



MAYOR
JON MITCHELL

PLANNING DIRECTOR
TABITHA HARKIN

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

NEW BEDFORD PLANNING BOARD REMOTE MEETING September 9, 2020

MEETING MINUTES

PRESENT:

Kathryn Duff, *Chairperson*
Arthur Glassman
Peter Cruz
Alex Kalife
Kamile Khazan
Shane Trimbell

ABSENT:

None

STAFF:

Tabitha Harkin, *City Planner*
Jen Carloni

OFFICE OF THE CITY CLERK
NEW BEDFORD, MA
2022 APR 12 PM 2:31
CITY CLERK

1. CALL TO ORDER

Chairperson Duff called the meeting to order and provided a statement related to Covid-19 and public meetings.

A motion was made (AG) and seconded (AK) to open the public hearing.

ROLL CALL VOTE:

Board Member Glassman – Yes	Board Member Kalife – Yes
Board Member Cruz – Yes	Board Member Trimbell – Yes
Chairperson Duff – Yes	Board Member Khazan – Yes
Motion passes 6-0	

2. PUBLIC HEARINGS

ITEM 1 - Case #19-32 – 52-54 Brigham Street (site plan review)

ITEM 2 – Case #20-23 – WS Braley Road (site plan review)

Board Member Cruz recused himself from hearing the matter.

Chairperson Duff read into the record letters received as follows:

- Letter of 9/8/20 from Leontire & Associates opposing the planning board's voting denial until receiving applicant's evidence of approval (s).
- Letter of this day to Leontire & Associates by City of New Bedford Office of the City Solicitor
- Letter dated 9/9/20 from Prime Engineering to New Bedford Planning Board

Att. George Leontire addressed the board with comments, stated corrections, and representations, insisting that the easement has nothing to do with the land/locus contained for review in the site plan. He also raised the name discrepancies issue and clarified the condition they will allow in the decision.

Rich Rheume clarified details of the locus/plan directions.

Board Member Khazan clarified the issues presented by Att. Leontire. Chairperson Duff consulted with Jen Carloni on approval evidence status.

Christian Loranger, NBD Solar, addressed the board regarding the permit and its filing status. Mr. Rheume clarified what has been sent to Planning.

There being no board questions, Chairperson Duff requested a trace of the property outline display by Mr. Rheume. There was discussion regarding further clarifications, which was added to by Att. Leontire. There was further input from the planning board members and Mr. Loranger.

There was no response to Chairperson Duff's invitation to speak or be recorded in favor or opposition.

After board member discussion, including some clarification by Att. Leontire, a motion was made (AG) and seconded (AK) to approve site plan review for new construction of a large-scale ground mounted photovoltaic solar array relative to property located on the WS of Braley Road, Map 135, Lots 46 a portion of Lot 9 on a 24.9 acre site in the Industrial C zoned district with the following conditions:

That signage providing 24-hour emergency contact information shall be provided at the entrance on Braley Road and updated as necessary;

Any light fixtures shall be shielded downward shining and have a sky friendly fixture;

- Any changes to the plan as a result of Conservation Commission review shall be incorporated into this decision, and approved plans shall be submitted to planning staff to determine whether the modification requires further board approval;
- Items dumped on the property are to be removed and disposed in accordance with the appropriate waste disposal regulations, and proof of disposal shall be provided in writing to the City of New Bedford;
- Meets all MBTA and MASSDOT standards for utility crossing as determined by the MBTA and MASSDOT;
- Subject to an easement with MASSDOT for access under the rail;
- Provided to Kearsarge NBRE, LLC, and Kearsarge Solar, LLC and/or NBD Solar.

The following general conditions also apply:

*Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at:
<http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>*

- 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 the memorandum from DPI received and placed on file, and the planning board incorporates the DPI memo as part of these conditions;
- Applicant shall submit final plan revisions to the Planning Division 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 certifying no appeal has been brought against the project approval be provided for the Planning Division case file folder;
- The applicant shall ensure that a copy of the Notice of Decision bearing the certification of the New Bedford City Clerk certifying 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 Planning Division caser file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That 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 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 CALLVOTE: (after clarification of the motion)

Board Member Glassman– Yes

Board Member Kalife – Yes

Board Member Trimbell – Yes

Board Member Khazan - Yes

Chairperson Duff - Yes

Motion passes 5-0

Board Member Cruz joined the meeting and Board Member Trimbell withdrew

ITEM 3 – Case #20-25 – 1030 Phillips Road (special permit - parking reduction)

Alice Pelletier, 1030 Phillips Road, Apartment 2, addressed the board, providing a history of the property, including a change of its designation to residential. She is seeking to return it to mixed use.

Chairperson Duff clarified the need for the change sought and the staff comments and recommendations, which the applicant confirmed.

In response to Chairperson Duff, Ms. Pelletier noted trash bin location and the snow removal area. Chairperson Duff and Board Member Glassman provided further comments. Board Member Cruz and Chairperson Duff provided suggestions, such as wheel stops, striping and ADA compliance.

There was no response to Chairperson Duff's invitation to speak or be recorded in favor or opposition.

There being no further discussion, a motion was made (AG) and seconded (PC) to approve the special permit for reduction of parking spaces from 9 to 5, a reduction of 4, required for a salon and one residential unit, relative to property located as 1030 Phillips Road, Map 132, Lot 236, on a 4,988 s/f site in a mixed use business zoned district with the following conditions:

- That parking space curb stops shall be installed for all parking spaces abutting the building;
- Parking spaces shall be marked with paving/stripping paint;
- Parking space numbers 7 and 6 are to be removed from the plan.

General conditions are those previously read.

ROLL CALLVOTE: (after clarification of the motion)

Board Member Glassman– Yes

Board Member Kalife – Yes

Board Member Cruz – Yes

Board Member Khazan - Yes

Chairperson Duff - Yes

Motion passes 5-0

3. NEW/OLD BUSINESS:

Board Member Glassman provided a CPA update, to include ribbon cuttings.

Ms. Harkin provided updates, including the next Southcoast Rail Listening Session and other related projects.

She discussed the Waterpark Redevelopment Plan and the Shared Spaces Grant “parklets.” She announced her upcoming plan to resign her position.

4. ADJOURNMENT:

There being no further business before the board, a motion was made (AG) and seconded (PC) to adjourn at 7:31 p.m.

ROLL CALLVOTE:

Board Member Glassman– Yes

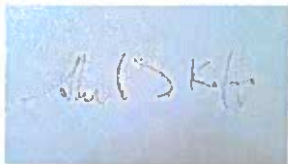
Board Member Kalife – Yes

Board Member Cruz – recused

Board Member Khazan - Yes

Chairperson Duff - Yes

Motion passes 5-0



Alexander J. Kalife, Clerk

4/12/22