

**PLANNING BOARD**

City Hall, Room 303  
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[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

OFFICE OF THE CITY CLERK  
 NEW BEDFORD, MA  
 2021 DEC 29 PM 1:19  
 CITY CLERK

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

**NOTICE OF DECISION**

Case Number: 21-42				
Request Type: Special Permit – Parking Reduction				
Address: 929 Ashley Boulevard				
Zoning: MUB				
Recorded Owners: Iglesia Peniel, a Massachusetts Church Corporation				
Owner Address: 270 Phillips Avenue, New Bedford, MA 02746				
Applicant: Iglesia Peniel, a Massachusetts Church Corporation				
Applicant Address: 270 Phillips Avenue, New Bedford, MA 02746				
<b>Application Submittal Date</b>		<b>Public Hearing Date(s)</b>		<b>Decision Date</b>
October 14, 2021		December 15, 2021		12/29/2021
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
127D	200	13420	123-125	

**Application: Case #21-42 929 Ashley Boulevard** – Request by applicant for a **Special Permit** for a parking reduction at 929 Ashley Boulevard (Map: 127 D Lots: 200, 199, 198, and 139), a 25,120 square foot site in a Mixed-Used Business (MUB) zoned district. Owner/Applicant: Iglesia Peniel, a Massachusetts Church Corporation (270 Phillips Avenue, New Bedford, MA 02746).

**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 December 29, 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.

12/29/2021

Date

Kathryn Duff, Chair  
 City of New Bedford Planning Board

### 1) APPLICATION SUMMARY

**Case #21-42 929 Ashley Boulevard** – Request by applicant for a Special Permit for a parking reduction for a House of Worship at 929 Ashley Boulevard (Map: 127 D Lots: 200, 199, 198, and 139), a 25,117 square foot site in a Mixed-Used Business (MUB) zoned district. Owner/Applicant: Iglesia Peniel, a Massachusetts Church Corporation (270 Phillips Avenue, New Bedford, MA 02746).

### 2) MATERIALS REVIEWED BY THE PLANNING BOARD

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

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

#### Other Documents and Supporting Materials:

- Parking Schematic
- Staff Report
- Special Permit 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, Peter Cruz, Kamile Khazan, and Shayne Trimbell attended the December 15, 2021, online meeting. Staff Planner Rachel Mulroy, Assistant City Planner Michael McCarthy, and City Planner Jennifer Carloni were also in attendance.

Case #21-42 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.

Armando Pereira of Comprehensive Design-Build Services introduced himself as the applicant’s agent and gave the Board an overview of the proposal for a parking reduction as a result of a change of use of the property from a VFW Post to a house of worship. He noted member of the church were also present.

Mr. Pereira described the anticipated hours of activity and noted much of the use would be off peak hours. He described the existing conditions of the lot and said they did not plan on any changes.

Chair Duff discussed handicap spaces, offloading, and access with the applicant. Chair Duff inquired about a buffer on the west side of the parking area. The dumpster location and waste removal were discussed. The Chair noted

screening dumpsters is standard. Restriping of the lot to accommodate handicap parking and the dumpster area was discussed. The Chair noted the applicant must meet Architectural Access Board requirements.

The Appleton Street curb cuts and the delineation of the southeast corner of the parking area were discussed. The applicant proposed working with the city to add landscaping.

Use of the paper street for a concrete pad and dumpster was proposed by the applicant, however the Board did not entertain the proposal due to a lack of proof that the applicant's use of the area is permitted.

City Planner Jennifer Carloni clarified the differences in available parking spaces between the parking schematic plan and the engineered plan for the Board. She noted the engineered plan was to be considered the parking plan proposal for review by the Board. The Board discussed the parking layout further. Van accessibility was also discussed. The Board requested the applicant provide offloading areas for the handicapped spaces. The applicant agreed to the request.

Chair Duff requested comments from the church representatives present. Hours of worship services was discussed. The applicant noted these hours do not conflict with the nearby vocational school drop off and pick up times. The applicant estimated that the size of their congregation is 90 people.

The Board determined they would consider the parking area to have 29 parking spaces, with relief needed for 43 spaces.

Board member Glassman noted that this proposal appears to be an improvement in use. The Board determined the request to be reasonable and reviewed their conditions.

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 Khazan to approve a Special Permit for a parking reduction for a House of Worship at 929 Ashley Boulevard (Map: 127 D Lots: 200, 199, 198, and 139), a 25,117 square foot site in a Mixed-Used Business (MUB) zoned district. Owner/Applicant: Iglesia Peniel, a Massachusetts Church Corporation (270 Phillips Avenue, New Bedford, MA).

The approval is subject to the following conditions:

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

1. The number of available parking spaces is to be reduced to twenty-nine (29) from seventy-two (72) for a reduction of forty-three (43) spaces.
2. The parking lot is to be restriped per plans approved.
3. The area in front of the dumpster shall be marked "NO PARKING."
4. Vehicular access shall be prohibited in the area adjacent to the easternmost curb cut on Appleton Street via a landscaped area along the southern property line. The applicant shall submit proposed plantings to the Department of City Planning for review prior to the issuance of a building permit.

5. The applicant shall provide screening for the dumpster and details shall be submitted to the Department of City Planning for review prior to the issuance of a building permit.
6. Handicap parking spaces will be designated and striped per Architectural Access Board requirements.

**With the following GENERAL conditions:**

7. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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 Trimbell – Yes  
Board Member Cruz – Yes

Filed with the City Clerk on:

**12/29/2021**



Date

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Kathryn Duff, Chair  
City of New Bedford Planning Board