



## 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)

OFFICE OF THE CITY CLERK  
NEW BEDFORD, MA

2021 NOV 24 AM 9:01

CITY CLERK

CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

## NOTICE OF DECISION

Case Number:	21-40			
Request Type:	Site Plan Review			
Address:	105 William Street			
Zoning:	Mixed-Use Business & Downtown Business Overlay District			
Recorded Owners:	Denis Keohane, Trustee			
Owner Address:	469 Neponset Avenue, Boston, MA 02122			
Applicant:	Denis Keohane, Trustee			
Applicant Address:	469 Neponset Avenue, Boston, MA 02122			
Application Submittal Date		Public Hearing Date(s)		Decision Date
September 21, 2021		November 10, 2021		November 24, 2021
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
52	345	10094	175	

**Application:** Request by applicant for **Site Plan Review** for the conversion of upper floor office space to 21 residential units and associated site improvements at 105 William Street (Map: 52 Lot: 345), a 10,223 square foot site in a Mixed-Use Business (MUB) district and the Downtown Business Overlay District (DBOD). Owner/Applicant: Denis Keohane, Trustee of 105 William Street Realty Trust (469 Neponset Avenue, Boston, MA 02122).

**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 November 24, 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.

11/24/21

Date

Kathryn Duff, Chair  
City of New Bedford Planning Board

### 1) APPLICATION SUMMARY

**Case #21-40: 105 William Street** – Request by applicant for **Site Plan Review** for the conversion of upper floor office space to 21 residential units and associated site improvements at 105 William Street (Map: 52 Lot: 345), a 10,223 square foot site in a Mixed-Use Business (MUB) district and the Downtown Business Overlay District (DBOD). Owner/Applicant: Denis Keohane, Trustee of 105 William Street Realty Trust (469 Neponset Avenue, Boston, MA 02122).

### 2) MATERIALS REVIEWED BY THE PLANNING BOARD

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

The engineered plan submission is shown as “Variance Plan, 105 William Street” dated August 19, 2021, and prepared by Farland Corp. of Dartmouth, MA, date stamped received by the City Clerks’ Office September 21, 2021. 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 (3<sup>rd</sup> Floor)
- EC
- A1

#### Other Documents and Supporting Materials:

- Staff Report
- Site Plan Review Application
- Building Department Rejection Packet

### 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, Alexander Kalife, Kamile Khazan, and Shayne Trimbell attended the November 10 online meeting. Director of City Planning Jennifer Carloni, Assistant City Planner Michael McCarthy, and Staff Planner Rachel Mulroy were also in attendance.

Case #21-40 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. Attorney Timothy Walsh introduced himself as the applicant's agent and introduced Mr. Denis. Keohane, the owner and applicant.

Attorney Walsh explained the proposal to the Board and discussed the previous approvals that the project received from the Zoning Board of Appeals.

Chair Duff commented that the Massachusetts Architectural Access Board requires that buildings with more than 20 units to provide five percent of the parking spaces as handicapped accessible. Attorney Walsh responded that the parking space closest to the door would be designated as a handicapped space, if so required.

At the Chair's request, Mr. Keohane discussed how trash is removed from the site and the landscaping around the parking area. Mr. Keohane confirmed that shrubs would be planted in a mulched bed on the west side of the parking area.

Attorney Walsh commented that the applicant would upgrade the lighting and work with the Planning Department to determine appropriate lighting for the area.

Board member Khazan asked if the Department of Public Infrastructure had provided comments. Mr. McCarthy responded that the Department of Public Infrastructure declined to comment on the site plan.

Mr. Keohane confirmed that the space marked #12 on the architectural plans would be striped as no parking.

Board member Khazan asked about the snow removal plan. Mr. Keohane described how snow removal would be handled and he confirmed that in a large event, snow would be taken off site.

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 #21-40: 105 William Street** – Request by applicant for **Site Plan Review** for the conversion of upper floor office space to 21 residential units and associated site improvements at 105 William Street (Map: 52 Lot: 345), a 10,223 square foot site in a Mixed-Use Business (MUB) district and the Downtown Business Overlay District (DBOD). Owner/Applicant: Denis Keohane, Trustee of 105 William Street Realty Trust (469 Neponset Avenue, Boston, MA 02122).

The approval is subject to the following conditions:

#### **The following SPECIFIC conditions:**

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.

3. The applicant shall ensure that the project complies with the requirements of the Massachusetts Architectural Access Board.
4. The applicant shall provide revised plans showing the landscaping proposed for the west side of the parking area to the Department of City Planning for Review prior to the issuance of a building permit.

**With the following GENERAL conditions:**

5. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
6. 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.
7. 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.
8. 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.
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.

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 Trimbell – Yes

Filed with the City Clerk on:

**11/24/21**



Date

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Kathryn Duff, Chair  
City of New Bedford Planning Board