



MAYOR
JON MITCHELL
PLANNING DIRECTOR
JENNIFER CARLONI

City of New Bedford Department of City Planning

133 William Street • Room 303 • New Bedford, Massachusetts 02740
Telephone: (508) 979.1488 • Facsimile: (508) 979.1576

PLANNING BOARD

STAFF REPORT

REPORT DATE

November 5, 2021

MEETING DATE

NOVEMBER 10, 2021

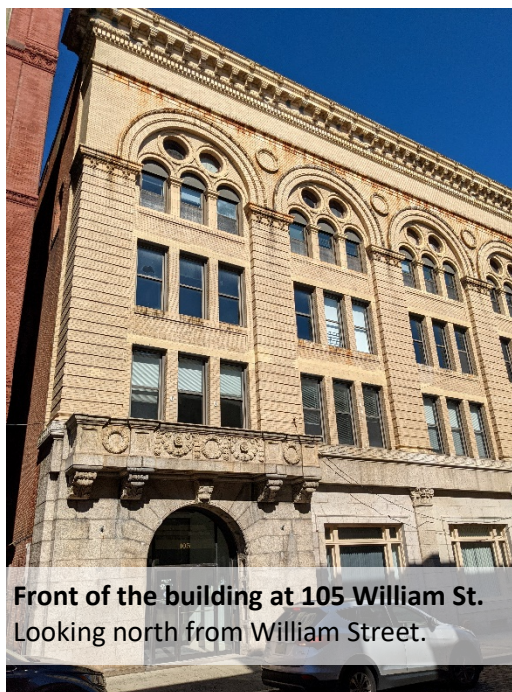
Case #: 21-40 Site Plan Review
105 William Street
Map: 52 Lot: 345

**Owner/
Applicant:** Denis Keohane, Trustee
469 Neponset Avenue
Boston, MA 02122

Zoning District: Mixed-Use Business (MUB)
& Downtown Business
Overlay District (DBOD)

Site Area: 10,223 ft²

Overview: Request by applicant for Site
Plan Review for the
conversion of upper floor
office space to 21 residential
units and associated site
improvements.



Front of the building at 105 William St.
Looking north from William Street.

Existing Conditions

A four-story brick building built circa 1890 is located at the project site and is currently home to the regional office of the state Attorney General on the first floor. Upper floor office space was formerly used by a charter school and the United Way of Greater New Bedford.

The site has 80± feet of frontage on William Street and parking area in the rear accessed from Mechanics Lane.

Directly abutting the site is the John Duff building to the west, which is used for office and retail space, the Merchants National Bank building to the east, which is currently unoccupied, a parking lot to the north across Mechanics Lane, and the Cummings building to the south across William Street, which is used for retail. The surrounding neighborhood consists of first floor retail spaces with upper floor residential or office units, restaurants, art galleries, banks, government buildings, and the National Whaling Historic Park.

Related Permitting

In October, the Zoning Board of Appeals granted the applicant a Special Permit for a parking reduction in the DBOD and the alteration of a nonconforming use.

Decision Criteria

The applicant is requesting a Site Plan Review. The ordinance provides the Board the following criteria for reaching a decision.

Site Plan Review Criteria

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

Proposed Conditions

The applicant proposes to convert the second, third, and fourth floor office space to twenty-one (21) apartment units with seven (7) units on each floor and a total of three (3) studio units, three (3) two-bedroom units, and fifteen (15) one-bedroom units. The first-floor office will remain unchanged.

The only proposed site improvement is the replacement of an existing chain link fence west of the parking area with a cedar fence to better screen mechanical units and trash bins.

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"> Eleven (11) spaces are currently provided in the rear lot off Mechanics Lane. The applicant proposes no new parking spaces. Under the Zoning ordinance, the ZBA has authority over parking reduction in the DBOD. The ZBA has granted a parking reduction to eleven (11) spaces currently provided in the rear lot. The Board may wish to discuss with the applicant stripping a no parking area adjacent to the rear egress. Plans do not indicate that a handicapped space will be provided and none are required by the ordinance because the number of spaces is less than fifteen (15). The Board may wish to discuss handicapped access with the applicant.
Landscaping & Site Features	<ul style="list-style-type: none"> The applicant proposes replacing an existing chain link fence screening the trash bins and air conditioner units with a cedar fence. Fence details have not been provided. The Board may wish to discuss the proposed fence with the applicant.
Circulation	<ul style="list-style-type: none"> Egress points are provided on the south and north sides of the building, which are accessed by the William Street sidewalk and the parking area, respectively. Internal circulation is provided by a stairwell and elevator access from the first-floor lobby on the south side of the building.
Traffic/Transit	<ul style="list-style-type: none"> The project site is located one block from the main SRTA bus terminal. No traffic impact assessment has been provided. The applicant has indicated that "all tenants who own a vehicle will be directed and encouraged to acquire monthly parking permits through the Elm Street Garage and/or the Zeiterion Garage." It is within the Board's purview to request a traffic report.
Stormwater	<ul style="list-style-type: none"> No changes to the site's impervious surfaces are proposed and therefore the applicant has not provided stormwater calculations. Planning staff defers to the Department of Public Infrastructure regarding the City's stormwater management regulations. A site visit revealed that the building's downspouts discharge into pipes that go below ground. At the time of writing this report, it is unclear if the system ultimately discharges into the City's stormwater system. The Board may wish to review the forthcoming DPI memo and discuss any conditions with the applicant.
Snow Storage	<ul style="list-style-type: none"> Plans do not show snow storage areas. The Board may wish to discuss snow storage plans with the applicant.
Waste Receptacles	<ul style="list-style-type: none"> Plans indicate that an area west of the parking lot will be used for trash bins. The Board may wish to discuss waste management plans with the applicant to ensure that the provide space will be adequate.

Utilities	<ul style="list-style-type: none"> • Civil plans show water and sewer service to the site from William Street. No changes to the existing utilities are proposed.
Lighting	<ul style="list-style-type: none"> • The applicant proposed no new site lighting. • Currently, the parking area is lit by five (5) wall-pack lights mounted on the rear of the building the sidewall of the adjacent building. At the time of the site visit, several lights appeared to be in disrepair: missing caps and having dead bulbs. The Board may wish to discuss the public safety implications of parking lot lighting with the applicant and appropriately condition improvements, such as down-shielded, warm lighting.
Demolition and Erosion Control	<ul style="list-style-type: none"> • As there is minimal exterior work planned, no controls are proposed.
Architectural	<ul style="list-style-type: none"> • Architectural plans show the existing and proposed interior layouts of each floor, which align with the narrative provided by the applicant.
Master Plan	<ul style="list-style-type: none"> • The proposal is consistent with the City's Master Plan goal to encourage and maintain a wide range of housing types throughout the city that reflect the historic and cultural character of each area.

Interdepartmental 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.

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

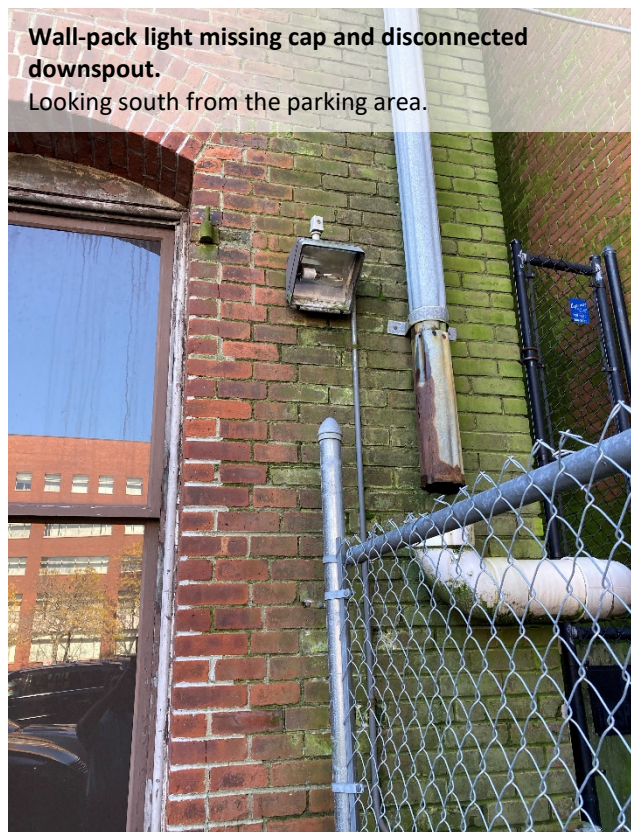
Site Photos



Parking area at off Mechanics Lane.
Looking south from Mechanics Lane.



Trash bins and air conditioner units at the rear of the site.
Looking south from the parking area.



Wall-pack light missing cap and disconnected downspout.
Looking south from the parking area.



Downspouts connecting to underground piping.
Looking south from the parking area.

Materials for Consideration

The engineered plan submission is shown as “Variance Plan, 105 William Street” dated August 19, 2021, and prepared by Farland Corp. of Dartmouth, MA. The plans are stamped by Brian J. Murphy, PLS. The plan set consists of one sheet showing existing and proposed conditions.

The architectural plan submission is shown as “Residential Fit-out, 105 William Street, New Bedford, MA 02740” dated 2/26/2021, and prepared by Dennis Colwell Architects of Foxborough, MA. The plan consists of the following sheets:

- Title Sheet
- A0.0
- A1.0
- A1.1
- A1.2
- A2.0
- A2.1
- First Floor Plan
- EC
- Existing Conditions Floor Plan (3rd Floor)
- EC
- A1

Recommended Conditions



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 parking lot lighting shall be repaired and or replaced with new down-shielded light fixtures. The applicant shall submit revised plans indicating site lighting locations and specifications to the Department of City Planning to review prior to the issuance of a building permit.
2. The area adjacent to the rear egress door shall be stripped no parking area. Revised plans are to be submitted to the to the Department of City Planning to review prior to the issuance of a building permit.

That the following **general conditions** also be applied to this decision:

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 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.
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 provided for the Department of City Planning case file folder.
7. 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.
8. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.
9. 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.
10. 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.
11. 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, Assistant City Planner
Reviewed by: Jennifer Carloni, City Planner

105 William Street Map: 52 Lot: 345

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

