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PLANNING BOARD

STAFF REPORT

REPORT DATE
SEPTEMBER 8, 2021

MEETING DATE
OCTOBER 13, 2021

Case #: 21-34 Special Permit
45 Chestnut Street
Map: 58 Lot: 242
Owner/ Ahmet Dirican
Applicant: 45 Chestnut Street
New Bedford, MA 02740
Zoning District: Residence B
Site Area: 4,721 ft²
Overview: Request by applicant for a
Special Permit for a
parking reduction at 45
Chestnut Street.

Existing Conditions

The project site is located on the southwest corner of the Chestnut Street and Hillman Street intersection. There is a 1,700 ± ft² home built circa 1855 with an associated yard and driveway located on the site. The site has 69± feet of frontage on Chestnut Street.



Parking area adjacent to the home at 45 Chestnut Street (right).
Looking west from Chestnut Street.

The surrounding neighborhood is consisting of single and multifamily homes.

Related Permitting

The applicant has requested a Finding from the Zoning Board of Appeals to convert the home, which is currently classified as a single family by Inspectional Services, to a two-family. The ZBA granted the Finding request on September 23, 2021. Because of the age and historic value of the structure, the proposed addition of an exterior egress stairs may also require review by the Historic Commission.

Decision Criteria

The applicant is requesting a Special Permit for a parking reduction. The ordinance provides the Board the following criteria for reaching a decision.

Special Permit Criteria for Parking Reduction

When deciding on the Special Permit for a parking reduction, the Board must consider the requirements outlined in Section 3120 of the City's Zoning Ordinance (c.9):

- Any parking or loading requirement set forth herein may be reduced upon the issuance of a special permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:
 - Use of a common parking lot for separate uses having peak demands occurring at different times
 - Age or other characteristics of occupants of the facility requiring parking which reduces auto usage
 - Peculiarities of the use which make usual measures of demand invalid
 - Availability of on-street parking or parking at nearby municipally owned facilities.
 - Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces

Proposed Conditions

The applicant proposes to renovate a kitchen on the first floor and install an exterior stairway and second floor egress on the south side of the building. No additional site improvements are proposed.

Staff Review

The table below outlines the proposed site changes and highlights items for discussion and the Board's consideration.

Parking	<ul style="list-style-type: none">• <u>The conversion to a two-family residence requires the applicant to provide four (4) parking spaces. Only two (2) are provided in the driveway and therefore, the applicant seeks a Special Permit for a reduction of the parking requirement.</u>• A daytime site visit revealed available street parking on both Chestnut and Hillman Street
Landscaping & Site Features	<ul style="list-style-type: none">• No landscaping is proposed.• As the property is in a residential district and the number parking spaces required is less than five (5), therefore screening is not required for the parking area.

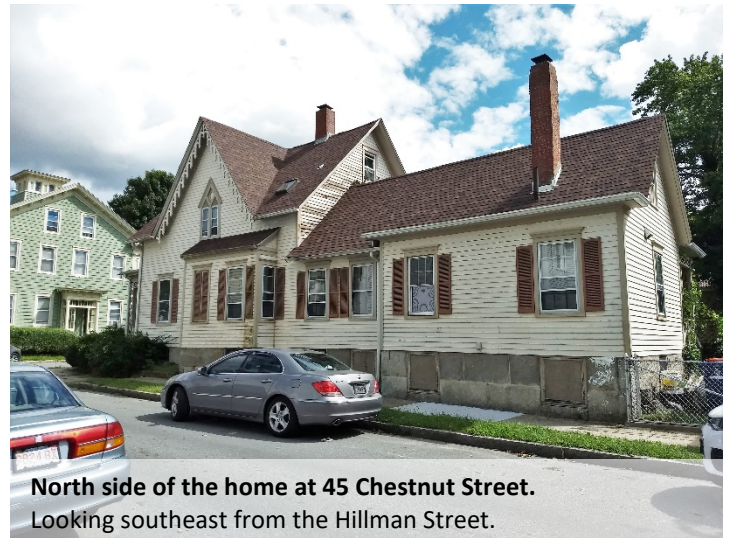
Interdepartmental Review Comments

At the time of writing this report, no departmental memos have been received.

Site Photos



Front of the home at 45 Chestnut Street.
Looking west from the Chestnut Street.



North side of the home at 45 Chestnut Street.
Looking southeast from the Hillman Street.



South side of the home and associate parking area.
North from driveway on Chestnut Street.



Home at 45 Chestnut Street.
Looking southwest from across the intersection.

Materials for Consideration

The engineered plan submission is shown as “45 Chestnut St., New Bedford, MA” dated Aug. 27, 2021, and prepared by Zenith Land Surveyors of New Bedford, MA. The plans are stamped by Johnathan J. Pink, PLS. The plan set consists of one sheet showing existing conditions.

The architectural plan submission is shown as “Proposed Renovation at 45 Chestnut St, New Bedford, MA” dated 03.18.2021 and prepared by Comprehensive Design Services of West Wareham, MA. The plan consists of the following sheets:

- A 0.1 Cover Sheet
- A 0.2 General Notes
- EX 2.1 Existing Conditions Basement & First Floor Plan
- EX 2.2 Existing Conditions Second Floor Plan
- A 2.1 Proposed Basemen & First Floor Plan
- EX 3.1 Existing Elevations
- A 3.1 Proposed Elevations

Recommended Conditions



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 special permit for the project:

That the following **specific conditions** be applied to this decision:

1. Any conditions imposed by the Zoning Board of Appeals or the Historic Commission in decisions related to this property shall also be considered conditions of this decision.

That the following **general conditions** also be applied to both decisions:

2. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
3. 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.
4. 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.
5. 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.
6. 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.
7. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.
8. 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.
9. 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.

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
Reviewed by: Jennifer Carloni, City Planner

45 Chestnut Street Map: 58 Lot: 242

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

