



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

## City of New Bedford Department of City Planning

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OFFICE OF THE CITY CLERK  
NEW BEDFORD, MA  
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CITY CLERK

### PLANNING BOARD

#### NEW BEDFORD PLANNING BOARD REMOTE MEETING May 12, 2021

#### MEETING MINUTES

#### PRESENT:

**Kathryn Duff**, *Chairperson*  
**Arthur Glassman**, *Vice-Chairperson*  
**Alex Kalife**  
**Shane Trimbell**  
**Peter Cruz**  
**Kamile Khazan** (entered late)

#### ABSENT:

None

#### STAFF:

Anne Louro

#### 1. CALL TO ORDER

Chairperson Duff called the meeting to order at 6:00 p.m. and provided a statement related to Covid-19 and public meetings.

#### 2. CALL OF THE ROLL

Chairperson Duff called the roll.

#### 3. APPROVAL OF MINUTES

A motion was made (AG) and seconded (PC) to approve the March 17, 2021 and April 14, 2021 meeting minutes.

#### ROLL CALL VOTE:

|                             |                           |
|-----------------------------|---------------------------|
| Board Member Glassman – Yes | Board Member Kalife – Yes |
| Board Member Cruz – Yes     | Chairperson Duff – Yes    |

Board Member Trimbell - Abstains  
Motion passes 5-0-1

Board Member Khazan - Yes

A motion was made (AG) and seconded (PC) to open the meeting.

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Cruz – Yes  
Board Member Trimbell - Yes  
Motion passes 6-0

Board Member Kalife – Yes  
Chairperson Duff – Yes  
Board Member Khazan - Yes

Chairperson Duff requested a motion to move Case # 21-09/#21-10 to the end of the agenda.

A motion was made (AG) and seconded (PC) to move said items to the end of the agenda.

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Cruz – Yes  
Board Member Trimbell - Yes  
Motion passes 6-0

Board Member Kalife – Yes  
Chairperson Duff – Yes  
Board Member Khazan - Yes

**4. PUBLIC HEARINGS:**

**ITEM 1 – CASE #21-16** – Request by applicant for an extension and reduction of a Performance Bond to ensure the completion of the Farland Estates I subdivision, as shown on the plan of land entitled “Modified Definitive Plan for Farland Estates I – Revised 10-17-2019 in New Bedford, Massachusetts,” prepared by Farland Corp (21 Ventura Drive, Dartmouth, MA 02747), dated October 29, 2018, revised through March 12, 2020 and recorded with the Bristol County (S.D.) Registry of Deeds in Plan Book 181 Page 35. Applicant: Farland Corp (21 Ventura Drive, Dartmouth, MA 02747). Continued from April 14, 2021.

Chairperson Duff advised the board of a DPI estimate for remaining work of \$265,000.00. She noted that Farland now agrees to the DPI estimate. She explained this would require an extension of the performance guarantee and reduction of the performance bond. Chairperson Duff noted planning department conversation and she suggested a one year extension of the performance guarantee.

Christian Farland, Farland Corp., noted for the board that the applicant is not looking to delay construction, noting curb cut issues which must wait on construction. He assured the board the work will be completed as soon as possible.

A motion was made (AG) and seconded (PC) to extend the original security guarantee for a one year period and reduce the bond amount to \$265,000.00 based on the DPI estimate to ensure completion of the Farland Estates I Subdivision as shown on plan of land entitled “Modified definitive Plan for Farland Estates I, revised 10/17/19, New Bedford, MA., ,” prepared by Farland Corp (21 Ventura Drive, Dartmouth, MA 02747), dated October 29, 2018, revised through March 12, 2020 and recorded with the Bristol County (S.D.) Registry of Deeds in Plan Book 181 Page 35. Applicant: Farland Corp (21 Ventura Drive, Dartmouth, MA 02747).

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Cruz – Yes  
Board Member Trimbell - Yes  
Motion passes 6-0

Board Member Kalife – Yes  
Chairperson Duff – Yes  
Board Member Khazan - Yes

**ITEM 2 – CASE #21-17 - Request by applicant for the final release of remaining funds held by the city to ensure the completion of the Cardinal Place subdivision, as shown on the plan of land entitled “Definitive Plan of Cardinal Place in New Bedford, MA”, prepared by Prime Engineering PO box 1088 350 Bedford Road Lakeville, MA 02347, dated April 22, 2013, revised through May 19, 2014, and recorded with the Bristol County (S.D.) Registry of Deeds in Plan Book 172 Page 20 Applicant: Petrel Properties LLC c/o Hugh Rowlett (9 Bayview Avenue Fairhaven, MA).**

Chairperson Duff noted a DPI review letter dated today that was circulated to the board, requesting \$6,000.00 be withheld for maintenance of the drainage pond in perpetuity.

A motion was made (AG) and seconded (PC) to release the final surety with the retention of \$6,000.00 for detention pond maintenance, held by the city to ensure the completion of the Cardinal Place subdivision, as shown on the plan of land entitled “Definitive Plan of Cardinal Place in New Bedford, MA”, prepared by Prime Engineering PO box 1088 350 Bedford Road Lakeville, MA 02347, dated April 22, 2013, revised through May 19, 2014, and recorded with the Bristol County (S.D.) Registry of Deeds in Plan Book 172 Page 20 Applicant: Petrel Properties LLC c/o Hugh Rowlett (9 Bayview Avenue Fairhaven, MA).

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Cruz – Yes  
Board Member Trimbell - Yes  
Motion passes 6-0

Board Member Kalife – Yes  
Chairperson Duff – Yes  
Board Member Khazan - Yes

**ITEM 3 – CASE #21-18 - Request by applicant to release Lot 18 from covenant restrictions as specified in the Covenant recorded in Bristol County (S.D.) Registry of Deeds at Book 7967, Page 116 on January 20, 2006 for the definitive Subdivision Plan of The Settlement in New Bedford, MA prepared for DPM Development, dated March 16, 2004 as revised through September 27 , 2005, by SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747 (formerly located at 12 Welby Road, New Bedford, MA 02745) and by certificate recorded in Bristol County (S.D.) Registry of Deeds at Book 7967, Page 115. Applicant: DPM Development Corp & Moniz Properties, Inc. (70 Lambeth Street, New Bedford 02745).**

Chairperson Duff noted complications on the requests that recently emerged, such as expiration of the covenant. She noted a request by applicant for continuance to the June 2021 meeting.

A motion was made (AG) and seconded (PC) to continue the matter to the June 2021 meeting.

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Cruz – Yes  
Board Member Trimbell - Yes  
Motion passes 6-0

Board Member Kalife – Yes  
Chairperson Duff – Yes  
Board Member Khazan - Yes

Chairperson Duff recused herself from hearing the following matter.

**ITEM 4 – CASE #21-09/#21-10 - Request by applicant for Site Plan Review for the conversion of three-story parsonage building to a 15-unit apartment building and construction of a 15-space parking lot on the north side of the building, and a Special Permit for the reduction of parking/loading space and landscape buffer requirements at 563 County Street (Map: 58 Lot: 259), a 13,187-square foot site in a Residence A zoned district. Owner: St. Lawrence Church Corp. (PO Box 2577, Fall River, MA 02820). Applicant: Charing Cross Realty Trust (2 Centennial Drive, Peabody, MA 01960). Continued from the April 14, 2021 meeting.**

Acting Chairperson Glassman noted the cases would be heard together.

Att. Chris Saunders, on behalf of the applicant, noted his recent involvement in the case and his review of past proceedings. He provided an update regarding the addressing of previous comments and concerns, such as curb cuts, additional parking area, and the unaffected nature of the present parking availability on Summer Street. He noted a planned access of North Street and detailed the same, as well as its benefits. He continued addressing previous concerns and changes made to address them, such as parking space count.

Att. Saunders addressed the special permit request and revisions made.

Anne Louro suggested displaying the site plan screen for the board.

Att. Saunders continued detailing changes made, including dumpster and AC unit screening, a drainage recharge, electric charging station, landscaping, et cetera. He represented the project as being in line with the Master Plan.

Acting Chairperson Glassman noted the concerns he had that were addressed.

BM Cruz inquired as to pavement markings/signage at the charging station, which requirements the applicant assured would be met. BM Cruz discussed coordination of requirements related to an existing electrical substation, and suggested approval conditions on the same.

BM Trimbell complimented the developers on their addressing of the neighbor concerns. He supported the shared parking agreement. He noted comments received regarding “rooming house” concerns and requested clarification that these are individual apartments. Att. Saunders assured the board this would not be a rooming/boarding house, explaining the same.

BM Khazan noted the recent DPI letter and requested the applicant address the same. Att. Saunders was not aware of the letter and inquired as to the issue (s) represented. BM Khazan shared the same, such as existing and unused or abandoned sewer/water services. Att. Saunders addressed the same and welcomed conditions.

Anne Louro confirmed the single new item included on the recent DPI correspondence. Att. Saunders addressed the proper property addresses, as well as sidewalks and grass ribbons. He requested the board waive the requirement. Ms. Louro explained that issue is no longer part of the requirements.

BM Cruz inquired as to any plan to tie in downspouts to the drainage, which Ms. Louro addressed as being contained in the new DPI memo. She read the same into the record. They was further discussion on the grass ribbon requirement and any potential addition of street trees.

Acting Chairperson Glassman read excerpts from the following correspondences into the record:  
Pamela Borges DosSantos, 115 Summer Street, dated 3/8/21 wherein she expresses concerns and opposition to the project;  
Maria G. Fernandes, 112 North Street, dated 3/8/21, expressed rooming house concerns and is opposed to the project;  
Jessica Fernandes Gomes, 196 Brownell Street, abutter, 3/18/21, expressed concerns and opposition to the project;  
Rochelle Lee, 172 Ontario Street, Providence, RI, with relatives on Chancery Street, dated 4/22/21 expressed concerns and opposition to project;  
Patricia Norton, 137 Summer Street, dated 4/12/21, expressed concerns and opposition to project;  
Carlos & Lucy Pinto 116 North Street, with additional signatures from Richard Gonsalez, Randy Sconer (sp) and Courtney VanHose (sp), all of 116 North Street, and Victor Adorno, 100 Summer Street, expressed rooming house concerns and opposition to project;  
Steve Beauregard, New Bedford Development Corporation, proposed project co-partner, expressed support for the project.

A motion was made (PC) and seconded (AK) to continue the public hearing.

**ROLL CALL VOTE:**

|                             |                             |
|-----------------------------|-----------------------------|
| Board Member Glassman – Yes | Board Member Kalife – Yes   |
| Board Member Cruz – Yes     | Board Member Trimbell - Yes |
| Board Member Khazan - Yes   |                             |
| Motion passes 5-0           |                             |

After protocol comments by Acting Chairperson Glassman, and in response to his invitation to speak in favor of the project, Bill King, 30 Center Street, expressed support for the project.

In response to Acting Chairperson Glassman's invitation to speak in favor, Steve Beauregard, New Bedford Development Corporation, referenced the comments in his letter as submitted to the board.

In response to Acting Chairperson Glassman's invitation to speak in favor, Rev. Michael Racine, St. Lawrence Parish pastor, expressed his full support of the project and all the hard work done.

In response to Acting Chairperson Glassman's invitation to speak in favor, Leona Fisher 207 Sycamore Street, expressed support for the project.

In response to Acting Chairperson Glassman's invitation to speak in favor, Joseph Carvalho, Victoria Realty, New Bedford, expressed support for the project and provided reasons therefore such as additional city housing.

There was no response to Acting Chairperson Glassman's further invitation to speak in favor.

In response to Acting Chairperson Glassman's invitation to speak in opposition, Kalid Balou, 107 Summer Street, accompanied by Jaqueline Hallsmith expressed opposition to the project and represented his concerns such as new usage related to drainage, et cetera. He expressed concerns for the nearby school.

In response to Acting Chairperson Glassman's invitation to speak in opposition, Pamela Borges dosSantos, agreed

with the previous speaker, adding concerns with snow removal, utilities, water and sewer, et cetera.

In response to Acting Chairperson Glassman's invitation to speak in opposition, Beverly Chandler, 111 Summer Street, agreed with both of the previous speakers, and added concerns about drug activity.

In response to Acting Chairperson Glassman's invitation to speak in opposition, Pat Norton acknowledged her letter submitted to the board and added concerns about the distance from the rectory to the new parking lot and handicap accessibility.

In response to Acting Chairperson Glassman's invitation to speak in opposition, Mrs. Pinto of 116 North Street expressed opposition to the project, expressing concerns about the congested area and parking, snow storage, et cetera.

In response to Acting Chairperson Glassman's invitation to speak in opposition, Kalid Balou stated working professionals will have vehicles or friends with vehicles and again commented on parking. He expressed his belief that this 15 unit building will be a detriment to the neighborhood.

A motion was made (PC) to close the public hearing.

**ROLL CALL VOTE:**

Board Member Glassman – Yes

Board Member Kalife – Yes

Board Member Cruz – Yes

Board Member Trimbell - Yes

Board Member Khazan - Yes

Motion passes 5-0

By way of rebuttal, Att. Saunders addressed the reported illegal activity at the location and the improvements the project will bring. He spoke on drainage, the requested traffic study, et cetera.

After board discussion, to include a traffic study and motion contents, a motion was made (AG) and seconded (PC) to approve Case #21-09, site plan review for the conversion of a three-story school building to a 15-unit apartment building and construction of a 16-space parking lot on the north side of the building, and use of 6 additional parking spaces within an existing adjacent parking to the building's east side, at 563 County Street, (Map: 58 Lot: 259), a 13,187-square foot site in a Residence A zoned district. Owner: St. Lawrence Church Corp. (PO Box 2577, Fall River, MA 02820). Applicant: Charing Cross Realty Trust (2 Centennial Drive, Peabody, MA 01960), with the following specific conditions:

- That the 81L Land Plan be recorded at the Registry of Deeds and a copy of the recorded plan be submitted to the Planning Department prior to the issuance of a building permit;
- All recorded easements between the two property owners be submitted to the Planning Department prior to the issuance of a building permit;
- The Applicant shall include a copy of Sheet 5, layout and landscape plan, dated 4/27/21, with the notice of decision to be recorded Registry of Deeds;
- The site plan shall be revised to include screening of all AC Units;
- The Applicant shall select lighting that does not bleed into adjacent residential properties;
- Site lighting specifications to be submitted to the Planning Department for administrative approval prior to the issuance of a building permit;

- Subject to all DPI comments;
- Addition of grass strip on both sides of the sidewalk;
- Electric vehicle parking spaces to be laid out per state requirements
- Accommodation of Eversource for transformer requirements and regulations, regarding bollard and other safety issues.

The following general conditions also apply:

- The project shall be completed according to the plans, notes, reports and specifications submitted for consideration and final approval by the Planning board.
- 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;
- Applicant shall submit final plan revisions to the Department of City Planning in the following formats: one 11x17 plan set, one CD or USB plan set in a PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- 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 brought against the project approval be provided for the Department of City Planning case file folder;
- 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 brought against the project approval be recorded at the Registry of Deeds;
- The applicant shall ensure that a copy of the recorded decision be provided for the Department of City Planning case file folder;
- That 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 requires further review by the planning board;
- 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 granted or they will lapse.
- The developer and site contractor must schedule a preconstruction meeting with the Department of Public Infrastructure prior to the start of construction.

#### ROLL CALL VOTE:

Board Member Glassman – Yes

Board Member Kalife – Yes

Board Member Cruz – Yes

Board Member Trimbell - Yes

Board Member Khazan - Yes

Motion passes 5-0

A motion was made (AG) and seconded (ST) to approve Case #21-10, special permit for reduction of parking, loading spaces and landscape buffer requirements at 563 County Street, (Map: 58 Lot: 259), a 13,187-square foot site in a Residence A zoned district. The reduction is for eight (8) spaces; requirements being thirty and applicant providing twenty-two, with the following specific conditions:

That the proposed inkberry shrubs be a minimum of 3' in height at the time of planting;

The previously read general conditions apply.

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Cruz – Yes  
Board Member Khazan - Abstains  
Motion passes 4-0-1

Board Member Kalife – Yes  
Board Member Trimbell - Yes

**5. REPORTS/UPDATES/OTHER BUSINESS:**

Anne Louro reported on the CPC process and yearly state requirement that the community meets to advise/update/adopt community preservation plans, used as the planning funding purpose guiding document. Board Member Glassman of CPA provided a projects and organization update, noting the importance of the involvement of the community.

Anne Louro provided a planning department update, noting Jennifer Carloni appointed as Director of City Planning.

**6. ADJOURNMENT:**

A motion was made (ST) and seconded (PC) to adjourn at 7:30 p.m...

**ROLL CALL VOTE:**

Board Member Glassman – Yes  
Board Member Khazan – Yes  
Board Member Trimbell – Yes  
Motion passes 5-0

Board Member Kalife – Yes  
Board Member Cruz - Yes

Whereupon proceedings concluded.

**NEXT MEETING SCHEDULED JUNE 9, 2021**



Alexander J. Kalife, Clerk

6/9/2021

Date