



## City of New Bedford Department of City Planning

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**MAYOR**  
JON MITCHELL  
**PLANNING DIRECTOR**  
JENNIFER CARLONI

### PLANNING BOARD

# STAFF REPORT

#### REPORT DATE

December 8, 2021

#### MEETING DATE

December 15, 2021

**Case #21-42:** Special Permit  
929 Ashley Boulevard  
Map: 127D Lot: 200

**Owner/  
Applicant:** Iglesia Peniel, a  
Massachusetts Church  
Corporation  
929 Ashley Boulevard  
New Bedford, MA 02745

**Zoning District:** MUB

**Site Area:** 25,120 sq. feet

**Overview:** Request by applicant for a  
**Special Permit** for a  
parking reduction.



**The building on site and adjacent parking area.**  
Looking northeast from Appleton Street.

### Existing Conditions

The project site's most recent use was as a Veterans Hall. The applicant is seeking to repurpose the hall as a place of worship for Iglesia Peniel. There is a 7,404 SF building on site with rear parking lot.

The site has 120 feet of frontage on Ashley Boulevard and 170' on the adjacent Appleton Street. The parking lot area is located behind the building and is accessed via a curb cut on Appleton Street.

The surrounding neighborhood consists of residences and small businesses. A restaurant abuts to the north, with a residential neighborhood abutting the parking lot to the west. Several small businesses and a hot dog stand are located directly across Ashley Boulevard to the east, and a bank and other small businesses are located to the south. There are bus stops in front of the site along both sides of the boulevard. The Greater New Bedford Voc-Tech and the Pine Grove Cemetery are located two blocks north of the site.

### Related Permitting

The rejection packet notes that the applicant must pursue a variance for an accessible entrance to the building from the Architectural Access Board.

## 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 is seeking to change the use of the building to a Place of Worship. No changes are proposed to the exterior of the building or site.

According to the application, the proposed place of worship has seven clergy members and 170 members. The application indicates the site will serve on average 40 members during the week and 90 parishioners on the weekends. The proposed hours of operation are Wednesday and Friday 7pm-8:30pm and Saturday 6pm-7:30pm; Sunday 11am-1pm.

## 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"><li>Based on the square footage of the building, the City Zoning Ordinance requires that 72 parking spaces be provided. Therefore, the applicant is seeking a parking reduction of 39 parking spaces.</li><li><b>Staff note the site currently has 33 parking spaces. However, the engineered site plan shows 30 parking spaces can be provided on the site per current dimensional requirements. Therefore, the request should be considered as being for 30 parking spaces provided on site for a parking reduction total of 42 parking spaces.</b></li><li><b>Additionally, staff note there are no loading zones adjacent to the existing 3 handicapped accessible spaces. The Board may wish to discuss AAB Parking and Passenger Loading Zones under 521 CMR 23, 521 CMR 16.1.</b></li></ul>
Landscaping & Site Features	<ul style="list-style-type: none"><li>No changes are proposed to the site landscaping or exterior site features. <b>The board may wish to confirm the applicant intends to restripe the parking lot.</b></li><li>An existing vinyl stockade fence screens the parking lot from the adjacent residential properties in the rear.</li></ul>
Circulation	<ul style="list-style-type: none"><li>The parking area has two curb-cut entrances off the north side of Appleton Street. The curb cut furthest east only provides access to a small, paved area near the Appleton Street entrance. <b>The Board and applicant are encouraged to discuss ways to restrict access to this area.</b></li></ul>
Traffic/Transit	<ul style="list-style-type: none"><li>The site is located on a corner at the intersection of a wide boulevard and a residential side street. On-street parking is permitted along the roadways. The site is accessible by public transit and a bus stop is located at the intersection of Ashley Blvd and Appleton St.</li></ul>
Snow Storage	<ul style="list-style-type: none"><li>Plans do not identify a snow storage area. <b>The Board may wish to discuss snow storage with the applicant at this time.</b></li></ul>
Waste Receptables	<ul style="list-style-type: none"><li>Dumpster is situated on a concrete pad adjoining the northeast corner of the parking lot. <b>The B may wish to inquire if the dumpster is to remain in this location. The Board may wish to request stripping be added adjacent to the dumpster area.</b></li></ul>
Lighting	<ul style="list-style-type: none"><li>There is an existing mast arm light pole in the rear parking lot.</li></ul>
Architectural	<ul style="list-style-type: none"><li>There are three egress doors; one in the rear accessible from the parking lot via a ramp; one on the south side and one on the front of the building accessible via stairs.</li><li>The rear ramp is not handicap compliant and requires a variance from the Architectural Access Board (AAB), per the rejection packet.</li></ul>
Master Plan	<ul style="list-style-type: none"><li>The proposal promotes a mixed-use environment to ensure a vibrant community during the day, evening, and weekends while strengthening our community and enhancing neighborhood vitality by recognizing the city's cultural diversity.</li></ul>



## 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, Inspectional Services has advised a variance will be required for an accessible entrance to the building from the Architectural Access Board.

## Site Photos



**Existing curb cut and extent of parking lot.**  
Looking north from Appleton Street



**Appleton Street**  
Looking west from corner of Ashley Boulevard.



**Existing handicapped spaces and egress with ramp**  
Looking east from west side of lot.



**Fencing bordering parking lot and overhead lighting.**  
Looking southwest from northeast.





**Dumpster area and parking spaces at north of lot.**  
Looking east from west.



**Fencing bordering parking lot at north of lot.**  
Looking west from east.



**Landscaping north of the parking lot.**  
Looking north from south

## Materials for Consideration

The engineered plan submission is shown as “Existing Conditions Plan 929 Ashley Blvd.” dated 10/6/21, and prepared by Zenith Land Surveyors, LLC of New Bedford, MA. The plans are stamped by Jonathan Pink, P.L.S. The plan set consists of the following sheets:

- Existing Conditions

The architectural plan submission is shown as “Proposed Renovation for: 929 Ashley Boulevard, New Bedford, MA” dated 10/12/2020, and prepared by Armando Pereira, Comprehensive Design-Build Services of Wareham, MA. The plan set consists of the following sheets:

- EX2.1 Existing Conditions Basement Floor Plan
- EX2.2 Existing Conditions First Floor Plan

## 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 site plan approval for the project:

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

1. The number of parking spaces it to be reduced to [number determined by the Board].
2. The parking lot is to be re-stripped per the plans approved.
3. No parking area is to be marked in front of the dumpster area [if remaining].
4. Vehicular access is to be restricted to the area adjacent to the eastern most curb cut on Appleton Street via **[a solution determined between the board and applicant]**.

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

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

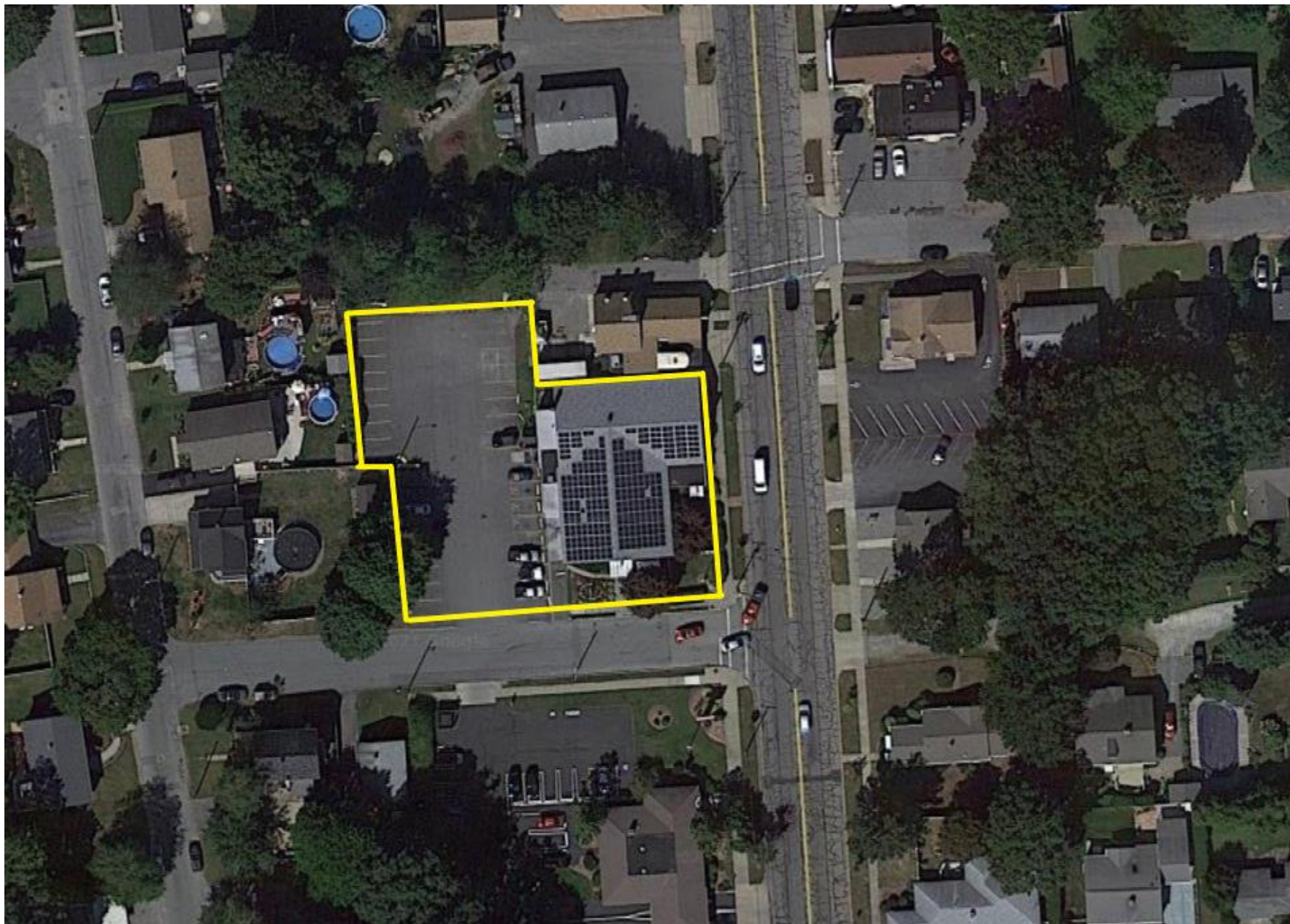
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**Materials Provided by the Applicant** are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2021/>

Staff Report prepared by: Rachel Mulroy, Staff Planner

Reviewed by: Jennifer Carloni, City Planner





## 929 Ashley Boulevard Map: 127D Lot: 200

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