

OFFICE OF THE CITY CLERK  
NEW BEDFORD, MA

2021 OCT 27 AM 11:16

CITY CLERK

**PLANNING BOARD**

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

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

**NOTICE OF DECISION**

Case Number: 21-34				
Request Type: Special Permit – Parking Reduction				
Address: 45 Chestnut Street				
Zoning: Residence-B				
Recorded Owners: Ahmet Dirican				
Owner Address: 45 Chestnut Street, New Bedford, MA 02740				
Applicant: Ahmet Dirican				
Applicant Address: 45 Chestnut Street, New Bedford, MA 02740				
<b>Application Submittal Date</b>		<b>Public Hearing Date(s)</b>		<b>Decision Date</b>
September 8, 2021		October 13, 2021		10/27/2021
<b>Assessor's Plot Number</b>	<b>Lot Number(s)</b>	<b>Book Number</b>	<b>Page Number</b>	<b>Certificate Number</b>
58	424	13399	346-348	

**Application:** Request by applicant for a **Special Permit** for a parking reduction at 45 Chestnut Street (Map: 58 Lot: 242), a 4739± square foot site in a Residence B (RB) zoned district. Owner/Applicant: Ahmet F. Dirican (45 Chestnut Street, New Bedford, MA 02740).

**Action:** **GRANTED, WITH CONDITIONS, as described in section four (4).**

A copy of this decision was filed with the City Clerk of the City of New Bedford on October 27, 2021. Any person aggrieved by this decision for Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

10/27/2021

Date

Kathryn Duff, Chair  
City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

**Case #21-34: 45 Chestnut Street** – Request by applicant for a **Special Permit** for a parking reduction at 45 Chestnut Street (Map: 58 Lot: 242), a 4739± square foot site in a Residence B (RB) zoned district. Owner/Applicant: Ahmet F. Dirican (45 Chestnut Street, New Bedford, MA 02740).

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application:

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

### Other Documents and Supporting Materials:

- Staff Report, dated 9/8/2021
- Building Department Rejection Packet
- Special Permit Application
- Deed

## 3) DISCUSSION

*Due to the COVID- 19 outbreak, the following meeting were held fully remotely in accordance with the Governor of Massachusetts’ March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G. L. c. 30A, Section 20.*

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, Alexander Kalife, and Kamile Khazan attended the October 13, 2021 online meeting. City Planner Jennifer Carloni and Assistant Planner Michael McCarthy were also in attendance.

Case #21-34 was heard as part of new business. Chair Duff opened the case and asked if a representative for the applicant was present to discuss the case. Mr. Armando Pereira introduced himself as the applicant’s agent and also introduced Dr. Ahmet Dirican, the applicant. Mr. Pereira described the property and the proposed renovations to the Board, which would convert the single-family home into a two-family. He concluded by noting that the existing driveway provided two off-street parking spaces and that adding more would require removing green space.

The Board discussed the lack of green space in the neighborhood and the importance of restoring historic properties like 45 Chestnut Street. Hearing no more comments from the Board, Chair Duff opened the floor so members of the public could speak in support or opposition. Hearing no comments from the public, Chair Duff asked for a motion.

#### 4) DECISION

Board Member Glassman made the motion, seconded by Board Member Kalife to approve **Case #21-34: 45 Chestnut Street** – Request by applicant for a **Special Permit** for a parking reduction at 45 Chestnut Street (Map: 58 Lot: 242), a 4739± square foot site in a Residence B (RB) zoned district. Owner/Applicant: Ahmet F. Dirican (45 Chestnut Street, New Bedford, MA 02740).

The approval is subject to the following conditions:

##### The following SPECIFIC conditions:

1. The number of parking spaces required shall be two.
2. Any conditions imposed by the Zoning Board of Appeals and/ the Historic Commission in decisions related to this property shall be considered conditions of this decision.

##### With the following GENERAL conditions:

3. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
4. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure (DPI) received in relation to plan and placed on file for Planning Board consideration. The conditions of the DPI memorandum shall be considered to be part of these conditions.
5. 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.
6. 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 recorded at the Registry of Deeds and that a copy of the recorded decision is provided for the Planning Department 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.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Member Duff - Yes  
Board Member Glassman – Yes

Board Member Khazan – Yes      Board Member Kalife – Yes  
Board Member Cruz – Yes

Filed with the City Clerk on:

10/27/2021



Date

Kathryn Duff, Chair  
City of New Bedford Planning Board