATE
May 6, 2021

PLANNING BOARD MEETING
May 12, 2021

Case #21-09: Site Plan Review

Case #21-10: Special Permit

563 County Street
Map: 58 Lot: 259

Owner: St. Lawrence
Church Corp.
PO Box 2577
Fall River, MA 02820

Applicant: Charing Cross
Realty Trust
2 Centennial Drive
Peabody, MA 01960

Zoning: Residential A



The former Holy Family High School.

Looking northeast from the corner of North Street and Summer Street.

Overview

Request by applicant for **Site Plan Review** for the conversion of three-story former school building to a 15-unit apartment building and construction of a parking lot on the north side of the building, and a **Special Permit** for the reduction of parking/loading space and landscape buffer requirements at 563 County Street (Map: 58 Lot: 259), a 13,187-square foot site in a Residence A zoned district. Owner: St. Lawrence Church Corp. (PO Box 2577, Fall River, MA 02820). Applicant: Charing Cross Realty Trust (2 Centennial Drive, Peabody, MA 01960).

Concurrently, the applicant is finalizing an ANR plan to subdivide the property under the 81L exemption. This plan would create a new lot for the building being converted into housing.

REVISIONS: On April 28, 2021 the applicant submitted revised plans which addressed the following items:

- The proposed project parcel to be subdivided from a portion of Map 58, Lot 259 has been enlarged to include a portion of the existing church parking lot, including the vehicle driveway entrance from North Street.
- Relocated the entrance to the project's parking lot from the east side of Summer Street to the North Street entrance of the Church parking lot.
- Increased the number of parking spaces within the project's parking lot from 15 spaces to 16 spaces and has acquired 6 additional parking spaces within the existing church parking lot as a result of enlarging the proposed project parcel. This increases the previously proposed count of 15 parking spaces to a total of 22 spaces.

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residential, with some businesses nearby on County Street.

Proposed Conditions

The applicant will be submitting a plan to subdivide the proposed lot containing the project building and lawn under the 81L exemption, which allows multiple buildings on the same lot to be separated if they were constructed prior to the adoption of local subdivision control laws. While this plan has not yet been submitted of writing this report, Planning staff anticipate the endorsement of the ANR.

The applicant is proposing to convert the former school building into 15 housing units and to construct a parking lot with 16 spaces, including one handicapped space, on the north side of the building with a vehicular driveway entrance on the west side of the lot connecting to the existing church parking lot. The proposed parking area is currently occupied by a lawn, small garden plots, and walkway connecting the rectory to Summer Street.

The applicant proposes a number of interior renovations to convert the former school into 3 floors of housing. Proposed renovations to the basement include constructing five (5) units—three (3) single-bedrooms and two (2) studios. Basement entrances on the east and west sides of the building would be directly accessed by exterior stairways. New entrance doors

Existing Conditions

The property is located within the North Bedford Historic District, characterized by its dense middle-class residential development in the 19th century. As proposed in the ANR plan, and focused on in the site plans, the project site is 13,187 SF and consists of the southwest corner of Lot 259, which includes 121 North Street, a brick building on the northwest corner of North and Summer Streets and the lawn area to the north of the building. Once approved, the site will have 98 feet of frontage on North Street. Built circa 1910, the two-story brick building on the site is the former location of the Holy Family high school and has been unoccupied since the school closed in 1985. The building has two first floor entrances—one of North Street and another on Summer Street—and two basement entrances, accessed by uncovered exterior stairways, on the west and east sides of the building. Directly north of the former school building is lawn area with three raised garden beds and a statue. A concrete walkway borders the property on the east and north, connecting to sidewalks on North and Summer Streets. A granite bumper with an iron fence borders the property on the south and west.

Directly abutting the site to the north and east are the remainder of Lot 259, which includes Saint Lawrence Church, the rectory, and a parking lot for the church. A mix of multi- and single-family homes abut the site to the west and south, across Summer Street and North Street, respectively. Diagonal to the subject building is Holy Family Holy Name School, a pre-kindergarten through eighth grade Catholic school. The surrounding neighborhood is primarily

and windows are proposed. **The Board may wish to inquire if protective awnings or enclosures have been considered for these entrances.**

As proposed, first floor renovations would create five (5) units—four (4) single-bedrooms and one (1) studio—and a new entrance on the north side of the building, which would be accessed via a handicap-accessible lift. First floor entrances on North and Summer Streets would remain and be refitted with new doors.

For the second floor, proposed renovations include the creation of five (5) units— four (4) single-bedrooms and one (1) studio. Architectural plans show proposed roof access hatches. It is unclear if these hatches will require renovations to the attic.

The applicant also proposes renovations to the exterior of the building. On the roof, access hatches on the east and west sides and a new steel sloped roof at the crest are proposed. Minor renovations include new copper gutters and downspouts to replace existing ones and repointing masonry as needed.

The most significant change to the exterior of the building is the addition of a glass-enclosed lift for handicapped access to the first floor, which would be accessed on the west side by a four-foot-wide sidewalk.

In order to create a parking lot, the applicant has proposed significant alterations to the area north of building. The existing lawn will be removed as will the concrete walkway to the north of it.

Before constructing the parking area, a subsurface recharge system for drainage will be installed beneath the eastern side of the proposed lot.

The entrance to the parking area will be from the existing church parking lot. The applicant has indicated that the applicant and the Diocese of Fall River will record an access easement.

Concrete walkway & landscaping to be removed for parking area.
Looking west from east side of the site.



Proposed site of parking area and handicapped access lift.
Looking south from concrete walkway adjacent to rectory.



Proposed parking lot location.

Looking east from across Summer Street.



Weekday parking on Summer Street.

Looking north from the corner of Summer and North.



Plans call for AC units and a dumpster on a concrete pad to be installed directly north of the building. Additional AC units are proposed on a concrete pad directly east of the building. The revised plans show screening for the dumpster and AC units in the parking lot, however the AC units on the east side of the building do not appear to be screened. **The Board must condition that both these areas be screened.**

Site Preparation (Demolition & Erosion Control)

Site preparation would include installing erosion control measures such as a siltsack in the newly constructed drain and a line of sediment filtermitts at the bottom of all slopes. A temporary construction entrance of small stones and geotextile fabric will be installed at the entrance to the parking area to remove mud from vehicle tires.

The lawn area will be excavated to create space for the installation of the recharge system. Proposed paved areas will be graded and graveled before being paved. A 22' wide vehicular drive entrance will connect the project lot on the east to the existing church lot.

Parking & Loading

Sixteen (16) parking spaces are proposed for the parking area north of the building. The proposed layout has a row of ten (10) space on the north side of the lot and a row of six (6) spaces, including one (1) handicapped space, on the south side. The rows are separated by a 22' wide aisle that aligns with the 22' wide driveway entrance to the existing church parking lot. An additional six (6) parking spaces are located on the western edge of the existing church parking lot and will be part of the new subdivided parcel.

Based on the zoning ordinance, multi-family housing is required to have two (2) spaces per unit, which means that the applicant should provide 30 parking spaces for this 15-unit project. To address this deficit, the applicant has submitted a special permit asking the Board to approve a reduction to 22 spaces. In the site plans, the applicant identified seven (7) potential on-street spaces on the south side of North Street (the north side of North Street is a no parking area), and eleven (11) on-street spaces on the east side of Summer Street (the west side of Summer Street is a no parking area).

Site visits revealed that, during a weekday and weekend, most of the available parking in the neighborhood was occupied. A bike rack is proposed on site and the SRTA stop at North and County Street provides alternative transportation access. The applicant notes that four (4) of the fifteen (15) units are studio apartments that will house single tenants and the remaining eleven (11) one-bedroom units are not anticipated to house multiple tenants due to size.

Before granting approval, the Board may wish to determine if the applicant has adequately considered the parking needs of the intended residents and their visitors, as the site is located next to a church and school that likely impact parking during services and daily pick-ups and drop-offs. Under the zoning ordinance, the Board may grant a reduction “if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit.” The ordinance offers the following examples where this may be the case:

1. *Use of a common parking lot for separate uses having peak demands occurring at different times.*
2. *Age or other characteristics of occupants of the facility requiring parking which reduces auto usage.*
3. *Peculiarities of the use which make usual measures of demand invalid.*
4. *Availability of on-street parking or parking at nearby municipally owned facilities.*

The Board should consider these criteria when making their decision.

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Multi-family (3) or more per structure	Two (2) spaces per dwelling unit	One (1) loading space for each multifamily dwelling containing more than ten (10) dwelling units
Parking Calculations		
2 spaces per unit x 15 units		1 space x 10 units
Total parking spaces required = 30		1 Loading space required
Proposed Parking		
Total parking spaces proposed 22 spaces		Loading space proposed 0 spaces

Traffic Impact & Access Study

A traffic assessment report has not been submitted. The applicant has requested a waiver from a traffic study, citing the “limited impact of the purposed use.”

Circulation

In addition to the parking layout described above, the site plan shows that an existing concrete walkway along the eastern property line will be maintained. This will not connect to any other walkways on the site, but it will provide access to the east basement entrance from the parking area and the sidewalk on North Street.

A new concrete walkway will be added on the southeast side of the parking area to provide access to the handicapped lift from the parking area.

An existing concrete walkway and landscaping north of the existing lawn will be removed to create the parking area. A new concrete walkway will be poured to allow access to the Rectory building basement and access to Summer Street and the adjacent Church parking lot.

Landscaping & Screening

The applicant has indicated the retention of the cast iron fencing along the perimeter of the building. The site plans show a landscape buffer along the Summer Street side of the project parking lot. A total of six (6) Inkberry plants and five (5) Autumn Anthem grasses are proposed in this location. **The Board should condition that the Inkberry plants be 3’ in height at time of planting to provide screening for the parking area.** There is also a landscaped area proposed for the center of the parking row on the south side of the lot, where three (3) Hydrangea shrubs will be planted.

The applicant has submitted a **special permit** requesting that the landscape buffer requirement be reduced to accommodate what has been presented in the site plans. The applicant states, “the limited area available between the existing parsonage building and rectory building, providing the required five foot vegetated buffer along the property line is not feasible. Relief from parking area requirements has been requested to maximize the available green space / landscape buffer.”

The applicant previously proposed maintaining the existing lawn areas between the building and the fence on the east and south sides of the site, and between the east side of the building and the concrete walkway. The revised plan proposes a mix of evergreen and flowering plantings in these locations in place of lawn to offset the lack of landscaping in the parking lot area.



Under the zoning ordinance, the Planning Board has the authority to reduce landscape buffer and screening requirements “if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit.” **The Board should consider these criteria in their decision.**

Stormwater

The proposed site plan calls for significant changes to the surface in order to create a parking lot. As such, the applicant has provided a stormwater management report. The report states that “drainage calculations provided demonstrate that runoff from a significant portion of the site, which had previously discharged overland to abutting properties, is now proposed to be captured and recharged to groundwater on-site.”

Planning staff defers to the Department of Public Infrastructure regarding stormwater management.

Utilities

The applicant proposes no changes to utilities on site. Easements have been included with the subdivision plan as needed.

Signage

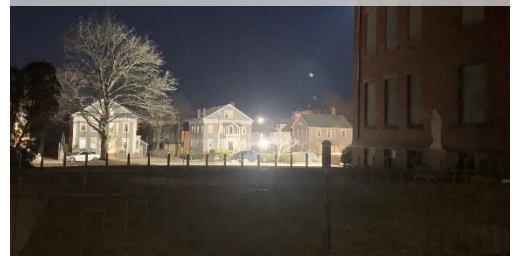
A standard handicapped parking sign is proposed for the handicapped accessible parking space. No other signage is proposed.

Lighting

Site plans show a pole mounted light proposed for the edge of the landscaped area in the center of the south row of parking spaces. Architectural plans indicate that an existing exterior light will be maintained as is, mounted near the northeast corner at roof line on the east side of the building. This type of LED flood light, which is used to light the church parking lot, would not be acceptable for use in the subject parking lot area due to its lumen levels.

The applicant has submitted a waiver request in lieu of a lighting plan, stating that “the location of a proposed pole mounted light is noted on the site plans. Given the limited parking area on-site, a lighting provider has not yet been engaged.” **In considering this waiver request, the Board should inquire if any additional lighting is planned for the site, such as along exterior walkways or above entrances and determine if there is the potential for light bleed to impact residential neighbors. A site visit at night demonstrated the need for parking lot lighting. The Board should also condition that once specific or additional lighting is selected that the lighting specifications be submitted to the Planning Department for administrative review prior to the issuance of a building permit.**

Existing high lumen lighting located on northeast corner of building.



Existing night conditions for proposed parking area.



Architectural Plans

The proposed elevations show no significant changes to the exterior of the building, with exception of the handicapped lift proposed for the north side of the building. Plans indicate that existing entrance doors will be replaced and that basement windows will be replaced and that second floor wood windows are to remain, but do not indicate whether first

floor windows are to be replaced. At the time of the site visit, all windows were boarded, so the condition of the existing windows is unclear. The project proponents are seeking State Historic Rehabilitative Tax Credits. **Any major changes to the project based on the review of the tax credit application would require a modification to the Site Plan.**

Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department. Comments were not received as of the publication of this report; any comments received will be made available at the public meeting.

Master Plan Goal

The proposal is consistent with the master plan's goal to expand workforce opportunities and communicates a positive message for business development.

Materials for Consideration

The site plan submission is shown as “Site Plan: 563 County Street” dated January 15, 2021. Plans were prepared and stamped by Christian Albert Farland of Farland Corp. The plan set consists of the following sheets:

- Sheet 1 –Cover
- Sheet 2 – Notes & Legend
- Sheet 3 – Existing Conditions
- Sheet 4 – Demolition
- Sheet 5 – Layout & Landscaping
- Sheet 6 – Grading & Drainage
- Sheet 7 – Utilities
- Sheet 8 – Sediment & Erosion Control
- Sheet 9 - Details
- Sheet 10 – Details
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A Revised Site Plan submission dated April 27, 2021 consists of the same plan sheets as noted above. Revised Plans were prepared and stamped by Christian Albert Farland of Farland Corp.

The architectural plan submissions is shown as “Holy Family Apartments at 106 Summer Street, New Bedford, MA” dated 01.08.2021. The plans were prepared by William Starck Architects and are unstamped. The plan set consists of the following sheets:

- Sheet A1.0 – Basement Floor Plan
- Sheet A1.1 – First Level Floor Plan
- Sheet A1.2 – Second Level Floor Plan
- Sheet A3.0 – Exterior Elevations
- Sheet A3.1 – Exterior Elevations

Special Permit Criteria

In addition to the specific special permit criteria cited above, under section 5300 of the zoning ordinance the Board must take into account the characteristics of the site and of the proposal in relation to that site, the determination shall include 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

Site Plan Criteria

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City's (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6" caliper trees and larger, removal of stone walls, displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site;
 - Minimize the obstruction of scenic views from publicly accessible locations;
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
 - Minimize glare from vehicle headlights and lighting fixtures;
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances;
 - Ensure compliance with the Zoning Ordinance;
 - Minimize damage to existing adjacent public ways;
 - Promote orderly and reasonable internal circulation within the site so as to protect public safety.

Staff Recommendations



Special Permit. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

That the following specific conditions be applied to this decision:

1. Proposed Inkberry shrubs to be a minimum 3' in height at time of planting.



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

That the following specific conditions be applied to this decision:

1. The 81L Land Plan be recorded at the Registry of Deeds and a copy of the recorded plan be submitted to Planning Staff prior to the issuance of a Building Permit.
2. All recorded easements between the two property owners be submitted to Planning Staff prior to the issuance of a Building Permit.
3. The applicant shall include a copy of Sheet 5 "Layout & Landscape" plan, dated 04.27.21 with the Notice of Decision to be recorded at the Registry of Deeds.
4. Site plans shall be revised to include screening for all AC units.
5. The applicant shall select site lighting that does not bleed into adjacent residential properties.
6. Once site lighting has been selected, the applicant will submit specifications to the Planning Department for administrative approval prior to the issuance of a building permit.

And that the following general conditions be applied to both decisions:

1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.

2. The project shall be undertaken in a manner consistent with any departmental memos received in relation to plan and placed on file for Planning Board consideration. The conditions of such memos shall be considered to be part of these conditions.
3. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
4. The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Department of City Planning case file folder.
5. That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project's approval, be recorded at the Registry of Deeds.
6. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.
7. The applicant shall present any proposed modification from the approved plans for consideration to the Director of City Planning for determination as to whether the modified plan must return before this Board for further review.
8. The rights authorized by the granted approval 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 they will lapse.
9. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Materials Provided by the Applicant are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2021/>

Staff Report prepared by: Michael McCarthy, Staff Planner
and Anne Louro, Acting City Planner

Street Map: 58 Lot: 259

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

