

***REDEVELOPMENT OF  
ST. JOSEPH'S ELEMENTARY SCHOOL  
INTO  
RESIDENTIAL APARTMENTS***

35 KEARSARGE STREET  
NEW BEDFORD, MASSACHUSETTS  
NEW BEDFORD ASSESSOR'S MAP 112 – LOT 3A

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SPECIAL PERMIT APPLICATION  
NEW BEDFORD CITY ORDINANCE CHAPTER 9 §3100  
TO  
CITY OF NEW BEDFORD PLANNING BOARD

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**APPLICANT:**  
CRUZ DEVELOPMENT CORP.  
1 John Eliot Square  
Roxbury, Massachusetts 02119

**OWNER:**  
ROMAN CATHOLIC BISHOP OF FALL RIVER  
450 Highland Avenue  
Fall River, Massachusetts 02720

**PREPARED BY:**  
Marc R. Deshaies, Esq.  
115 Orchard Street  
New Bedford, Massachusetts 02740

Micheal Washington Architects, Inc.  
1208 VFW Parkway – Suite 201  
West Roxbury, Massachusetts 02132

Sitec – Civil & Environmental Consultants, Inc.  
449 Faunce Corner Road  
North Dartmouth, Massachusetts 02747

## **PLANNING BOARD**

### **Special Permit Index**

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II. Plans	B
III. Certified Abutter's List	C
IV. Proof of Ownership	D
V. Photos	E
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VIII. Rejection Package	H
IX. Consent of Owner	I

## **SECTION "A"**





CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

## PLANNING BOARD

SUBMIT TO:  
Planning Department  
133 William Street  
Room 303  
New Bedford, MA 0274

### SPECIAL PERMIT APPLICATION

The undersigned, being the Applicant, seeks Special Permit Approval for property depicted on a plan entitled: 35 Kearsarge Street Multi-Family Redevelopment by: Sitec - Civil and Environmental Consultants, Inc. dated: July 2021

#### 1. Application Information

Street Address: 35 Kearsarge Street, New Bedford, Massachusetts 02745

Assessor's Map(s): 112 Lot(s) 3A

Registry of Deeds Book: 336 Page: 500

Zoning District: (RA) Residential "A"

Applicant's Name (printed): Cruz Development Corporation

Mailing Address: 1 John Eliot Square Roxbury MA 02119  
(Street) (City) (State) (Zip)

Contact Information: 617-445-6901 x 221 jbcruz3@cruzcompanies.com  
Telephone Number Email Address

Applicant's Relationship to Property: ☐ Owner ☒ Contract Vendee ☐ Other \_\_\_\_\_

List all submitted materials (include document titles & volume numbers where applicable) below:

See Exhibit "A" Attached Hereto and Incorporated Herein by Reference

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

8/2/21  
Date

[Signature]  
Signature of Applicant

City Hall • 133 William Street • Room 303 • New Bedford, MA 02740 • [www.newbedford-ma.gov](http://www.newbedford-ma.gov)  
PH: (508)979-1488 • FX: (508)979-1576



## 2. Zoning Classifications

Present Use of Premises: Former Elementary School

Proposed Use of Premises: 34 Units of Housing for Individuals over 62 years of age

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):

None. (Pending application for Special Permit before Zoning Board of Appeals)

## 3. Briefly Describe the Proposed Project and Specify all Requested Special Permits:

Petitioner proposes to convert an existing prior non-conforming structure constructed in 1910 and used as an elementary school by the Roman Catholic Bishop of Fall River consisting on 46,122 gross square feet on three levels into 34 units of residential housing for individuals over the age of 62. The conversion of the existing prior non-conforming structure erected prior to the adoption of zoning in the City of New Bedford will create 31 one bedroom and 3 two bedroom units on three levels of the structure with off-street parking for 35 vehicles. The Petitioner is seeking a Special Permit pursuant to Section 3120 of Chapter 9 Comprehensive Zoning from the New Bedford Planning Board to reduce the number of required number of off street parking spaces to 35 from the required 68 pursuant to Section 3130 Table of Parking and Loading Requirements - Appendix "C" on said Chapter 9 Comprehensive Zoning.

## 4. Please complete the following:

	<u>Existing</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Lot Area (sq ft)	32,010 SQ. FT.	8,000 SQ. FT.	32,010 SQ. FT.
Lot Width (ft)	159.84 FT	75 FT	159.84 FT
Number of Dwelling Units	0	1	34
Total Gross Floor Area (sq ft)	46,122 SQ. FT.	n/a	46,122 SQ. FT.
Residential Gross Floor Area (sq ft)	0		27,039 Sq.FT
Non-Residential Gross Floor Area (sq ft)	46,122 SQ. FT.	0	0
Building Height (ft)	40 FT.	45	40
Front Setback (ft)	0	20 FT.	0
Side Setback (ft)	0	10 FT.	0
Side Setback (ft)	0	12 FT.	0
Rear Setback (ft)	72 FT.	30 FT.	72 FT.
Lot Coverage by Buildings (% of Lot Area)	48.03%	40%	48.03%
Permeable Open Space (% of Lot Area)	4%	40%	11%
Green Space (% of Lot Area)	4%	35%	11%
Off-Street Parking Spaces	0	68	35
Long-Term Bicycle Parking Spaces	0	0	0
Short-Term Bicycle Parking Spaces	0	0	0
Loading Bays	0	1	0

5. Please complete the following:

	Existing	Proposed
a) Number of customers per day:	<u>n/a</u>	<u>n/a</u>
b) Number of employees:	<u>n/a</u>	<u>n/a</u>
c) Hours of operation:	<u>n/a</u>	<u>n/a</u>
d) Days of operation:	<u>n/a</u>	<u>n/a</u>
e) Hours of deliveries:	<u>n/a</u>	<u>n/a</u>
f) Frequency of deliveries:	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input checked="" type="checkbox"/> Other:	<u>N/A</u>

6. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: Cruz Development Corporation

at the following address: 1 John Eliot Square, Roxbury, MA 02119

to apply for: Special Permit under Section 3100 of Chapter 9

on premises located at: 35 Kearsarge Street, New Bedford, MA 02745

in current ownership since: 1910

whose address is: \_\_\_\_\_

for which the record title stands in the name of: Roman Catholic Bishop of Fall River

whose address is: 450 Highland Street, Fall River, MA 02720

by a deed duly recorded in the:

Registry of Deeds of County: Bristol South Book: 336 Page: 500

OR Registry District of the Land Court, Certificate No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

8/9/2021 [Signature]  
Date Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)



**Exhibit "A"**  
**To**  
**Special Permit Application**

	Section
I. Application	A
II. Plans	B
1. <b>"35 Kearsarge Street, New Bedford, Massachusetts, Prepared for Cruz Development Corp." by Micheal Washington Architects, Inc.</b>	
1. Cover Sheet	
2. Proposed Parking Plan – Drawing No. C-1	
3. Proposed Building Plan – Drawing No. A.1	
4. Proposed Building Plan – Drawing No. A.2	
5. Proposed Building Plan – Drawing No. A.3	
6. Proposed Roof Plan – Drawing No. A.4	
7. Proposed Elevations – Drawing No. A.5	
8. Proposed Elevations – Drawing No. A.6	
9. Proposed Building Sections – Drawing No. A.7	
10. Proposed Landscaping Plan – Drawing No. A.8	
2. <b>"35 Kearsarge Street Multi-Family Redevelopment, 35 Kearsarge Street, New Bedford, Massachusetts 02745, Site Plan Review July 2021", by Sitec - CEC</b>	
1. Cover Sheet	
2. Existing Conditions Plan – Drawing No. C100	
3. Layout & Materials Plan - Drawing No. C200	
4. Grading, Drainage and Utilities Plan - Drawing No. C500	
5. Lighting and Landscaping Plan – Drawing No. C-700	
6. Construction Details - Drawing No. C800	
7. Construction Details - Drawing No. C801	
III. Certified Abutter's List	C
IV. Proof of Ownership	D
V. Photos of Existing Conditions	E
VI. Development Impact Statement	F
VII. Traffic Study	G
VIII. Building Permit – Rejection	H
IX. Consent of Owner	I



## **EXHIBIT “B”**

### **Project Narrative**

The locus is situated at 35 Kearsarge Street and is improved with a two-story brick and masonry structure that was constructed circa 1910 by the Roman Catholic Bishop of Fall River as a catholic elementary school. The existing nonconforming structure is a non-residential structure and is situated on a lot of approximately 32,010 square feet. The property is currently situated for zoning purposes in a Residential “A” (RA).

The structure has been deemed to be a prior non-conforming structure by the Zoning Enforcement Officer of the City of New Bedford based on the fact that the structure was constructed circa 1910 which pre-dates the adoption of zoning in the City of New Bedford in 1925.

Cruz Development Corp. (“CDC”) as petitioner/applicant, with the permission of the Roman Catholic Bishop of Fall River, seeks a Special Permit under § 2430 of Chapter 9 City Ordinance for the alteration of the prior non-conforming structure and to convert the subject property into 34 residential dwelling units on three floors of the non-conforming structure. The footprint of the structure will not be altered or expanded. The alterations under § 2430 of Chapter 9 of the City Ordinance will consist of interior alterations of the non-conforming structure from classroom, offices and assemble areas into 34 units of one and two-bedroom apartments for individuals over age 62. The apartments all will have kitchen and bathroom facilities and will vary in square footage from 491 square feet to 974 square feet. There will be laundry facilities on each of the three floors of the structure for residents.

There are no congregate units.

The project is intended to be for elderly residents over age 62 and the structure will be serviced by an elevator to be constructed therein.

The exterior brick façade of the structure will be re-pointed, and sand blasted to restore the exterior of the structure. The roof of the structure will be replaced as well as any outside gutters and down spouts. Additionally, the exterior “hardscape” of asphalt will introduce urban tolerant plantings and trees to the rear of the structure between the off-street parking and the structure where none previously existed.

There will be thirty-five on-site parking space of which 2 will be handicapped.

The project will have the following mix of residential apartments and facilities:

A. Thirty-one (31) One Bedroom Units

B. Three (3) Two Bedroom Units

The petitioner in developing 34 units of residential housing is required to provide 68 off-street parking spaces. The Petitioner is seeking a Special Permit from the Planning Board a waiver from the Board to reduce the requirement on 68 off-street parking spaces to the 35 parking spaces for the project because of the unique circumstances regarding the location of the property. Additionally, the project is being developed as affordable housing for individuals over age 62 but the demographic profile of occupants is of an age cohort of over age 70. This fact and that the fact that 31 of the units will be one-bedroom units strongly suggest that the development of the maximum of 35 parking spaces will be sufficient to serve the needs of the project justifying a waiver from this Board.

## **SECTION "B"**



# 35 KEARSARGE STEET, NEW BEDFORD, MA

PREPARED FOR:  
CRUZ DEVELOPMENT CORP.

1 JOHN ELIOT SQUARE  
ROXBURY MA, 02119

ARCHITECT:

MICHEAL WASHINGTON ARCHITECTS, INC.

1208 VFW PARKWAY, SUITE 201  
WEST ROXBURY, MA 02132

T: 617-390-5515

E-Mail: [mwashington@mwaboston.com](mailto:mwashington@mwaboston.com)

STRUCTURAL ENGINEERING:

R J FARAH ENGINEERING

211 Arlington Street  
MEDFORD, MA 02155

MEP & FP ENGINEERING:

ZADE ASSOCIATES LLC

140 BEACH STREET  
BOSTON, MA 02111

## LIST OF DRAWINGS

DRAWING NUMBER	DRAWING NAME
T-0	TITLE SHEET
C-1	EXISTING CONDITIONS PLAN
C-2	PROPOSED PARKING PLAN
ARCHITECTURAL	
A-1	PROPOSED BUILDING PLAN - LOWER LEVEL
A-2	PROPOSED BUILDING PLAN - FIRST FLOOR
A-3	PROPOSED BUILDING PLAN - SECOND FLOOR
A-4	PROPOSED BUILDING PLAN - ROOF
A-5	PROPOSED ELEVATIONS - EAST & WEST
A-6	PROPOSED ELEVATIONS - NORTH & SOUTH
A-7	PROPOSED BUILDING SECTION

35 KEARSARGE STREET, NEW BEDFORD, MA 02745



LOCUS MAP

## NOTES:

1. ALL WORK SHALL COMPLY WITH ALL PROVISIONS OF THE MASSACHUSETTS STATE BUILDING CODE, CURRENT EDITIONS, AND LOCAL CITY AND TOWN PROVISIONS INCLUDING THE STRETCH CODE, IECC, IBC AND IRC.
2. ALL ENERGY RATINGS OF ALL ELEMENTS SHALL MEET OR EXCEED CURRENT IECC AND MASSACHUSETTS STRETCH CODE REQUIREMENTS.
3. ALL WINDOWS SHALL BE DOUBLE GLAZED, ENERGY STAR AND MEET OR EXCEED THE CURRENT MASSACHUSETTS STRETCH CODE.
4. THESE DRAWINGS ARE INTENDED TO DEFINE SCOPE AND CONCEPT FOR ALL BUILDING SYSTEMS INCLUDING MECHANICAL, ELECTRICAL, AND PLUMBING. THESE SYSTEMS PLUS FIRE ALARM ARE TO BE DESIGN BUILT BY THE CONTRACTOR AND SUB-CONTRACTORS. EACH DISCIPLINE WILL PROVIDE REQUIRED DRAWINGS AND ALL PERMITS NECESSARY FOR THEIR WORK.

PHASE OF WORK

DATE: 7/14/21

**Micheal  
Washington  
Architects Inc.**  
1208 VFW Parkway, Suite 201  
West Roxbury, MA 02132  
Phone: 617-390-5515  
E-MAIL: m.washington@irrwashington.com

PROJECT

35 KEARSARGE ST

NEW BEDFORD, MA 02745

OWNER

**CRUZ  
DEVELOPMENT  
CORPORATION**

COPYRIGHT 2019 MICHAEL MORGENTHAU ARCHITECTS INC.  
SHEET TITLE

**PROPOSED  
PARKING  
PLAN**

DRAWING NO.

15

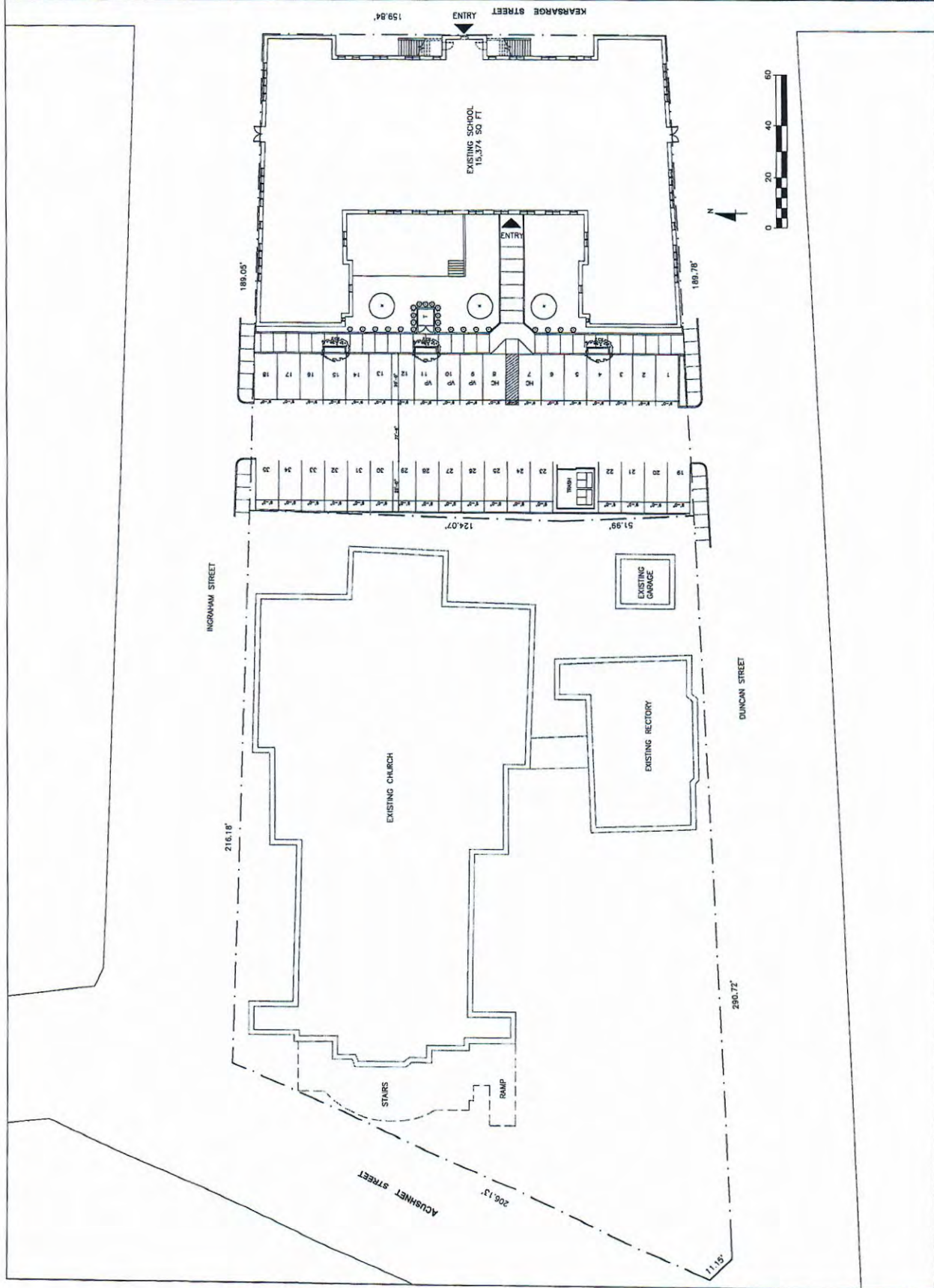
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DATE: 08/28/2003

DEPARTMENT OF THE ARMY  
WASHINGTON, D.C. 20315

TV	CHLOROPHYLL $a+b$ , mg/g
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1





**Micheal Washington Architects Inc.**  
1208 VFW Parkway, Suite 201  
West Roxbury, MA 02132  
Phone: 617-390-5515  
E-mail: mwa@mwad.com

**PROJECT**  
35 KEARSARGE ST  
NEW BEDFORD, MA 02745

**OWNER**  
CRUZ DEVELOPMENT CORPORATION

**DATE**  
07/14/2011

**SCALE**  
1/8"=1'-0"

**SHEET TITLE**  
PROPOSED BUILDING PLAN

**DATE**  
07/14/2011

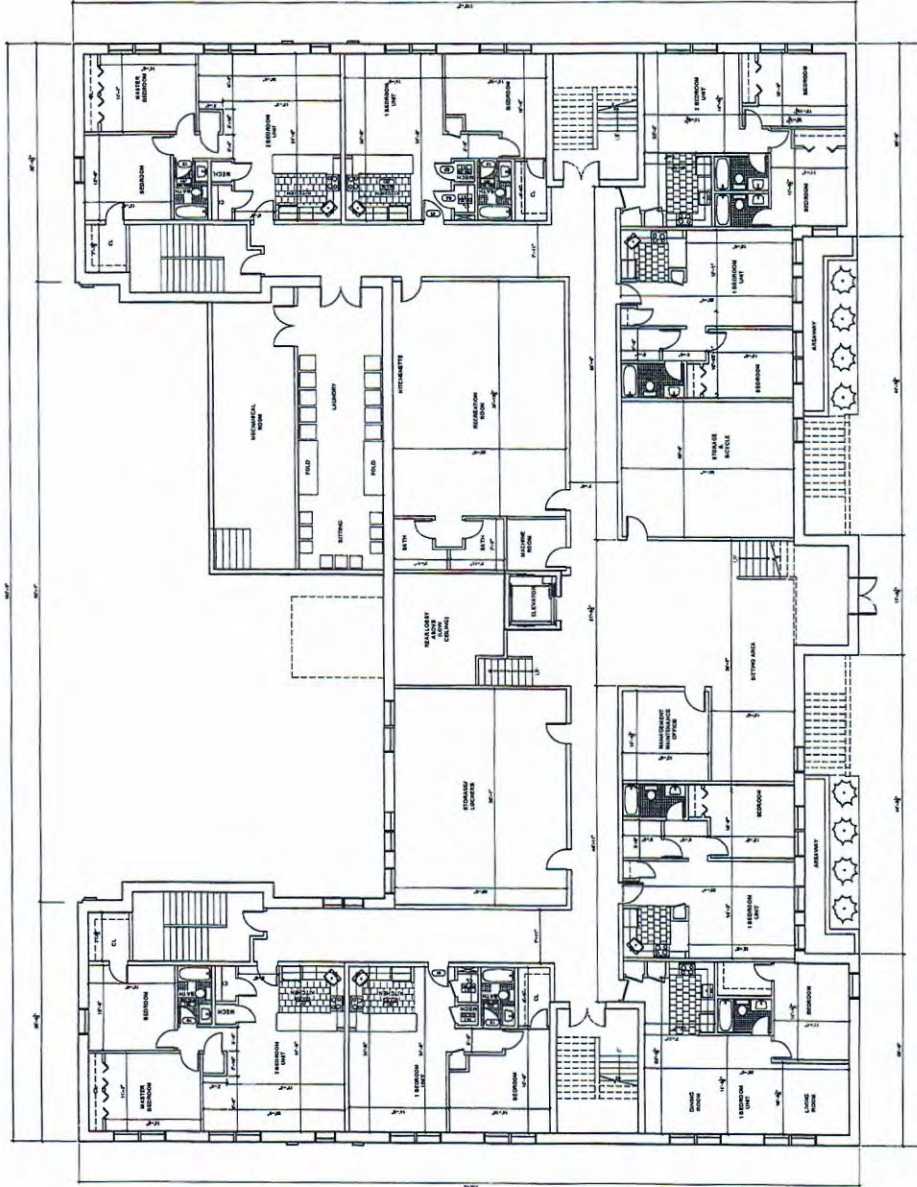
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E. W.

**CHECKED BY**  
E. W.

**DATE**  
07/14/2011

**SCALE**  
1/8"=1'-0"

**SHEET NO.**  
A.1



BEDROOMS	
1	2
3	4
5	6
7	8
9	10
11	12
13	14
15	16
17	18
19	20
21	22
23	24
25	26
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83	84
85	86
87	88
89	90
91	92
93	94
95	96
97	98
99	100

PROPOSED BUILDING PLAN - LOWER LEVEL  
SCALE: 1/8"=1'-0"



**Micheal  
Washington  
Architects Inc.**  
1208 VFW Parkway, Suite 201  
West Haverbury, MA 02152  
Phone: 617-330-5515  
E-MAIL: m.washington@vwboston.com

PROJECT

**35 KEARSARGE ST**

NEW BEDFORD, MA 02745

OWNER

**CRUZ  
DEVELOPMENT  
CORPORATION**

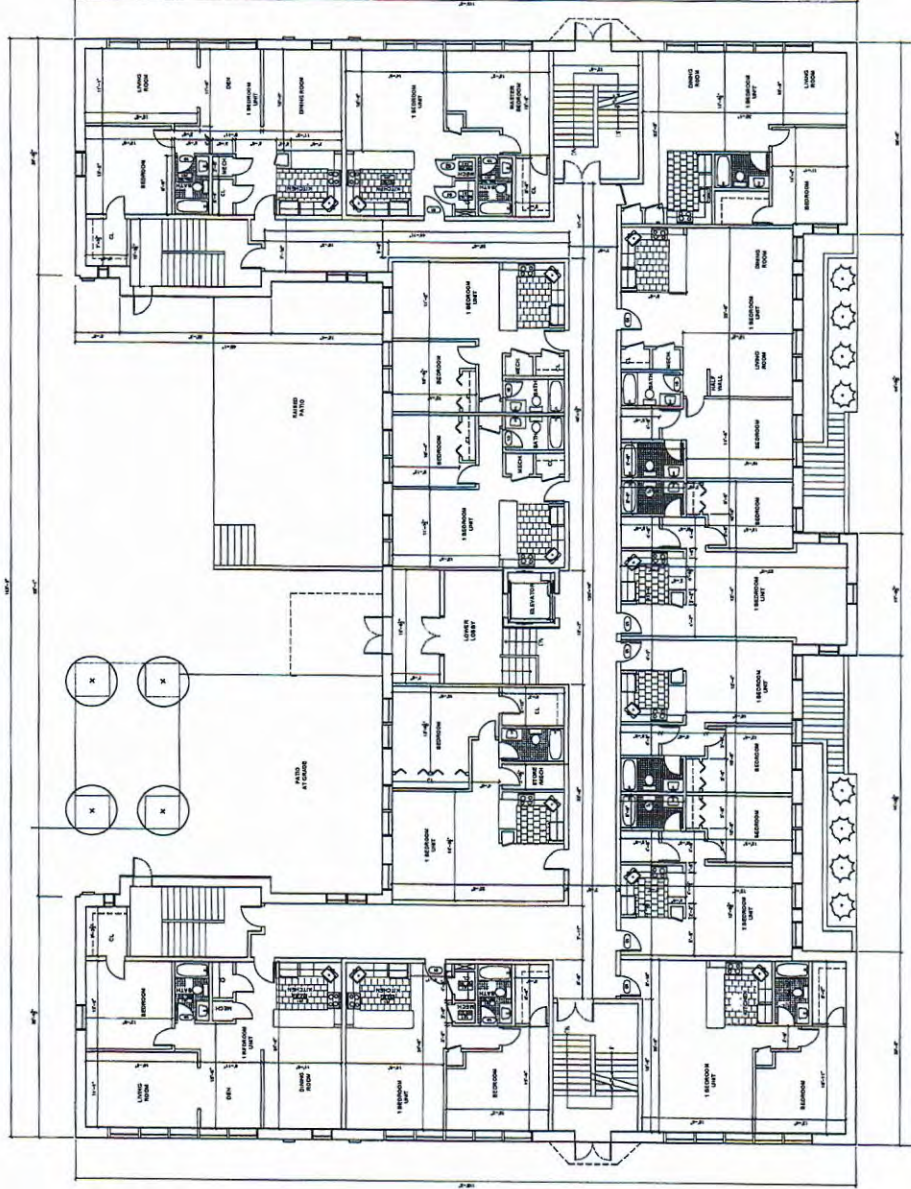


COMPANY 2005 MICHAEL WASHINGTON ARCHITECTS INC.  
SHEET TITLE

**PROPOSED  
BUILDING PLAN**

DRAWING NO.  
**A.2**

DATE: 07/14/2004  
DRAWN BY: EL  
CHECKED BY: W  
SCALE



**PROPOSED BUILDING PLAN - 1ST FLOOR**  
SCALE: 1/8"=1'-0"

**Micheal  
Washington  
Architects Inc.**  
1208 VW Parkway, Suite 201  
West Roxbury, MA 02132  
Phone 617-390-5515  
E-MAIL: m.washington@mweboston.com

PROJECT

**35 KEARSARGE ST**

NEW BEDFORD, MA 02745

OWNER

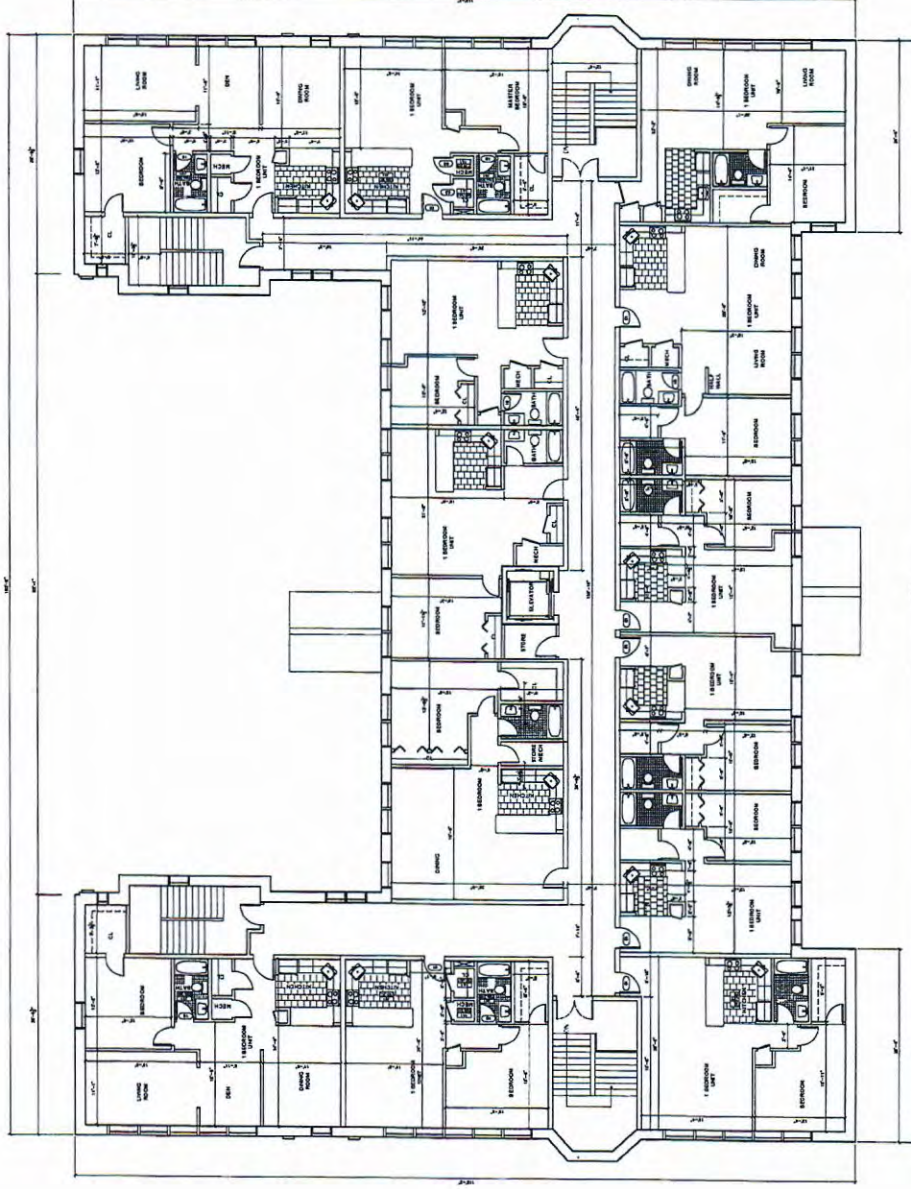
**CRUZ  
DEVELOPMENT  
CORPORATION**



DESIGNED BY: MICHAEL WASHINGTON ARCHITECTS INC.  
SHEET TITLE

**PROPOSED  
BUILDING PLAN**

DATE: 1/28/11	DRAWING NO.
DATE: 02/14/2011	<b>A.3</b>
DRAWN BY: S.	
CHECKED BY: MW	
FILE	



**PROPOSED BUILDING PLAN - 2ND FLOOR**  
SCALE: 1/8"=1'-0"



**Micheal  
Washington  
Architects Inc.**  
100 West Broadway, Suite 201  
Westbury, MA 02741  
Phone: 617-360-5515  
E: [mw@architectsinc.com](mailto:mw@architectsinc.com)

PROJECT

**35 KEARSARGE ST**

NEW BEDFORD, MA 02745

OWNER

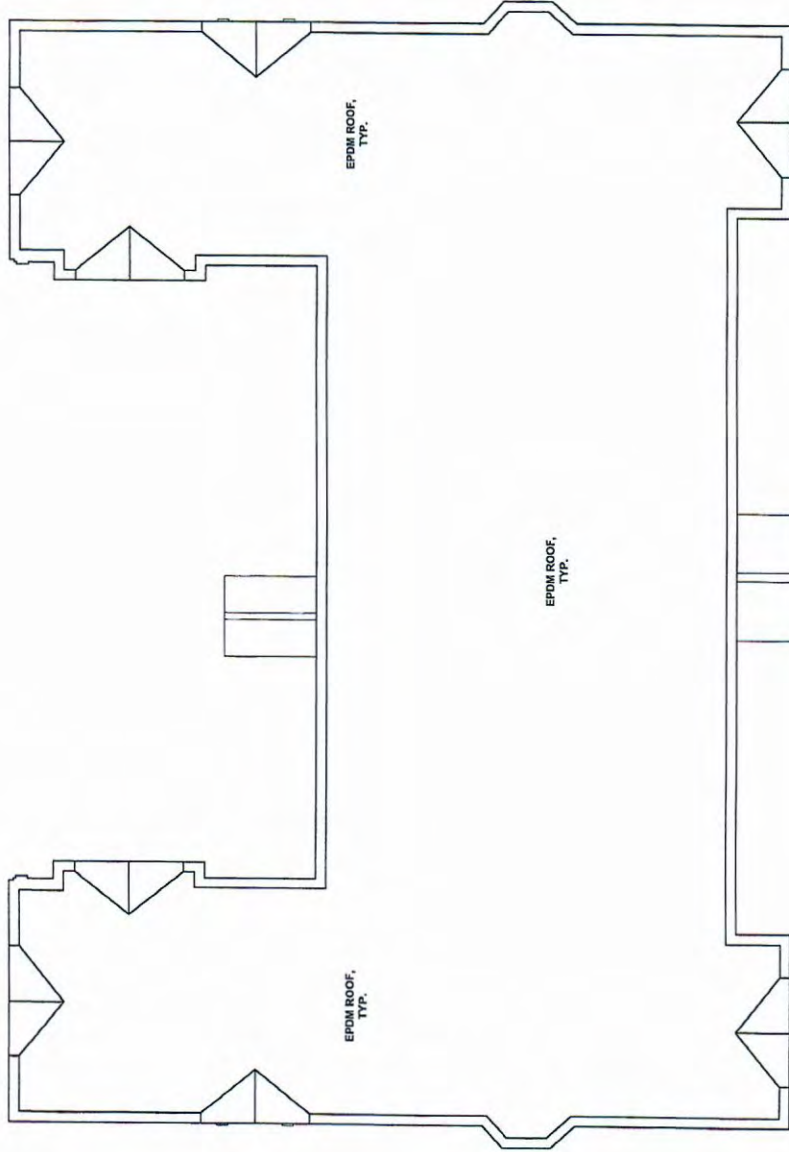
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DEVELOPMENT  
CORPORATION**



EXPIRATION DATE: NONE, ARCHITECT: MICHAEL WASHINGTON  
SHEET TITLE

**PROPOSED  
ROOF PLAN**

DRAWING NO.  
**A.4**



**PROPOSED BUILDING PLAN - ROOF**  
SCALE: 1/8"=1'-0"



**Micheal  
Washington  
Architects Inc.**  
1008 W. Riverway  
West Roxbury, MA 02132  
Phone: 617-389-6515  
E-MAIL: mwa@architectsinc.com

PROJECT

**35 KEARSARGE ST**

NEW BEDFORD, MA 02745

OWNER

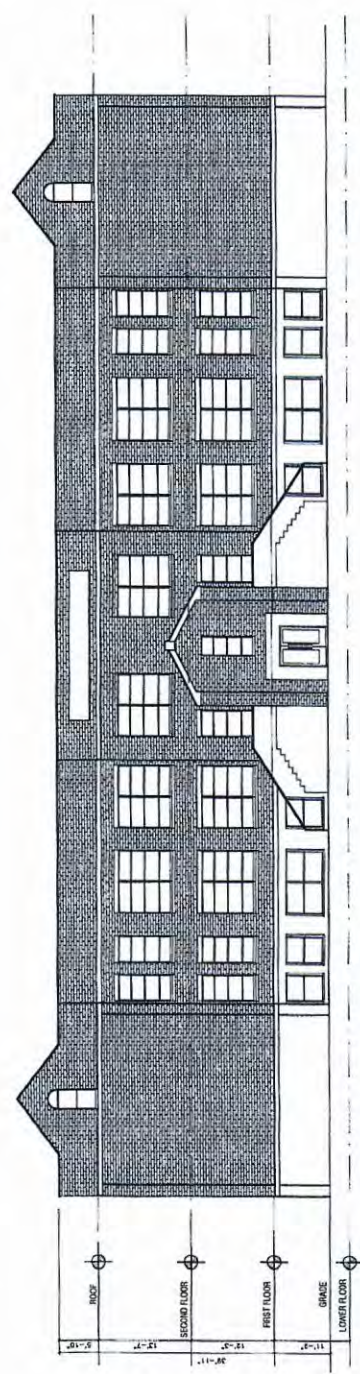
**CRUZ  
DEVELOPMENT  
CORPORATION**

ARCHITECT: MICHAEL WASHINGTON ARCHITECTS INC.

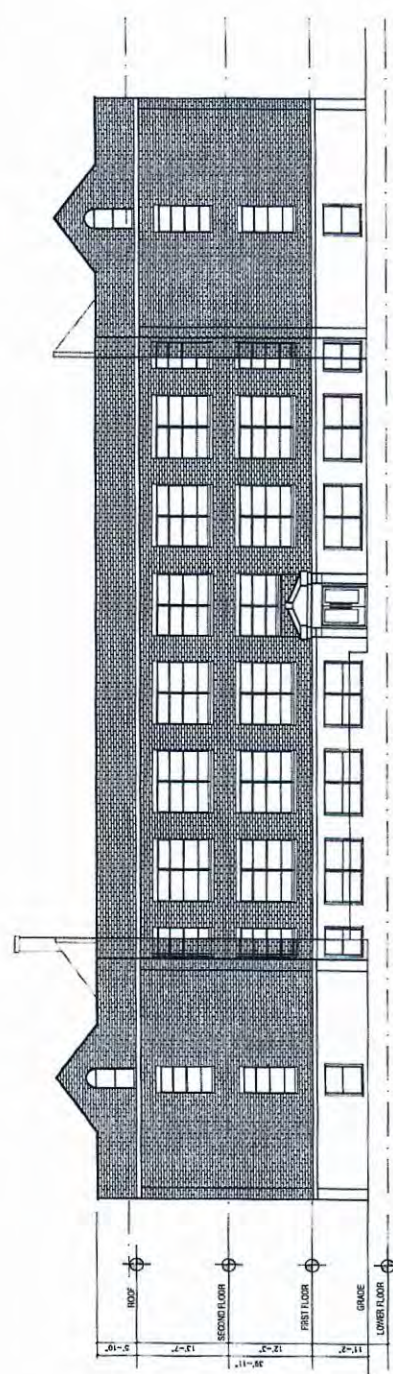
SHEET TITLE

**PROPOSED  
ELEVATIONS**

DRAWING NO.	
<b>A.5</b>	
SCALE: 1/8"=1'-0"	DATE: 10/20/2010
DESIGNED BY: M	CHECKED BY: M
PL	



**PROPOSED EAST ELEVATION**  
SCALE: 1/8"=1'-0"



**PROPOSED WEST ELEVATION**  
SCALE: 1/8"=1'-0"

**Michéal  
Washington  
Architects Inc.**  
1208 V88 Parkway, Suite 201  
Westbury, MA 02741  
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E-MAIL: m.washington@woboston.com

PROJECT

**35 KEARSARGE ST**

NEW BEDFORD, MA 02745

OWNER

**CRUZ  
DEVELOPMENT  
CORPORATION**

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SHEET TITLE

**PROPOSED  
ELEVATIONS**

DRAWING NO.

**A.6**

SCALE: 1/8"=1'-0"

DATE: 03/17/2008

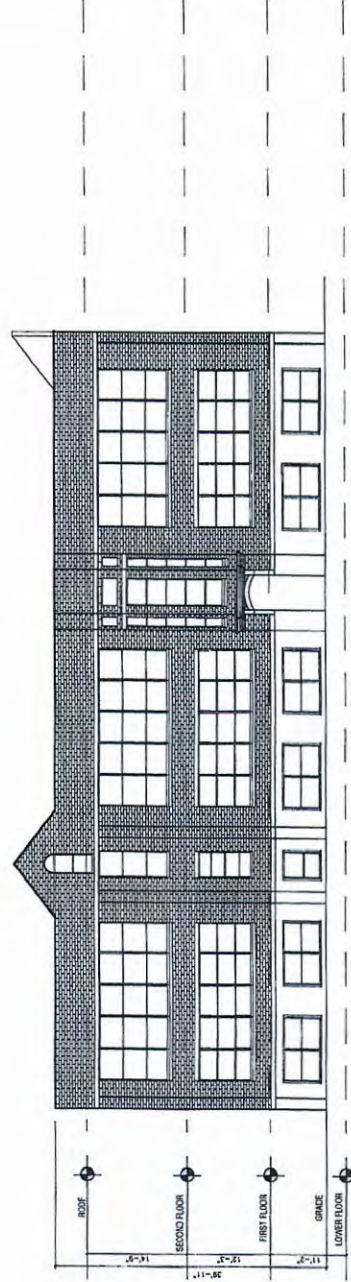
DRAWN BY: B.

CHECKED BY: M.

P.L.



**PROPOSED NORTH ELEVATION**  
SCALE: 1/8"=1'-0"



**PROPOSED SOUTH ELEVATION**  
SCALE: 1/8"=1'-0"



**Michael  
Washington  
Architects Inc.**  
2208 NW Portland Ave. Suite 201  
West Hollywood, CA 90069  
Phone: 818-300-5515  
E-Mail: mwa@mcwashington.com

PROJECT

**35 KEARSARGE ST**

NEW BEDFORD, MA 02745

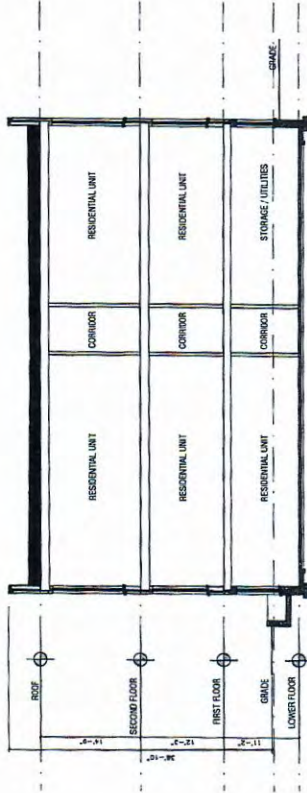
OWNER

**CRUZ  
DEVELOPMENT  
CORPORATION**

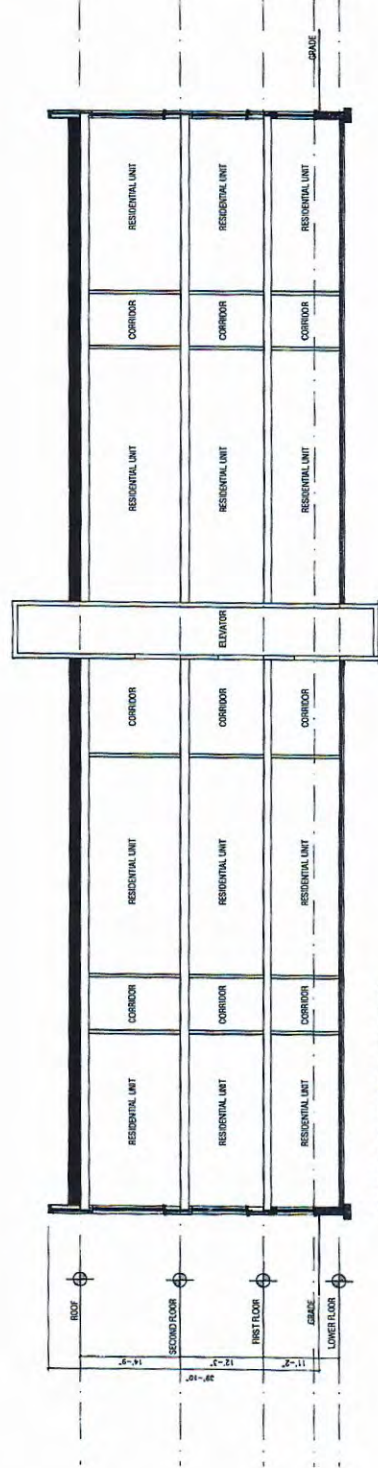
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SHEET TITLE

**PROPOSED  
BUILDING  
SECTION**

DATE: 1/18/05  
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**A.7**  
SCALE: 1/8"=1'-0"  
SHEET NO. 11 OF 12

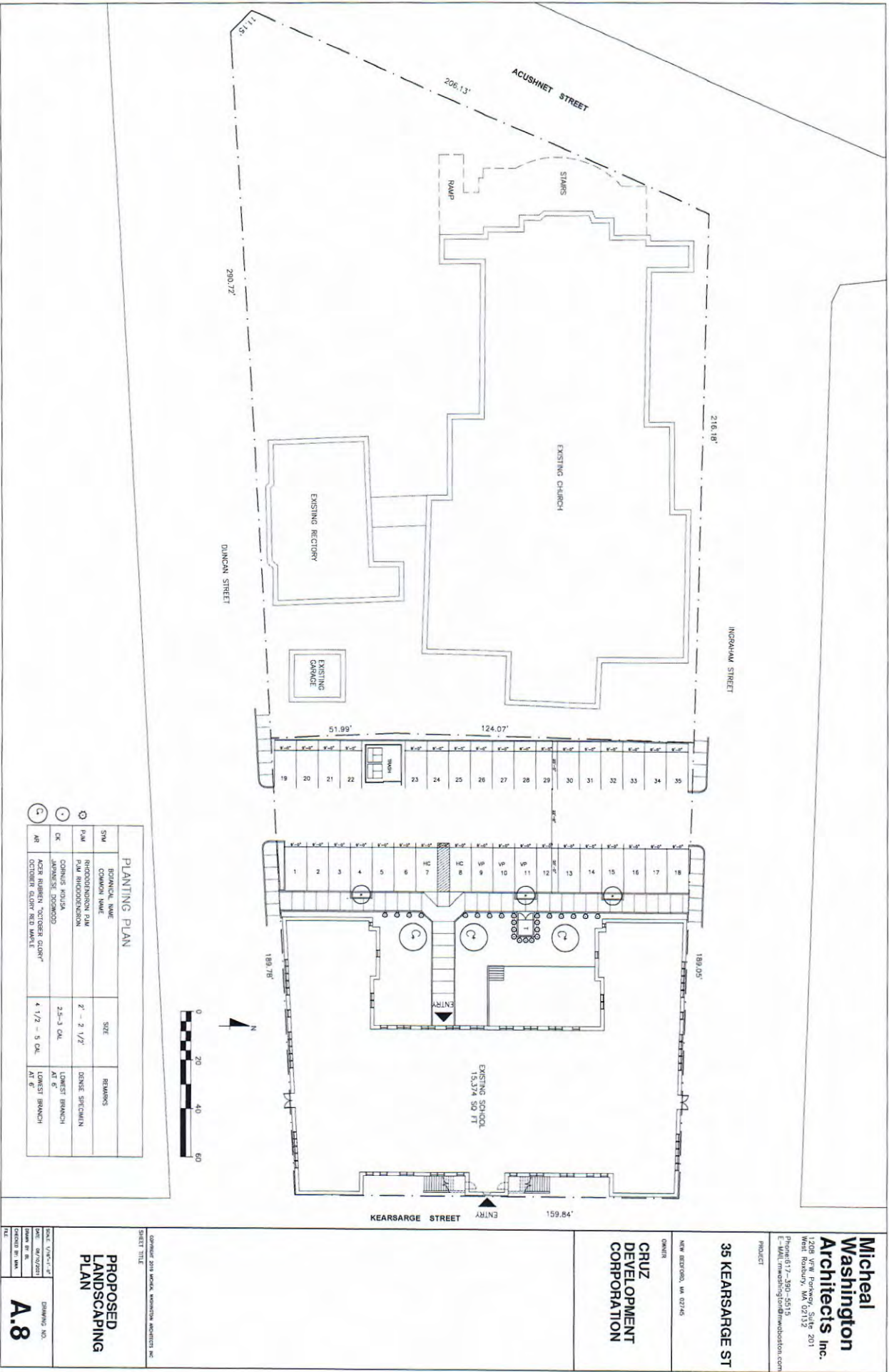


**TYPICAL BUILDING SECTION**  
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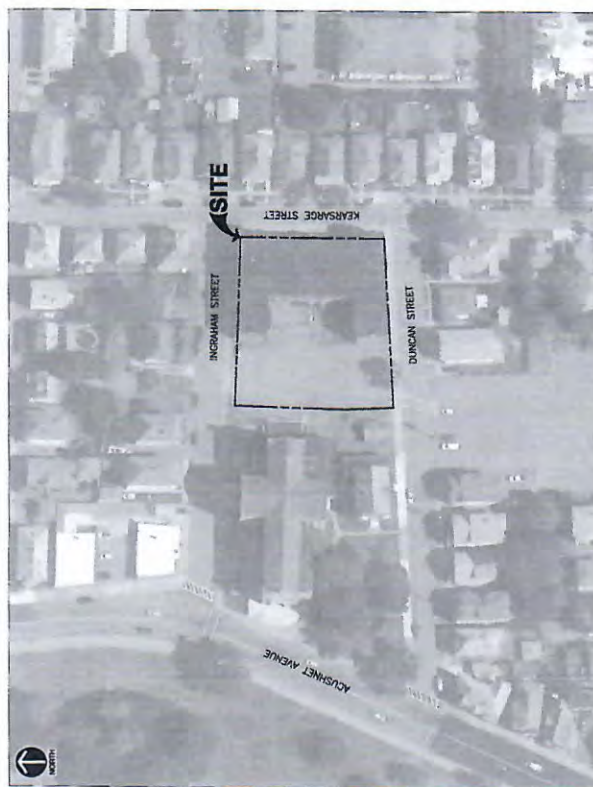


**TYPICAL BUILDING SECTION**  
SCALE: 1/8"=1'-0"





DRAWING INDEX		SHEET TITLE	
SHEET NUMBER	DRAWING NUMBER	SHEET TITLE	
CIVIL ENGINEERING PLANS			
1	C000	COVER SHEET	
2	C100	EXISTING CONDITIONS PLAN	
3	C200	LAYOUT AND MATERIALS PLAN	
4	C300	GRADING, DRAINAGE, AND UTILITIES PLAN	
5	C700	LIGHTING AND LANDSCAPING PLAN	
6	C800	DETAIL SHEET 1	
7	C901	DETAIL SHEET 2	



**SITE MAP**  
**SCALE: 1"=60'**

**Dig Safe Systems, Inc.**  
1-888-DIG-SAFE  
(1-888-344-7233)



**OWNER/TEAM INFORMATION**

**CIVIL ENGINEER**  
**WILLIAMS & ENVIRONMENTAL CONSULTANTS, INC.**  
 1000 WEST 10TH AVENUE  
 SUITE 100  
 DENVER, CO 80202  
 TEL: (303) 698-2113  
 CONTACT: DAVID ADAMS

**OWNER**  
**STANISLAW CATHOLIC SCHOOLS**  
 1000 WEST 10TH AVENUE  
 P.O. BOX 207  
 DENVER, CO 80202  
 FALL RIVER, WA 92722

**APPLICANT/CONSULTING CORPORATION**  
**JOHN LAUT SCHOEN**  
 1000 WEST 10TH AVENUE  
 SUITE 100  
 DENVER, CO 80202  
 CONTACT: JOHN LAUT

## SITE DATA

ADDRESS: 35 NEARBRIDGE STREET  
NEW BEDFORD, MA 02745

PANEL 10: A PORTION OF ASSESSORS MAP 112, LOT 3  
(PARCEL 2 ON AIR PARKS ENCLOSED ON 11-24-20)

TOTAL AREA: 32,010 SF  
TOWN OF: RESORDEN A

CRUZ DEVELOPMENT CORPORATION  
APO ASSESSORS MAP 112, LOT 3  
35 KEARSARGE STREET  
NEW BEDFORD, MASSACHUSETTS

DATE	AUGUST, 2001	ISSUED BY	T. ROSSBOROUGH
CHRG SCALE	AS SHOWN	CHECKED BY	D. JAGMAN
PROJECT NO.	213-223	CVO1	
APPROVED BY	S. CHIOBA		

COVER SHEET

COO

REVISION RECORD







**SITE LOCUS MAP**  
SCALE: 1" = 2000'



SITE	MUTCD Code	Height	Width
	81-1	30"	30"
	87-8	18"	12"
	87-8a	6"	12"

**OWNER:**  
ROMAN CATHOLIC BISHOP OF FALL RIVER  
P.O. BOX 2577  
FALL RIVER MA 02722

**APPLICANT:**  
**CRUZ DEVELOPMENT CORPORATION**

1 JOHN ELIOT SQUARE  
ROXBURY, MA 02119

DEED BOOK: 336 PAGE: 500  
DEED BOOK: 334 PAGE: 107

PLAN REFERENCE:	
PLAN BOOK 2	PAGE 24
PLAN BOOK 6	PAGE 12
PLAN BOOK 8	PAGE 70

PLAN BOOK 3	PAGE 59
PLAN BOOK 5	PAGE 68
PLAN BOOK 14	PAGE 9
PLAN BOOK 15	PAGE 77

PLAN BOOK 16	PAGE 51
PLAN BOOK 24	PAGE 79
PLAN BOOK 24	PAGE 82

ACUSHNET AVENUE CITY LAYOUT  
ACUSHNET AVE/DUNCAN STREET  
CITY LAYOUT #5635, 1924

**SITE LOCATION:**  
35 KEARSARGE  
NEW BEDFORD,  
MASSACHUSETTS

ASSESSORS REFERENCE:  
APO MAP 112, LOT 3

•

RESIDENTIAL A (RA) ZONING DISTRICT	
REGULATION	REQUIREMENT
MIN. LOT AREA	8,000 SQ. FT.
LOT FRONTAGE	75 FT.
FRONT SETBACK	20 FT.
SIDE SETBACK	10 FT. ON ONE SIDE, 12 FT. ON THE OTHER
REAR SETBACK	30 FT.
MAX. LOT COVERAGE	30%; 40% ON CORNER LOTS

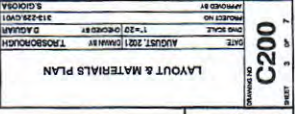
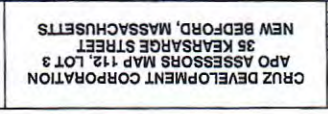
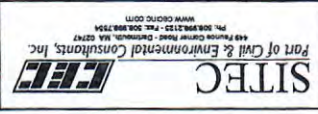
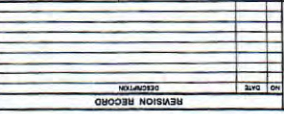
PARKING TABLE		
REGULATION	REQUIREMENT	PROPOSED
MIN. PARKING SPACES	2 SPACES/UNIT = 68	35
MIN. ADA SPACES	2	2
MIN. LOADING	1	0

**NOTES:**

1. ADA REQUIREMENT IS: 2 SPACES FOR 26 TO 50 PROVIDED PARKING SPACES PER SECTION 209.2 OF THE AMERICANS WITH DISABILITIES ACT.
2. FOR SECTION 209.2.4 OF THE AMERICANS WITH DISABILITIES ACT, FOR 2 EVERY 50 OR FRACTION OF 50 PARKING SPACES PROVIDED BY SPACE COUNCIL MEMBER, AT LEAST ONE SHALL BE A VAN PARKING SPACE PROVIDED BY SPACE COUNCIL MEMBER.

**NOTES:**

1. EXISTING CONDITIONS INFORMATION WAS OBTAINED FROM AN ON THE GROUND SURVEY, POWERED BY CIVIL & ENVIRONMENTAL CONSULTANTS, ON 19 AND 21 ST, 2011.
2. EXISTING CONDITIONS INFORMATION WAS OBTAINED FROM THE 1988 ZONAL.
3. EXISTING CONDITIONS INFORMATION WAS OBTAINED FROM THE 2010 ZONAL.
4. THE SITE IS NOT LOCATED WITHIN A DESIGNATED ENVIRONMENTAL SENSITIVE AREA (ESA) AND MAP NUMBER 25000003910 EFFECTIVE DATE JULY 16, 2014.
5. EXISTING UTILITY LINES SHOWN ON THIS PLAN ARE FROM AVAILABLE INFORMATION AND ARE NOT GUARANTEED TO BE ACCURATE. THE INFORMATION IS PROVIDED FOR INFORMATIONAL PURPOSES. ENVIRONMENTAL CONSULTANTS, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES NOT SHOWN OR FOR ANY DAMAGE TO EXISTING OR NEW UTILITIES. THE USER OF THIS REPORT FOR PUBLIC UTILITY ENGINEERING PURPOSES SHOULD BE CONSULTED.
6. THIS PLAN AND ANY ACCOMPANYING CALCULATIONS DO NOT CONSTITUTE A CERTIFICATION OF TITLE TO THE PROPERTY DESCRIBED HEREIN. THE OWNER'S OF LOCUS AND ABUTTING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ZONING AND ADJACENT RECORD MAPS. ENCUMBRANCES ARE REVEALED OUT TO PARCELS OWN FOR GARBAGE TRUCK PICKUP.
7. THIS PLAN IS PRELIMINARY AND IS SHOWN FOR REFERENCE. LIFT LOCATIONS, FEATURES, HEIGHTS AND DIMENSIONS SHOULD BE COORDINATED WITH SITE LIGHTING CONSULTANT.







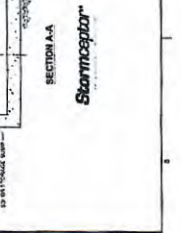
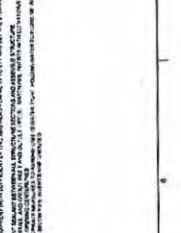
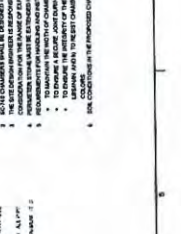
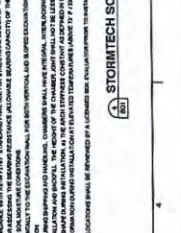
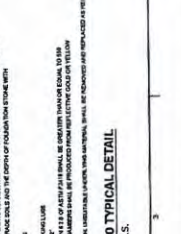
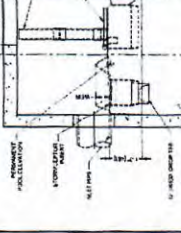
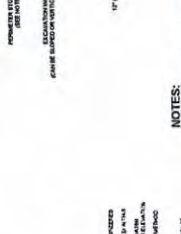
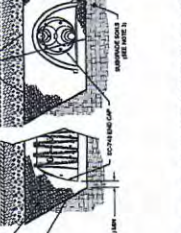
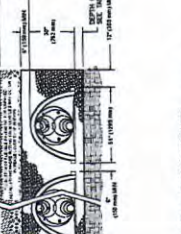
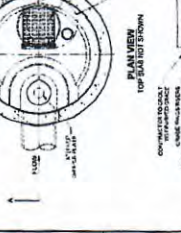
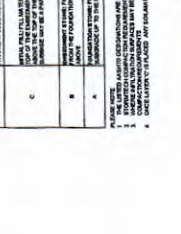
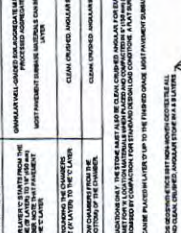
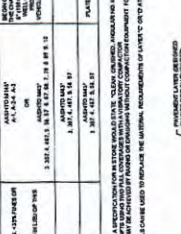
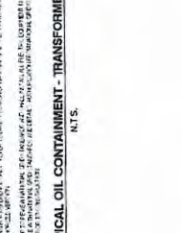
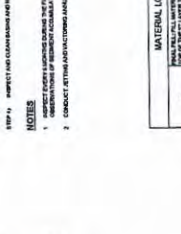
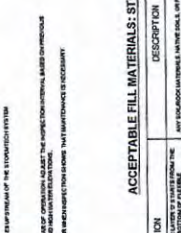
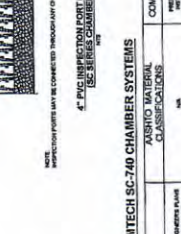
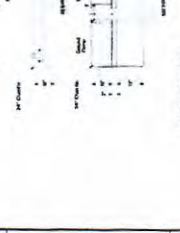
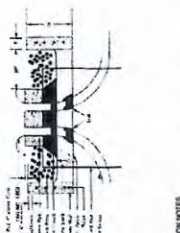
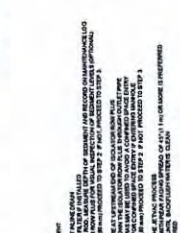
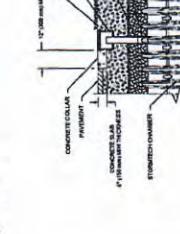
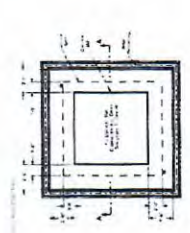
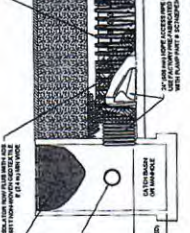














## **SECTION “C”**



## City of New Bedford

### REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY			
MAP #	112	LOT(S)#	3A
ADDRESS: 35 Kearsage Street			
OWNER INFORMATION			
NAME: Roman Catholic Bishop of Fall River			
MAILING ADDRESS: 450 Highland Street, Fall River, Massachusetts 02720			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Marc R. Deshaies, Esq. as Attorney for Petitioner			
MAILING ADDRESS (IF DIFFERENT): 115 Orchard Street, New Bedford, Massachusetts 02740			
TELEPHONE #	508-993-2300		
EMAIL ADDRESS:	marc@marcdeshaieslaw.com		
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<input checked="" type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input checked="" type="checkbox"/>	PLANNING BOARD APPLICATION		
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (Please explain):		

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

#### Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Michael J. Motta

Printed Name

Michael Motta

Digitally signed by Michael Motta  
Date: 2021.06.29 13:11:04 -04'00'

Signature

06/29/2021

Date

Amount Due

\$7.00

Date Paid

6/28/2021

Confirmation Number

7205835



June 28, 2021

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 35 Kearsarge Street (Map: 112, Lot: 3). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
112-21	49 KEARSARGE ST	BRAGA JAMIE, 22 BRITTANY LANE DARTMOUTH, MA 02747
112-8	1972 ACUSHNET AVE	LEMIEUX JOSEPH EDWARD, LEMIEUX SHEILA 25 HATHAWAY RD ACUSHNET, MA 02743
112-27	30-32 DUNCAN ST	ROY SHIRLEY J M, PO BOX 50012 NEW BEDFORD, MA 02745
112-28	28 DUNCAN ST	SILVA JOAO, SILVA ROSSANA S 28 DUNCAN ST NEW BEDFORD, MA 02745
112-232	19 KEARSARGE ST	HIGGINS JAMES L & KRISTEN F, 26 RANDALL ROAD MATTAPOISETT, MA 02739
112-248	74-76 DUNCAN ST	DASILVA VICTORIA L, 74 DUNCAN STREET NEW BEDFORD, MA 02745
112-20	70 DUNCAN ST	DaCOSTA MARY C, 70 DUNCAN STREET NEW BEDFORD, MA 02745
112-229	66-68 DUNCAN ST	JMP PROPERTY & DEVELOPMENT LLC 24 JOCELYN STREET NEW BEDFORD, MA 02745
112-22	62 DUNCAN ST	BENEVIDES CASEY T, BENEVIDES KENDRA M 64 DUNCAN ST NEW BEDFORD, MA 02745
112-45	42-44 KEARSARGE ST	THOMAS BENJAMIN J 42 KEARSARGE ST NEW BEDFORD, MA 02745
112-137	35 INGRAHAM ST	GOMEZ JESUS, 35 INGRAHAM STREET NEW BEDFORD, MA 02745
112-9	39 INGRAHAM ST	SOARES SILVINO F, SOARES ANA M 39 INGRAHAM ST NEW BEDFORD, MA 02745



June 28, 2021

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 35 Kearsarge Street (Map: 112, Lot: 3). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
112-23	56 DUNCAN ST	AMARAL JOSHUA J "TRS", AMARAL FAMILY IRREVOCABLE REAL ESTATE TRUST 41 FRUIT STREET NEW BEDFORD, MA 02740
112-24	50-54 DUNCAN ST	LEMIEUX DENNIS L "TRUSTEE", DENNIS L. LEMIEUX NOMINEE TRUST 183 ALDEN ROAD FAIRHAVEN, MA 02719
112-57	22-24 KEARSARGE ST	MEDINA MADUENO, 87 CARLISLE STREET NEW BEDFORD, MA 02745
112-55	26 KEARSARGE ST	PACHECO NELIA "TRUSTEE", CLAUDINA MARGARET A "TRUSTEE" 26 KEARSARGE STREET NEW BEDFORD, MA 02745
112-53	30 KEARSARGE ST	PACHECO STEPHANIE & EUGENIO JOSE M & MATOS SUSANA E 30 KEARSARGE STREET NEW BEDFORD, MA 02745
112-51	32 KEARSARGE ST	SIROIS LOUIS F, 67 HEDGE STREET FAIRHAVEN, MA 02719
112-47	38-40 KEARSARGE ST	BUTTERWALK REALTY LLC, 136 RIVER ROAD NEW BEDFORD, MA 02745
112-3 A	35 KEARSARGE ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER ST JOSEPH 51 DUNCAN ST NEW BEDFORD, MA 02745
112-1	WS ACUSHNET AVE	CITY OF NEW BEDFORD, BROOKLAWN PARK 131 WILLIAM ST NEW BEDFORD, MA 02740
112-43	46 48 KEARSARGE ST	PEREZ WILIAN GOMEZ 46 KEARSARGE ST NEW BEDFORD, MA 0274
112-145	27 INGRAHAM ST	LUSSIER LOUIS L JR, LUSSIER MICHELE 27 INGRAHAM ST NEW BEDFORD, MA 02745
112-25	48 DUNCAN ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER ST JOSEPH 51 DUNCAN ST NEW BEDFORD, MA 02745
112-49	36 KEARSARGE ST	GALEGO EDUARDO S "TRS" GALEGO FAMILY REALTY TRUST 700 SHORE DRIVE UNIT 510 FALL RIVER, MA 02721



This is a detailed street map of a residential neighborhood in New York City. The map shows a grid of streets including Brooklyn Ave, Sylvia St, Brooklawn Ct, Howard Ave, Perry St, Ingraham St, Duncan St, Irvington St, Princeton St, Hinet Ave, Covell St, Hatch St, and Conduit St. A large area, primarily along Irvington St and between Brooklawn Ave and Hatch St, is shaded in light blue and labeled with the number 112-3. Numerous individual lots are shown and labeled with their respective numbers, such as 116-4, 116-164, 116-171, 116-172, 116-173, 116-174, 116-175, 116-177, 116-179, 116-180, 116-181, 116-183, 116-186, 116-187, 116-188, 116-189, 116-190, 116-191, 116-192, 116-193, 116-194, 116-195, 116-196, 116-197, 116-198, 116-199, 116-200, 116-201, 116-202, 116-203, 116-204, 116-205, 116-206, 116-207, 116-208, 116-209, 116-210, 116-211, 116-212, 116-213, 116-214, 116-215, 116-216, 116-217, 116-218, 116-219, 116-220, 116-221, 116-222, 116-223, 116-224, 116-225, 116-226, 116-227, 116-228, 116-229, 116-230, 116-231, 116-232, 116-233, 116-234, 116-235, 116-236, 116-237, 116-238, 116-239, 116-240, 116-241, 116-242, 116-243, 116-244, 116-245, 116-246, 116-247, 116-248, 116-249, 116-250, 116-251, 116-252, 116-253, 116-254, 116-255, 116-256, 116-257, 116-258, 116-259, 116-260, 116-261, 116-262, 116-263, 116-264, 116-265, 116-266, 116-267, 116-268, 116-269, 116-270, 116-271, 116-272, 116-273, 116-274, 116-275, 116-276, 116-277, 116-278, 116-279, 116-280, 116-281, 116-282, 116-283, 116-284, 116-285, 116-286, 116-287, 116-288, 116-289, 116-290, 116-291, 116-292, 116-293, 116-294, 116-295, 116-296, 116-297, 116-298, 116-299, 116-300, 116-301, 116-302, 116-303, 116-304, 116-305, 116-306, 116-307, 116-308, 116-309, 116-310, 116-311, 116-312, 116-313, 116-314, 116-315, 116-316, 116-317, 116-318, 116-319, 116-320, 116-321, 116-322, 116-323, 116-324, 116-325, 116-326, 116-327, 116-328, 116-329, 116-330, 116-331, 116-332, 116-333, 116-334, 116-335, 116-336, 116-337, 116-338, 116-339, 116-340, 116-341, 116-342, 116-343, 116-344, 116-345, 116-346, 116-347, 116-348, 116-349, 116-350, 116-351, 116-352, 116-353, 116-354, 116-355, 116-356, 116-357, 116-358, 116-359, 116-360, 116-361, 116-362, 116-363, 116-364, 116-365, 116-366, 116-367, 116-368, 116-369, 116-370, 116-371, 116-372, 116-373, 116-374, 116-375, 116-376, 116-377, 116-378, 116-379, 116-380, 116-381, 116-382, 116-383, 116-384, 116-385, 116-386, 116-387, 116-388, 116-389, 116-390, 116-391, 116-392, 116-393, 116-394, 116-395, 116-396, 116-397, 116-398, 116-399, 116-400, 116-401, 116-402, 116-403, 116-404, 116-405, 116-406, 116-407, 116-408, 116-409, 116-410, 116-411, 116-412, 116-413, 116-414, 116-415, 116-416, 116-417, 116-418, 116-419, 116-420, 116-421, 116-422, 116-423, 116-424, 116-425, 116-426, 116-427, 116-428, 116-429, 116-430, 116-431, 116-432, 116-433, 116-434, 116-435, 116-436, 116-437, 116-438, 116-439, 116-440, 116-441, 116-442, 116-443, 116-444, 116-445, 116-446, 116-447, 116-448, 116-449, 116-450, 116-451, 116-452, 116-453, 116-454, 116-455, 116-456, 116-457, 116-458, 116-459, 116-460, 116-461, 116-462, 116-463, 116-464, 116-465, 116-466, 116-467, 116-468, 116-469, 116-470, 116-471, 116-472, 116-473, 116-474, 116-475, 116-476, 116-477, 116-478, 116-479, 116-480, 116-481, 116-482, 116-483, 116-484, 116-485, 116-486, 116-487, 116-488, 116-489, 116-490, 116-491, 116-492, 116-493, 116-494, 116-495, 116-496, 116-497, 116-498, 116-499, 116-500, 116-501, 116-502, 116-503, 116-504, 116-505, 116-506, 116-507, 116-508, 116-509, 116-510, 116-511, 116-512, 116-513, 116-514, 116-515, 116-516, 116-517, 116-518, 116-519, 116-520, 116-521, 116-522, 116-523, 116-524, 116-525, 116-526, 116-527, 116-528, 116-529, 116-530, 116-531, 116-532, 116-533, 116-534, 116-535, 116-536, 116-537, 116-538, 116-539, 116-540, 116-541, 116-542, 116-543, 116-544, 116-545, 116-546, 116-547, 116-548, 116-549, 116-550, 116-551, 116-552, 116-553, 116-554, 116-555, 116-556, 116-557, 116-558, 116-559, 116-560, 116-561, 116-562, 116-563, 116-564, 116-565, 116-566, 116-567, 116-568, 116-569, 116-570, 116-571, 116-572, 116-573, 116-574, 116-575, 116-576, 116-577, 116-578, 116-579, 116-580, 116-581, 116-582, 116-583, 116-584, 116-585, 116-586, 116-587, 116-588, 116-589, 116-590, 116-591, 116-592, 116-593, 116-594, 116-595, 116-596, 116-597, 116-598, 116-599, 116-600, 116-601, 116-602, 116-603, 116-604, 116-605, 116-606, 116-607, 116-608, 116-6

June 2021

## **SECTION “D”**



# Know all men by these presents

that I, John B. Perre and Delia Perre of New Bedford, County of Bristol and Commonwealth of Massachusetts

in consideration of One Dollar and other valuable considerations  
paid by Roman Catholic Bishop of Fall River, a Corporation Sole

the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Roman Catholic Bishop of Fall River, a certain lot of land with all the buildings thereon situated in said New Bedford bounded and described as follows:—Beginning at the Northwest corner thereof at the intersection of the East line of Acushnet Avenue as now widened with the South line of contemplated Ingraham Street; thence Easterly in said South line of contemplated Ingraham Street about Four Hundred five and 18/100 feet to the West line of contemplated Kearsarge Street; thence Southerly in said West line of contemplated Kearsarge Street One Hundred fifty-nine and 84/100 (159<sup>84</sup>/100) feet to the North line of contemplated Duncan Street; thence Westerly in said North line of contemplated Duncan Street Three Hundred eighty and 58/100 (380<sup>58</sup>/100) feet to the Southeast corner of land now or formerly of John St. Counsel and Sarah J. Holden; thence Northerly by said Counsel and Holden land Ninety-six and 9/100 (96<sup>9</sup>/100) feet to the Northeast corner thereof; thence Westerly by said Counsel and Holden land about Sixty-six and 82/100 feet to said East line of Acushnet Avenue; thence Northerly in said East line of Acushnet Avenue to place of beginning, One Hundred six and 33/100 (106<sup>33</sup>/100) feet.

5254  
Perre  
to  
Roman Catholic Bishop of  
Fall River



To have and to hold the granted premises, with all the privileges and appurtenances thereto belonging to the said Roman Catholic Bishop of Fall River and its <sup>successors</sup> heirs and assigns, to their own use and behoof forever.

And we hereby for ourselves and our heirs, executors and administrators, covenant with the grantee and its <sup>successors</sup> heirs and assigns that we are lawfully seized in fee simple of the granted premises, that they are free from all incumbrances,

that we have good right to sell and convey the same as aforesaid; and that we will and our heirs, executors, and administrators shall warrant and defend the same to the grantee and its <sup>successors</sup> heirs and assigns forever against the lawful claims and demands of all persons.

And for the consideration aforesaid we the said John B. Perra and Delia Perra husband and wife

hereby release unto the <sup>said</sup> grantee and its <sup>successors</sup> heirs and assigns all right of or to both <sup>entire</sup> ~~whole~~ and homestead in the granted premises, and all other rights and interests therein.

In witness whereof we the said John B. Perra and Delia Perra

hereunto set our hand and seal this eighteenth day of August in the year one thousand nine hundred and ten.

Signed and sealed in presence of

John B. Perra (L.S.)  
Delia Perra (L.S.)

Commonwealth of Massachusetts.

Printed ss. New Bedford August 16 1910. Then personally appeared the above-named John B. Perra and acknowledged the foregoing instrument to be his free act and deed, before me—

Laurence J. Perry  
Justice of the Peace.

Received and recorded Aug. 19 1910, at 10 o'clock and 11 minutes A. M.

Attest:

Oliver B. Collins  
Register.

Six words interlined  
and four words  
used before attestation.  
Attest:  
Oliver B. Collins  
Register



## **SECTION “E”**

# 35 Kearsarge Street

Convert Educational Use to Residential Use

- Legend**
- 35 Kearsarge St
  - Coping With Anxiety/Panic Attacks



Google Earth

© 2021 Google

35 Kearsarge St

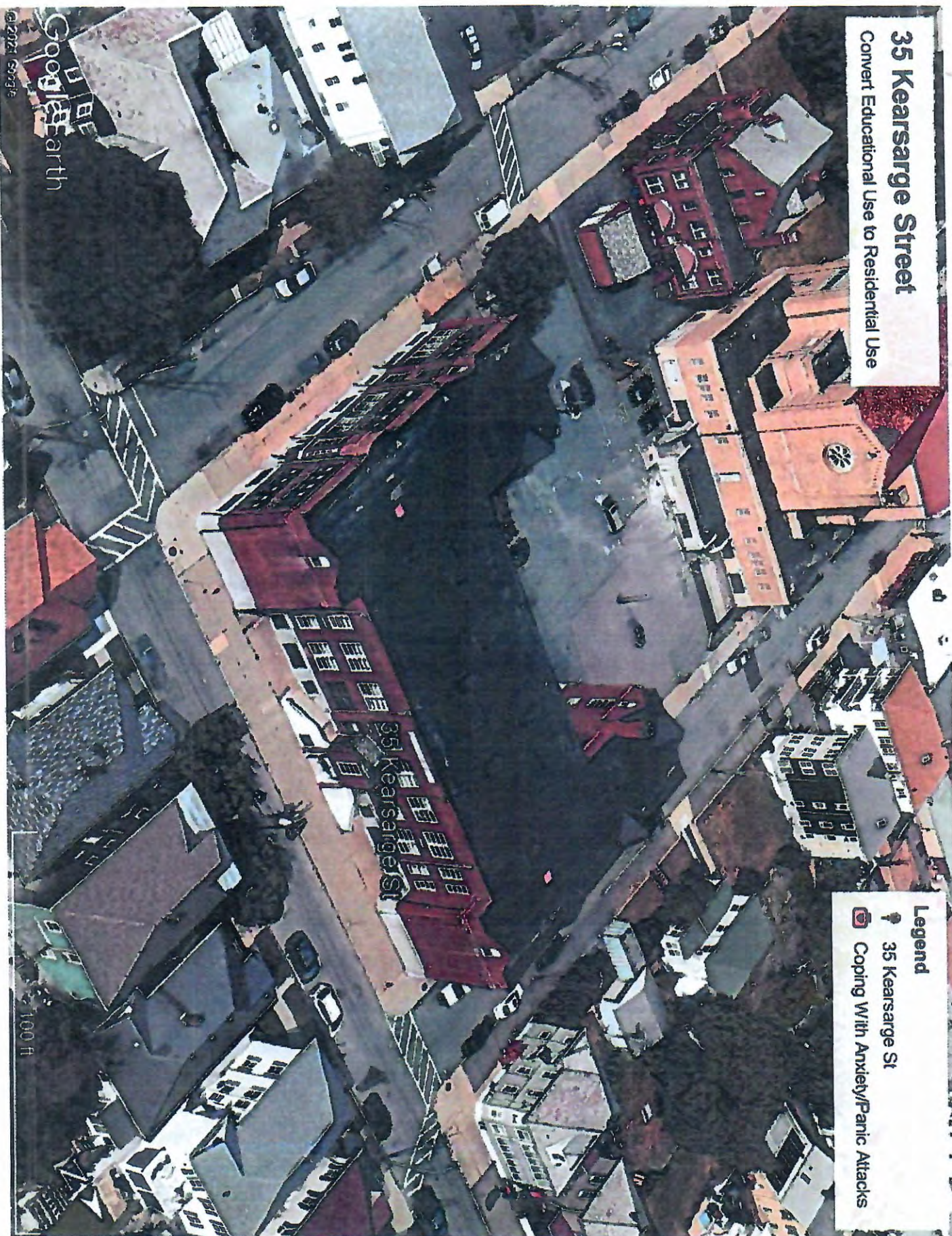
200 ft



# 35 Kearsarge Street

Convert Educational Use to Residential Use

- Legend**
- 35 Kearsarge St
  - Coping With Anxiety/Panic Attacks





Google Maps 25 Kearsarge St

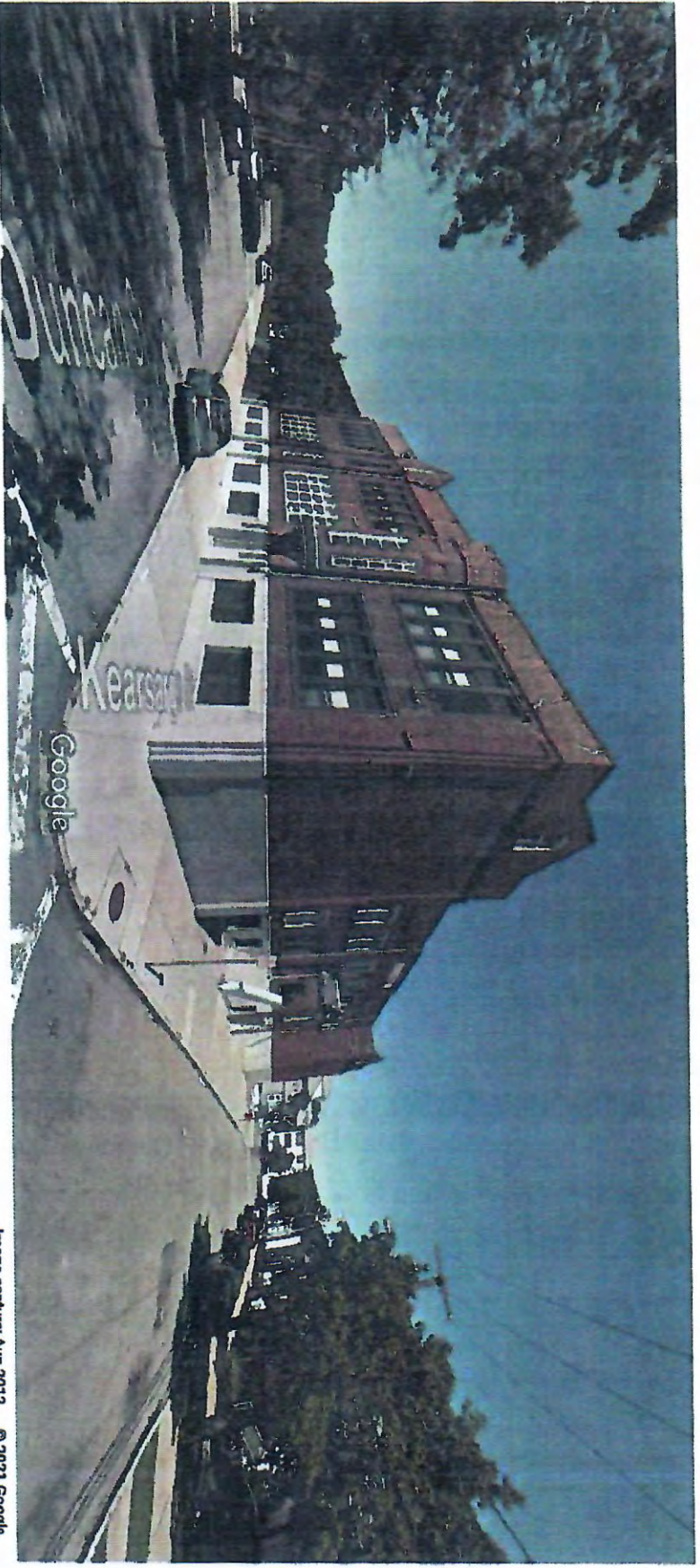
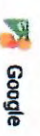


Image capture: Aug 2012 © 2021 Google

New Bedford, Massachusetts



Street View

in. & Sandwiches  
CVS  
Turo St  
Beverly St  
Main and Ave



Google Maps 32 Kearsarge St



Image capture Oct 2019 © 2021 Google

New Bedford, Massachusetts



Street View





INGRAHAM ST

ACUSHNET AVE

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BUS.

DUNCAN ST

RES. A.

480.38

11.15

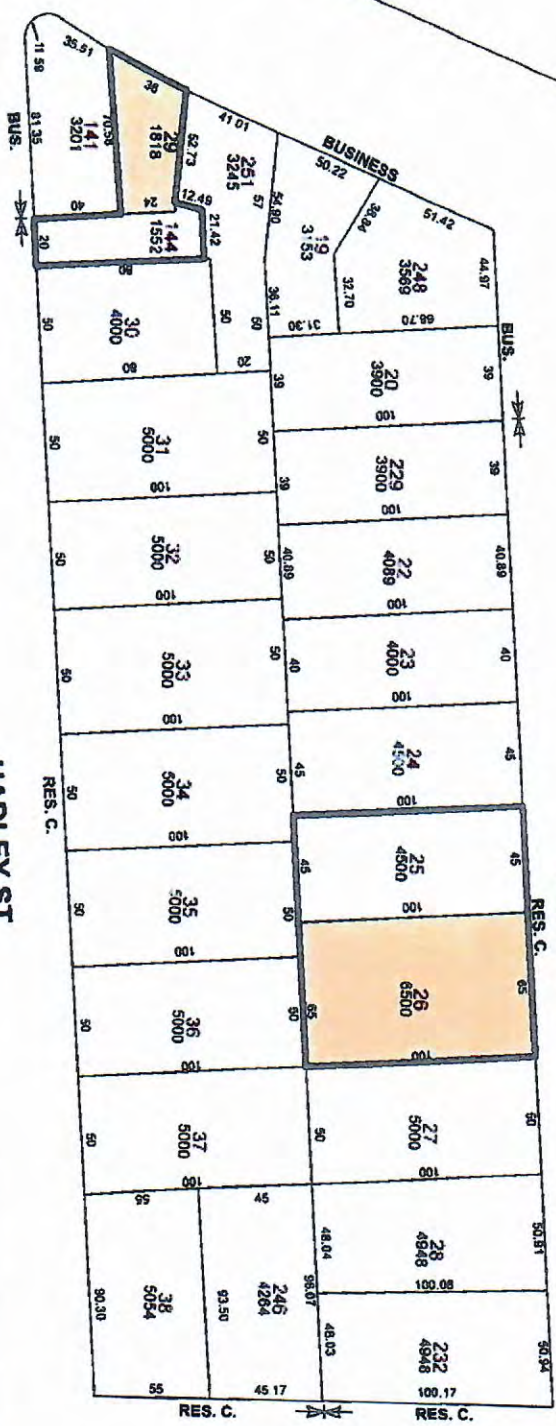
BUS.

BUS. 465.15 RES. A.

302.5

RES. A

15.8 84



HADLEY ST

KEARSARGE ST

RES. C.

RES. A

100	45	4000	100	47	4000	100	49	4000	100	51	4000	100	53	4000	100	55	4000	100	57	4000	100	59	4000	100	231	4000	100	230	4260	83.74	56.65
100	45	4000	100	47	4000	100	49	4000	100	51	4000	100	53	4000	100	55	4000	100	57	4000	100	59	4000	100	231	4000	100	230	4260	83.74	56.65

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RES. C.

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## **SECTION “F”**

# DEVELOPMENT IMPACT STATEMENT

## FOR

### 35 KEARSARGE STREET – NEW BEDFORD

#### A. Physical Environment

The property that is the subject of this application is the former St. Joseph - St. Theresa's Elementary School constructed circa 1910 prior to the adoption of zoning and situated at property known and numbered as 35 Kearsarge Street. The Locus is bounded on the north by Ingraham Street, the east by Kearsarge Street and on the south by Duncan Street on a parcel of land containing 32,010 square feet (the "Building"). The front of the building faces the rear of St. Joseph – St. Theresa's Roman Catholic Church. The Building is of brick and masonry construction with a basement and two floors. The building has an exterior footprint of 15,374 square feet.

The exterior of the building will be rehabilitated, which will include, among other things, cleaning and/or sandblasting and re-pointing of the existing brick facade, and the installation of new windows. The rehabilitation of the exterior of the building, is proposed to preserve its historic character. A new roof will be installed as part of the building's exterior rehabilitation. The site will be improved by the resurfacing the parking area to service the proposed development for off-street parking.

The project will introduce a modest landscaping design of plantings with lighting in an urban setting where none previously existed. The design will enhance the visual character of the site over what presently exists.

#### B. Surface Water and Subsurface Conditions

1. **The location, extent, and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the site.**

Adjacent to the Building site are existing municipal roadways with curbing, curb inlets, manholes and storm drains along Ingraham, Duncan and Kearsarge Street. The entire site currently drains by sheet flow off-site into the municipal drainage system. A drainage infiltration system will be incorporated into the proposed project.

2. **Proposed alterations of shorelines, marshes, or seasonal wet area.**

There are no alterations to resource areas proposed.

3. **Limitations imposed on the project by the site's soil and water conditions.**

There are no known limitations imposed by soil conditions.

There are no known limitations related to groundwater levels.



4. **Impact upon ground and surface water quality and recharge, including estimated phosphate and nitrate loading on groundwater and surface water from septic tanks, lawn fertilizer, and other activities within the site.**

None as onsite water runoff will be to an onsite drainage infiltration system and then to the existing municipal infrastructure.

**C. Circulation Systems**

1. **Project the number of motor vehicles to enter and exit the site per average day and peak hour.**

A traffic study was performed by McMahon Transportation Engineers & Planner in which they opine based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10<sup>th</sup> Edition for Senior Adult Housing based on 39 units as follows:

Day of the Week	Peak AM Hour	Peak PM Hour	Saturday Midday Peak Hour
Weekday	In-2 Out 4 Total 6	In-5 Out-4 Total 9	
Saturday			In-7 Out-4 Total 11

The maximum number of trips per hour occurs Midday on Saturday. The greatest peak hour volume occurs during the week in the afternoon. See, McMahon Transportation Engineers & Planners Traffic Assessment ("Traffic Assessment") attached hereto as Appendix A.

2. **Number of existing motor vehicles utilizing streets adjacent to the site per day and during peak hour.**

See, Traffic Assessment.

3. **Describe the impact of proposed traffic on adjacent streets providing access to the site.**

The Traffic Assessment report prepared finds that the trip generation from the Senior Living Development will have a minimal impact on proposed traffic on the adjacent streets.

**D. Support Systems**

1. **Water Distribution**

The Building is served by municipal water. The service will be upgraded to service domestic water service for 34 residential units and a dedicated service line will be

installed which will be sized adequately for the installation of fire sprinkler service in the Building. There are fire hydrants located adjacent to the site on nearby roadways.

## **2. Sewer Disposal**

The Building currently discharges through a sewer service connection to the City of New Bedford's municipal sewer system. The anticipated average sewer flows are 4070 gallons per day based on 37 bedrooms with a flow of 110 gallons per bedroom. There are no sanitary sewer site improvements proposed.

## **3. Refuse Disposal**

The refuse from the project will be disposed of under private contract with a solid waste hauler. There will be no requirement that the City of New Bedford provide refuse disposal at the Site.

## **4. Fire Protection**

The Building will be retrofitted with an interior fire suppression sprinkler system on all levels to meet current state building code.

## **5. Recreation**

In the vicinity of the project site, is a Brooklawn Park and a nearby public library.

## **6. Schools**

The proposed project is for individuals over age 62. The best forecast is that there will be no impact on the New Bedford School System.

## **E. Phasing**

The project will not be phased.



## **SECTION "G"**



TRANSPORTATION ENGINEERS & PLANNERS

McMahon Associates, Inc.  
350 Myles Standish Boulevard, Suite 103  
Taunton, MA 02780  
P. 508.823.2245  
mcmahonassociates.com

July 14, 2021

Daniel Cruz, Jr.  
Senior Vice President  
Cruz Development Corporation  
One John Eliot Square  
Roxbury, MA 02119

RE: **Traffic Assessment – New Bedford Senior Living Development**  
**35 Kearsarge Street, New Bedford, MA 02745**

Dear Mr. Cruz,

McMahon Associates has completed a traffic assessment for the proposed New Bedford Senior Living Development (herein referred to as the “Project”) to be located at 35 Kearsarge Street in the City of New Bedford, Massachusetts, as shown in Figure 1. As part of this assessment, McMahon reviewed existing traffic count data and crash data in the study area, estimated the trip generation for the Project, and performed field measurements of the sight distance from the proposed site driveways.

The site is currently occupied by a vacant school building with a gross floor area of approximately 15,374 square feet. The site shares a parking lot with the adjacent church to the west, and is abutted by residential properties. The Project would include the renovation of the existing school building and conversion to an affordable senior housing complex with 34 total dwelling units, which would include a mix of one-bedroom and two-bedroom units. Based on the most recent site plan, prepared by SITEC Inc. and dated July 2021, the Project would provide a total of 35 on-site parking spaces for residents and visitors, including two wheelchair-accessible spaces, in the existing parking lot on the west side of the site. On-street parking is available on Ingraham Street, Duncan Street and Kearsarge Street. Site access would be provided by two unsignalized driveways: one on Ingraham Street and one on Duncan Street.

The Project site is served by the Southeastern Regional Transit Authority (SRTA) Bus Route 2, which provides weekday and Saturday service between the SRTA Terminal and Lund’s Corner via Acushnet Avenue. Bus stops are located on Acushnet Avenue at its intersections with Ingraham Street and Duncan Street, approximately 400 feet west of the Project site.





Figure 1  
Site Location Map  
New Bedford Senior Living  
New Bedford, Massachusetts



### ***Existing Traffic Volumes***

The Massachusetts Department of Transportation (MassDOT) Traffic Count Database System was reviewed to determine if there are any existing traffic count data in the study area. According to the Database, there are no traffic count data available on Acushnet Avenue adjacent to the Project site, nor are there any data on Ingraham Street, Duncan Street or Kearsarge Street. However, 24-hour Automatic Traffic Recorder (ATR) data are available on Acushnet Avenue at its intersection with Dawson Street, approximately 2,300 feet north of the Project site. These ATR data were collected between October 22 and October 27, 2019.

In order to account for seasonal variation in the Acushnet Avenue ATR data, continuous count data from MassDOT continuous count station 38 were reviewed. This count station is located on I-195 over the Acushnet River in New Bedford. Based on the seasonal adjustment trends of the data, traffic counts collected during the month of October are approximately 1.0 percent higher than those collected in the average month. Therefore, in order to provide a conservative traffic volume estimate, the ATR data on Acushnet Avenue were not seasonally adjusted.

The October 2019 ATR data obtained at the Acushnet Avenue/Dawson Street intersection to the north of the Project site indicate that Acushnet Avenue carries an Average Daily Traffic (ADT) volume of approximately 10,100 vehicles per day. Project trips would be expected to have an approximately 50-50 northbound/southbound directional split, with residents accessing commercial and service-based land uses to the north and south of the Project site.

### ***Crash Data***

Crash data for the study area intersections were obtained from the MassDOT IMPACT Crash Portal for the most recent five-year period available. These data include yearly crash summaries for the years 2014 through 2018. Using the calculated Acushnet Avenue ADT, the crash rates were calculated at the study area intersections to determine whether the crash frequencies at in the study area are unusually high given the travel demand. The intersection crash rate is expressed in crashes per million entering vehicles (MEV). The calculated crash rates were then compared to the average rate for unsignalized intersections statewide and within MassDOT District 5. For unsignalized intersections, the statewide and MassDOT District 5 average crash rates are both 0.57 crashes per MEV, respectively.

The unsignalized intersection of Acushnet Avenue and Ingraham Street experienced one reported head-on collision over the five-year period analyzed. This collision resulted in non-fatal personal injury and equates to an intersection crash rate of 0.05 crashes per MEV, which is significantly below both the statewide and MassDOT District 5 averages for unsignalized intersections.

The unsignalized intersection of Acushnet Avenue and Duncan Street experienced one reported rear-end collision over the five-year period analyzed. This crash resulted in property damage only. Two additional non-intersection collisions were reported on Duncan Street, both of which involved parked vehicles. The calculated intersection crash rate at the intersection of Acushnet Avenue and Duncan Street is 0.05 crashes per MEV, and is therefore significantly below the statewide and MassDOT District 5 averages for unsignalized intersections.



There were no reported crashes on Kearsarge Street at its intersections with Ingraham Street or Duncan Street within the five-year period analyzed.

Based on a review of available crash data, the roadway network in the vicinity of the Project site does not appear to have any existing safety deficiencies.

#### ***Trip Generation Data***

A trip generation assessment was completed to project the number of trips to and from the Project site. The following time periods were considered as part of this assessment: weekday morning peak hour, weekday afternoon peak hour, and Saturday midday peak hour. To establish the trip generation estimates, the Institute of Transportation Engineers (ITE) publication, *Trip Generation Manual, 10<sup>th</sup> Edition* was used as a reference. ITE is a national research organization of transportation professionals and their publication provides traffic generation information for various land uses compiled from studies conducted by members nationwide. This reference establishes vehicle trip rates based on actual traffic counts conducted at similar existing facilities.

Vehicle trip generation estimates for the Project were established based on ITE data for Land Use Code 252 (Senior Adult Housing – Attached). Table 1 below presents the projected site trips associated with the Project.

**Table 1 – Vehicular Trip Generation**

Description	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Midday Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Proposed New Bedford Senior Living Development <sup>(1)</sup>	2	4	6	5	4	9	7	4	11

(1) ITE Land Use Code 252 (Senior Adult Housing - Attached), based on 34 dwelling units.

As shown in Table 1, the Project is projected to result in approximately six new vehicle trips during the weekday morning peak hour (two entering vehicles and four exiting vehicles) and approximately nine new vehicle trips during the weekday afternoon peak hour (five entering vehicles and four exiting vehicles). During the Saturday midday peak hour, the Project is projected to result in approximately 11 new vehicle trips (seven entering vehicles and four exiting vehicles).

#### ***Sight Distance***

A field review of the available sight distance was conducted at the locations of the proposed full-access site driveways on Ingraham Street and Duncan Street. The American Association of State Highway and Transportation Officials (AASHTO) publication, *A Policy on Geometric Design, 2011 Edition*, defines the minimum sight distance at intersections. The minimum sight distance is based on the required stopping sight distance (SSD) for vehicles traveling along the main road. According to AASHTO, "If the available sight distance for an entering or crossing vehicle is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient time to anticipate and avoid collisions."



There are no posted speed limits on Ingraham Street or Duncan Street under existing conditions. However, the speed limits are considered to be 25 mph based on the residential characteristics of both roadways. Table 2 summarizes the sight distance standards for the proposed site driveways on Ingraham Street and Duncan Street.

**Table 2 – Sight Distance Requirements**

Site Driveway	Looking	Speed Limit (mph)	SSD <sup>(1)</sup> Required (ft)	Sight Distance Measured (ft)	Meets Required SSD?
Ingraham Street Driveway	Left (West)	25	160	283	Yes
	Right (East)	25	160	183	Yes
Duncan Street Driveway	Left (East)	25	160	182	Yes
	Right (West)	25	160	381	Yes

(1) AASHTO stopping sight distance (see AASHTO equations 3-2 and 3-3) for 85<sup>th</sup> percentile speed or posted speed limit.

As shown in Table 2, the available sight distance exiting the proposed site driveways on Ingraham Street and Duncan Street exceeds the AASHTO requirements for SSD based on the logical speed limit on both roadways.

The sight distance measurements in Table 2 assume that parked vehicles are not present within the line of sight at the proposed driveways. However, parking is permitted on both sides of Ingraham Street and Duncan Street under existing conditions, as shown in Figure 2 below. There are no parking restrictions in place anywhere along the roadways, and sight distance may be obstructed by vehicles parked adjacent to the site driveways.

**Figure 2 – Existing On-Street Parking along Duncan Street**



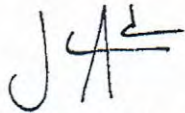


### ***Conclusions***

Based on a review of the trip generating characteristics associated with the proposed New Bedford Senior Living Development, the Project is not expected to result in a noticeable increase in the number of vehicle trips travelling to and from the site. Any delay incurred by vehicles would be expected to remain internal to the site, and the Project is not expected to have a significant operational impact on Acushnet Avenue and the surrounding roadway network. A review of the existing crash data from MassDOT shows that there are no immediate safety concerns in the study area.

As mentioned previously, parking is permitted on both sides of Ingraham Street and Duncan Street under existing conditions. To ensure that adequate sight distance is provided for exiting vehicles, it is recommended that parking restrictions be implemented within 20 feet of the proposed site driveways on Ingraham Street and Duncan Street. This could be achieved by erecting "No Parking" signage, or by painting the existing curb to delineate the no parking zones.

Please do not hesitate to contact us should you require any further information.

A handwritten signature in black ink, appearing to read 'JA' with a stylized flourish extending from the 'A'.

Jason T. Adams, P.E., PTOE  
Associate

## **SECTION “H”**



**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, §54, debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by Massachusetts General Law C111, §150A

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 142A 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: Change Use to Residential Units Est. Cost: \_\_\_\_\_Address of Work: 35 KEARSARGE STREETOwner Name: ROMAN CATHOLIC BISHOP OF Fall River 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 ☒

Reason For Rejection:

**Zoning Board of Appeals - Special Permit**  
**Planning Board - Site Plan Review & Special Permit**

Fee

"See Attachments"**B-20-3321**

Comments and Conditions:

Signed W. RomanowiczDate: 7-19 2021Title Building Commissioner

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**

**35 Kearsarge Street – PLOT: 112 – LOT: 3A – ZONED DISTRICT: RA**  
**Site Plan Review & Special Permit is Required is from the Planning Board**  
**Special Permit is Required from the Zoning Board of Appeals**

**Zoning Code Review as follows:**

<b>Special Permit</b>	<b>Zoning Board of Appeals</b>
-----------------------	--------------------------------

❖ **SECTIONS**

- **2400 – Non Conforming Uses and Structures**
- **2410 – Applicability**
- **2420 – Nonconforming Uses**
  - **2421 – Change or substantial extension of the use;**
  - **2422 – Change from one nonconforming use to another, less detrimental, nonconforming use.**
- **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**

<b>Site Plan Review</b>	<b>Planning Board</b>
-------------------------	-----------------------

❖ **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**

<b>Special Permit</b>	<b>Planning Board</b>
-----------------------	-----------------------

❖ **SECTIONS**

- **3100 – Parking and Loading**
- **3110 – Applicability**
- **3120-3125 – Special Permit (Reduction in Parking)**
- **3130 – Table of Parking Loading Requirements – Appendix C**
  - **Multi-Family Dwelling**
- **5300-5390 – Special Permit**





**CITY OF NEW BEDFORD**  
JONATHAN F. MITCHELL, MAYOR

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

## **Parking Spaces Calculations**

**Residential Apartment Building – 34 Apartment Unit**

**Number of Parking Spaces Required – Residential Unit**

**Number of Space required = 2 Parking Spaces/Residential Unit x 34 Residential Unit = 68 Parking Spaces**

**Number of Parking Spaces Provided = 35 Parking Spaces as per plan submitted**

**Number of Parking Spaces Required for Relief = 33 Parking Spaces**

## **SECTION “I”**





**DIOCESE OF FALL RIVER**  
CHANCERY OFFICE

Chairperson  
Zoning Board of Appeals  
City of New Bedford  
133 William Street  
New Bedford, MA 02740

Chairperson  
Planning Board  
133 William Street  
New Bedford, MA 02740

Re: Letter of Authorization – 35 Kearsarge Street, New Bedford, Massachusetts  
New Bedford Assessors Map 112 – Lot 3A

Dear Board Chairpersons:

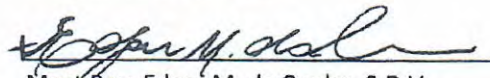
Title to the above referenced property is vested in the Roman Catholic Bishop of Fall River, A Corporation Sole. I am the incumbent Roman Catholic Bishop of Fall River.

Let this correspondence serve as my authorization to your respective Boards to accept any and all applications, permits and/or petitions from Cruz Development Corporation for and in any way related to Cruz Development Corporation's proposed conversion of the building at 35 Kearsarge Street into thirty-nine (39) units of residential apartments.

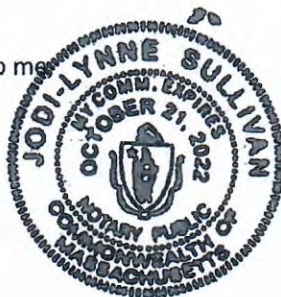
Witness my hand and seal this 24<sup>th</sup> day of August, 2021.

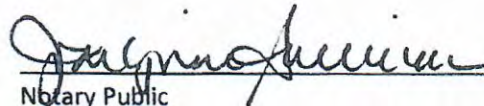
ROMAN CATHOLIC BISHOP OF FALL RIVER,  
A CORPORATION SOLE

By:

  
Most Rev. Edgar M. da Cunha, S.D.V.  
Bishop of Fall River

Sworn and subscribed to me



  
Notary Public

My Commission Expires October 21, 2022