

2022 MAY 17 PM 2: 28

CITY CLERK

**NEW BEDFORD PLANNING BOARD
REMOTE MEETING
January 12, 2022**

MEETING MINUTES

PRESENT: Kathryn Duff, *Chairperson*
Arthur Glassman, *Vice-Chairperson*
Peter Cruz
Kamile Khazan
Alex Kalife

ABSENT: None

STAFF: Jen Carloni, *City Planner*
Michael McCarthy
Rachel Mulroy

Rachel Mulroy provided opening statements/instructions.

1. CALL TO ORDER

Chairperson Duff called the meeting to order at 6:01 p.m. and provided a statement related to Covid-19 and public meetings.

2. CALL OF THE ROLL

Chairperson Duff called the roll.

3. MINUTES

A motion was made (AG) and seconded (PC) to approve the minutes of September 2021

ROLL CALL VOTE:

Board Member Glassman – Yes Board Member Cruz – Yes
Board Member Trimble – Yes Chairperson Duff – Yes
Board Member Khazan - Yes
Motion passes 5-0

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

ROLL CALL VOTE:

Board Member Glassman – Yes Board Member Cruz – Yes
Board Member Trimble – Yes Chairperson Duff – Yes
Board Member Khazan - Yes
Motion passes 5-0

4. PUBLIC HEARINGS

ITEM 1 - CASE #22-01 – Request by applicant for a Special Permit for change of use from a commercial retail space to a new medical use (physical therapy) at 81 Coggeshall Street, Unit A (Map: 93 Lot: 293), a 51,155+ square foot site in a Mixed-Used Business (MUB) zoned district within the Hicks-Logan-Sawyer Interim Planning Overlay District. Owner: Riverside Landing LLC (867 Middle Road, Acushnet, MA 02743). Applicant: Bay State Physical Therapy (703 Granite Street, Suite 300, Braintree, MA 02184)

Tami Rater, Bay State Physical Therapy, along with Andrew Jamanow, addressed the board and explained the applicant's request. Ms. Rater described the property location. She noted the plan to employ four persons and estimate twenty clients per day. She explained the services offered by appointment, with business hours of 7:00 a.m.– 7:00 p.m. and Saturdays 7:00 a.m. to 2:00 p.m.

Ms. Rater explained the purposes of the facility related to the community. She noted their excitement to be in the area.

In response to an inquiry by Chairperson Duff, Ms. Rater addressed signage, explaining and displaying the same, to include new panels on an existing pylon sign, a description of some letter lighting on the building. They then discussed the front of the building.

Chairperson Duff explained the standard lighting times the board imposes of lighting on no more than one hour before opening and off one hour after closing.

Chairperson Duff inquired as to handicap access/parking. There was discussion on the same.

Board Member Glassman expressed he had no problems with the proposal.

Board Member Cruz noted the handicap accessibility had been addressed.

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

After board discussion, a motion was made (AG) and seconded (PC) to grant the special permit for change of use from a commercial retail space to a new medical use (physical therapy) at 81 Coggeshall Street, Unit A (Map: 93 Lot: 293), a 51,155+ square foot site in a Mixed-Used Business (MUB) zoned district within the Hicks-Logan-Sawyer Interim Planning Overlay District, with the following specific conditions:

- That the signage and lighting shall be illuminated no earlier than one hour prior to opening and no later than one hour after closing.

The following general condition 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 the 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;
- 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;

ROLL CALL VOTE:

Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Kalife – Yes

Board Member Khazan - Yes

Chairperson Duff – Yes

Motion passes 5-0

ITEM 2 – CASE #22-02 – Request by City Council President Joseph P. Lopes and Councilor-at-Large Brian K. Gomes for the Planning Board to review proposed changes to the City’s Zoning Ordinance to allow the establishment of Garden Style apartments in Mixed-Use Business Districts at heights and density that other multi-family projects are afforded and to make a recommendation to the City Council for its consideration.

Chairperson Duff noted this is the same cases that was approved in October 2021. Due to a clerical error, the case is before the board again. Chairperson Duff reported she had no knowledge of any change whatsoever to the ordinance, and recalled her memory of the request reasoning. She noted the issues are currently being addressed internally by planning. She invited a representative to address the board.

Mark Pilotte, Dakota Partners, address the board, as he did in the prior case appearance. He confirmed that there had been no changes.

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

After brief discussion, a motion was made (AG) and seconded (PC) to affirmatively recommend that the City Council consider the ordinance amendment of Case #22-02; request by City Council President Joseph P. Lopes and Councilor-at-Large Brian K. Gomes for the Planning Board to review and make a recommendation to the City Council for its consideration regarding proposed changes to the City’s Building Codes to allow the establishment of Garden Style apartments in Mixed-Use Business Districts at heights and density that other multi-family projects are afforded.

ROLL CALL VOTE:

Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Kalife – Yes

Board Member Khazan - Yes

Chairperson Duff – Yes

Motion passes 5-0

ITEM 3 – CASE #22-03 - Request by applicant for a Special Permit for a parking reduction for an educational use (K-12 school) at 106 Bullard Street (Map: 98 Lot: 137), a 23,340+ square foot site in a Residential-B (RB) zoned district. Owner: Roman Catholic Bishop of Fall River, A Sole Corporation (450 Highland Avenue, Fall River, MA 02720) Applicant: Global Learning Public Charter School (190 Ashley Boulevard, New Bedford, MA 02746).

Chairperson Duff announced that Board Member Khazan was recusing herself from hearing this matter, and as such the matter would require a super majority to pass. She provided the applicant an opportunity to continue the matter. The applicant chose to proceed.

Chairperson Duff clarified that the applicant seeks to expand services. Emily-Grandstaff Rice, ArrowStreet architect, introduced fellow representatives Steven Furtado, Sr. Steven Furtado, Jr., as well as Neil Joyce. Ms., Rice confirmed Chairperson Duff's comment and provided a project background and property history, describing existing parking spots. Ms. Rice explained the need for the school expansion. She noted the parking lot will be cleaned and meet ADA requirements. She also noted current space size and planned parking lot re-grading. Ms. Rice stated the applicant is seeking relief for 33 spaces based on student population.

Chairperson Duff requested details on the building access, such as students needing to go outside to go from one building to another. Chairperson Duff confirmed the current path through the parking lot. Ms. Rice noted that students in Grades 5-8 will be escorted.

Chairperson Duff inquired as to any landscape upgrades, when there appears to be a paved surface. Ms. Rice explained the same, noting the accessibility issue and the presence of stairs, which relates to the necessary re-grading and loss of landscaping for handicap accessibility. They then discussed drainage.

Steven Furtado addressed the shared dumpster location for Chairperson Duff. Ms. Rice explained how it is emptied and traffic travel.

Board Member Glassman confirmed the desired number of spaces requested for relief.

Board Member Cruz noted the substandard dimension of the aisles in the parking layout. Ms. Rice discussed the same. He expressed concern regarding the shared striped walkway with the accessible parking. Board Member Cruz then discussed the drainage, and inquired of any storm water report. Ms. Rice stated they are seeking to obtain a storm water permit from DPI. Board Member Cruz clarified the information he was seeking, namely a report/test pits, et cetera. Chairperson Duff clarified that the applicant is only seeking parking reduction and not special permit. There was further discussion on the striping/walkway, as well as emergency access and crosswalks.

Chairperson Duff inquired as to any consideration of one-way traffic. Ms. Rice explained their reasoning, noting it may be possible. There was further discussion on the same. Board Member Cruz agreed. There was comment by the Furtados that the suggestion was feasible. Board Member Cruz reminded the applicant of proper directional signage, et al.

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

After brief board discussion on motion contents, a motion was made (AG) and seconded (PC) to approve special

permit for parking reduction for an educational use (K-12 school) at 106 Bullard Street (Map: 98 Lot: 137), a 23,340+ square foot site in a Residential-B (RB) zoned district, with the following specific conditions:

- The number of parking spaces to be reduced is from 83 to 50, a reduction of 33 spaces;
- The parking lot is to be restriped and shall include a no parking area to be marked in front of the dumpster area;
- Realign the striping, one way traffic pattern and new signage per planning board recommendations tonight, to be reviewed with the planning staff.

The general conditions as previously read also apply.

ROLL CALL VOTE:

Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Kalife – Yes

Chairperson Duff – Yes

Motion passes 4-0

5. OTHER BUISNESS

Chairperson Duff noted the need for the Election of Planning Board Officers and welcomed comments. After board discussion, a motion was made (PC) and seconded (AG) to elect Kathryn Duff as Chair, Arthur Glassman as Vice-Chair and Alex Kalife as Treasurer

ROLL CALL VOTE:

Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Kalife – Yes

Board Member Khazan - Yes

Chairperson Duff – Yes

Motion passes 5-0

City updates were given by Jen Carloni. She notified the board of the department changeovers and staffing. She updated the board on various ongoing projects, such as the Redevelopment Plan and various feedback and the redoing of zoning area. Ms. Carloni discussed the developments related to the train. She provided a Use Table and form-based code update. She will provide planning financial updates.

Board Member Khazan requested more information on the zoning changes, such as Goulart Square. Ms. Carloni explained the same, detailing the considerations and the developing of more administrative reviews. There was further board discussion on the same, and Ms. Carloni provided a history on the development of the zoning.

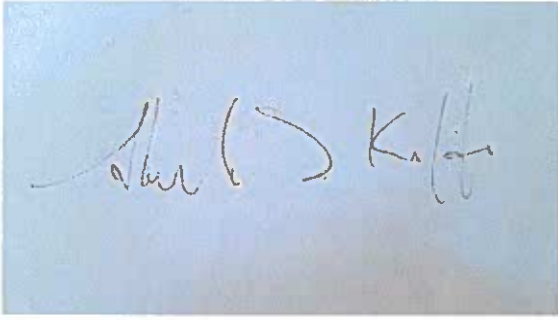
Board Member Glassman provided a CPA update.

6. ADJOURNMENT

A motion was made (AG) to adjourn.

Motion passed unopposed.

(Whereupon proceedings concluded at 7:02p.m.)

A photograph of a handwritten signature in blue ink on a light blue background. The signature appears to read "Alex J. Kalife".

Alexander J. Kalife, Planning Board Clerk

May 11, 2022