



Zoning Board of Appeals

Agenda

February 7, 2023, 6:00 – 9:00 PM

To participate, copy and paste this link:

<https://us06web.zoom.us/j/83756508743>

and enter Meeting ID:837 5650 8743 or Dial 1 646 558 8656

The Zoning Board of Appeals will hold an Advertised Virtual Public Hearing on **Tuesday, February 7, 2023, at 6:00 via ZOOM**. To participate, copy and paste this link: <https://us06web.zoom.us/j/83756508743> and enter Meeting ID: 837 5650 8743 or Dial 1 646 558 8656 on any phone and the chair will direct you in the call. Online materials for each case will be posted at <https://www.newbedford-ma.gov/planning/zoning-board-agenda-info-2023/>. This public hearing will review on the following appeals as set forth under the provisions of the City Code of New Bedford:

MEETING CALLED TO ORDER

APPROVAL OF MINUTES

- March 22, 2022, meeting minutes
- April 21, 2022, meeting minutes
- June 16, 2022, meeting minutes
- July 28, 2022, meeting minutes
- November 02, 2022, meeting minutes
- November 17, 2022, meeting minutes

SCHEDULED HEARINGS

#4461 Request for Extension. Heather Martin, on behalf of The Women's Center & Freedom Trust (405 County Street, New Bedford, MA 02740) requests an extension of the Zoning Board of Appeals decision approving Case #4461 for a **Special Permit** with conditions recorded November 4, 2021; relative to property located at **414-430 Rivet Street**, Assessors' Map 23, Lot 9A in a Mixed Use Business [MUB] zoned district. Due to the delay in securing the appropriate financing for the project, the project has been unable to commence as anticipated. The applicant seeks an extension of the decision for an additional one-year period in order to allow for the project to commence. ***Continued Agenda Item from December 15, 2022.**

#4465 Request for Extension. Armando M. Pereira, on behalf of Maria Julia Barroso (47 Belleville Avenue, New Bedford, MA 02740) requests an extension of the Zoning Board of Appeals decision approving Case #4465 for a **Special Permit** with conditions recorded December 30, 2021; relative to property located at **16 Washburn Street**, Assessors' Map 85, Lot 218 in an Industrial A [IA] zoned district. Due to the delay in securing the appropriate approvals due to the additional requirements from DPI and suitable professionals to complete the work for the project, the project has been unable to commence as anticipated. The applicant seeks an extension of the decision for an additional one-year period in order to allow for the project to commence. ***Continued Agenda Item from December 15, 2022.**

#4506 Notice is given of a public hearing on the petition of: **Fernando J Pacheco** (86 Water Street, New Bedford, MA 02744) and **Jennifer Couto** (41 White Oak Run, Dartmouth, MA 02747) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulation), 2710 (general), 2750 (yards in residence district),

2753 (rear yard); relative to the property located at **ES Shawmut Avenue**, Assessors' Map 124C, Lot 32, in a Mixed Use Business [MUB] zoned district. **The petitioner is proposing the construction of a single-family dwelling per plans filed. *Continued Agenda Item from November 17, 2022.**

#4507 Notice is given of a public hearing on the petition of: **SMRE 61, LLC** (100 Duchaine Blvd, New Bedford, MA 02745) and **Parallel Products Solar Energy, LLC** (401 Industry Road, Louisville, KY 40208) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2000 (use and dimensional regulation), 2700 (dimensional regulations), 2710 (general), 2720 (table of dimensional requirements - Appendix B, side yard ft.); relative to the property located at **61 John Vertente Boulevard**, Assessors' Map 133, Lot 47, in an Industrial C [IC] zoned district. **The petitioner is proposing the erection of two solar "carports" per plans filed. *Continued Agenda Item from November 17, 2022.**

#4508 Notice is given of a public hearing on the petition of: **Portuguese Times INC** (1501 Acushnet Avenue, New Bedford, MA 02746) & **Balvir Singh**, (11731 Clems Branch Drive, Charlotte, NC 28277) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2200 (use regulations), 2210 (general), 2230 (table of use regulations – Appendix-A, Commercial: #25 – Medical offices, center, or clinic), 5300-5390 (special permit); relative to the property located at **1501 Acushnet Avenue**, Assessors' Map 98, Lot 44, in a Mixed Used Business [MUB] zoned district. **The petitioner is proposing to operate a dental medical office per plans filed. *Continued Agenda Item from December 15, 2022.**

#4509 Notice is given of a public hearing on the petition of: **Randy Santerre** (PO Box 431, Tiverton, RI 02878) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2400 (nonconforming uses and structures), 2410 (applicability), 2430 (nonconforming structures, other than single-and two-family structure), 2431 (reconstructed, extended or structurally changed), 2432 (altered to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent); relative to the property located at **1446 Purchase Street**, Assessors' Map 72, Lot 239, in an Industrial A [IA] zoned district. **The petitioner is proposing to replace an existing static billboard with a digital billboard per plans filed.**

#4510 Notice is given of a public hearing on the petition of: **Alexandre El Tom, Trustee** (56 Potomska Street, New Bedford, MA 02740) & **Daly-Kenney Group, LLC**, (3021 Acushnet Avenue, New Bedford, MA 02745) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2000 (use and dimensional regulations), 2200 (use regulations), 2210 (general), 2230 (table of principal use regulations – Appendix-A, Commercial: #23 – Restaurant, Fast Food), 5000 (administration and procedures), 5300-5390 (special permit); relative to the property located at **756 South Water Street**, Assessors' Map 31, Lot 232, in a Mixed Used Business [MUB] zoned district. **The petitioner is proposing to demolish the existing structure and construct a new Dunkin Fast Food Restaurant per plans filed.**

- 2023 Meeting Calendar
- Next Scheduled Meeting will be held on Thursday, March 16, 2023.

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact **Laura Ryan at 508-979-1488 (Laura.Ryan@newbedford-ma.gov) or Mass Relay 711**. Requests should be made as soon as possible but at least **48 hours** prior to the scheduled meeting.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law. Massachusetts General Laws, chapter 30A, Section 20(f) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.