2023 APR -3 AM 10: 11
CITY CLERK

NEW BEDFORD PLANNING BOARD
REMOTE MEETING
January 11, 2023

MEETING MINUTES

PRESENT:	**Arthur Glassman,** *Chairperson* **Peter Cruz,** *Vice Chairperson* **Alex Kalife,** *Clerk* **Kathryn Duff** **Kamile Khazan**
ABSENT:	**None**
STAFF:	**Jennifer Carloni,** *City Planner* **Michael McCarthy** **Rachel Mulroy**

Rachel Mulroy gave opening remarks and explained procedures.

1. CALL TO ORDER
Chairperson Glassman called the meeting to order at 6:01 p.m.

2. CALL OF THE ROLL
Chairperson Glassman called the roll.

3. MINUTES
With no questions or objections, a motion was made (KD) and seconded (AK) to approve the minutes of July 2022.
ROLL CALL VOTE:
Chairperson Glassman – Yes
Board Member Cruz – Yes
Board Member Duff – Yes
Board Member Khazan - Yes
Board Member Kalife - Yes
Motion passes 5-0

A motion was made (KD) and seconded (PC) to open the public hearing.
ROLL CALL VOTE:
Chairperson Glassman – Yes
Board Member Cruz – Yes
Board Member Duff – Yes
Board Member Khazan - Yes
Board Member Kalife - Yes
Motion passes 5-0

A motion was made (KD) and seconded (PC) to take out of order Case #22-13, followed by Cases #22-44/#22-45 Moving down the agenda Cases #23-01/#23-02.

ROLL CALL VOTE:

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

4. PUBLIC HEARINGS:

ITEM 1 – CASE #22-13 – Request by the applicant for approval of a Preliminary Subdivision Plan for Ladrugaes Estates, a 12 lot, 2.8± acre residential subdivision along one planned street located on multiple vacant parcels adjacent to Lucy Street and Bartlett Street (Map: 132 Lots: 397, 461, 617) in a Residential A (RA) zoned district. Owner/Applicant: AMN Estates Holdings, LLC (2 Lambeth Park Drive, Fairhaven, MA 02719).

Steve Gioiosa, Civil & Environmental Consultants, on behalf of the applicant, shared screens and provided the board an update on the single-family subdivision since the last meeting. He provided orientation and description of the property, along with access points. He explained the legal aspects of access and utility connection issues. He noted they have met with the abutting access parcel owner and signed an agreement today. He welcomed any questions.

CP Glassman stated it should be reviewed by the solicitor's office and then be ready for the next board meeting. Mr. Gioiosa concurred.

BM Duff inquired as to any changes. Mr. Gioiosa stated nothing had changed on the plans.

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

CP Glassman noted the need for a board vote on a timeline extension. A motion was made (AK) and seconded (KD) to extend the timeline for 90 days.

ROLL CALL VOTE:

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

A motion was made (AK) and seconded (KD) to continue Case #22-13 to February 8, 2023.

ROLL CALL VOTE:

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

ITEM 2 – CASES #22-44/#22-45 - Request by applicant for Site Plan Review for the new construction of a gas station and associated site improvements, including improvements to an existing building, and a Special Permit for a parking reduction at 2243 Purchase Street, a 11,100+ square foot site (Map: 92 Lot: 1) in a Mixed-Use Business zoned district. Owner: MD Washim Khan & Ashma Hossain Sharmin (104 Lexington Street, Dartmouth, MA 02747). Applicant: SB Gas Station, Inc. (104 Lexington Street, Dartmouth, MA 02747)

Steve Gioiosa, on behalf of the applicant, while screen sharing items, described the site location and surrounding area. He noted the board, after the last review of the plans, directed completion of a traffic study, which he stated has been presented to the board. He further detailed the study, to include peak hour count results, new traffic generation, intersections, levels of service, et cetera. He related their study of the site lines. He summarized that they believe the project has minimal impact and great site lines. He welcomed questions.

BM Khazan expressed concern that they traffic study was done during vacation time and didn't address the bus company school traffic. She wished there had been more pedestrian traffic collaboration. She also expressed concern about surrounding multi-family housing in the area.

Mr. Gioiosa was amenable to applicant performing some further counts while school is in session.
In response to CP Glassman, Mr. Gioiosa noted no crash data was provided in light of the straight alignment, but he will look further into any data.

BM Duff concurred on the helpful nature of receiving some crash data and additional counts. There was further discussion on the Tremblay Bus storage area and nearby school.
BM Duff raised concern over the trash enclosure location and suggested additional screening.

BM Cruz agreed with the need for additional crash data and counts.

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

CP Glassman noted the need for a board vote on a timeline extension. A motion was made (AK) and seconded (KD) to extend the timeline for 90 days.
ROLL CALL VOTE:

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

Motion passes 5-0

A motion was made (AK) and seconded (KD) to continue Cases #22-44 to February 8, 2023.
ROLL CALL VOTE:

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

Motion passes 5-0

A motion was made (AK) and seconded (KD) to continue Cases #22-45 to February 8, 2023.
ROLL CALL VOTE:
Chairperson Glassman – Yes
Board Member Duff – Yes
Board Member Kalife - Yes
Board Member Cruz – Yes
Board Member Khazan - Yes
Motion passes 5-0

ITEM 3 – CASES #23-01/#23-02 - Request by applicant for Site Plan Review for the construction of a fast-food restaurant with a drive-through and associated site improvements and a Special Permit for a parking reduction at 756 South Water Street, a 20,390+ square foot site (Map: 31 Lot: 232) in a MUB-zoned district. Owner: Alexandre El Tom, trustee of ZGA Realty Trust (56 Potomska Street, New Bedford, MA 02740) Applicant: Daly-Kenney Group, LLC (3021 Acushnet Avenue, New Bedford, MA 02745).

Steve Gioiosa introduced applicant Tom Daly and Attorney Silvia for the abutter, as well as the parcel's current owner. While screen-sharing, Mr. Gioiosa detailed the site location and surrounding area, noting the property's current owner owns the adjacent gas station property as well. He explained the desire to rehabilitate the property and displayed existing conditions of the subject property, to include buildings, pavement, green space, curb cuts and utilities. He explained the plans for the site, to include construction of a free-standing Dunkin Donuts. Mr. Gioiosa reminded the board of previous plans for this site, noting they are currently in zoning compliance for the project. He described plan in detail, to include site access, flow of traffic between the uses, curb cuts, a 12-space parking lot and site configuration, ADA compliance, sidewalk, drive-thru, bypass lane, green space landscaping/island installation and dumpster pad.

Mr. Gioiosa noted discussions regarding the dumpster pad/location and screening which the applicant and abutter will be addressing. He then explained the grading plan, noting the current lack of storm water management. He noted proposed sump pump basin additions/locations and recharge. He noted the lot coverage decrease that will result. He discussed utilities, grease traps, natural gas/electric locations. He displayed and commented on the landscaping plan. He provided a display of different elevations of the proposed building, explaining the same.

Mr. Gioiosa discussed the request for reduction of parking, noting the bulk of Dunkin traffic is drive-thru. He moved on to discuss lighting and dumpster/delivery truck analysis results. He welcomed questions.

BM Duff commented on what she saw as positive aspects of the plans. She requested bike storage, confirmed test pits and 12 parking spaces, and inquired as to screening material and granite curbing. There was discussion on the same.

BM Duff inquired as to hours of operation, which the applicant listed as approximately 5:00am – 10:00pm. Then they requested hours of 4:00a.m.-9:00p.m. seven days a week on a trial basis.

BM Cruz discussed the sidewalk plans with the applicant. Mr. Gioiosa explained the same, while referring to DPI. BM Cruz noted cracks on the corner of No. Front Street. BM Cruz requested another inlet retention/catch basin.

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

CP Glassman inquired as to in-store customer estimates, which Mr. Daily believed he had limited to 14, but estimates generally a maximum pf 8 patrons plus staff.

CP Glassman inquired as to an anticipated access easement. Mr. Gioiosa noted the lawyers are working on an unimpeded access final agreement rather than an easement. CP Glassman noted a requirement for some corresponding legal paperwork.

CP Duff noted the vacant building and site's current longstanding condition. BM Khazan concurred on the proposed positive use of the site. BM Cruz agreed. The applicant acknowledged anticipated DPI comments.

CP Glassman reiterated conditions to approval, to include bike, rack, lighting, et cetera. A motion was then made (AK) and seconded (CD) to approve Case #23-01 site plan review for construction of a fast-food restaurant with a drive-through and associated site improvements at 756 South Water Street, a 20,390+ square foot site (Map: 31 Lot: 232) in a MUB-zoned district, with the following specific conditions:

- The applicant shall adhere to the conditions of the Special Permit issued by the Zoning Board of Appeals;
- The applicant shall coordinate with DPI to resolve all comments in any forthcoming memo;
- The applicant shall provide a copy of the recorded access easement or agreement to the Department of City Planning prior to the issuance of a building permit
- The lighting shall be illuminated no earlier than one hour prior to opening and no later than one hour after opening;
- A bike rack will be provide;
- Hours of operation are 4:00a.m.-9:00 p.m..

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 memorandum 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;
- The rights authorized by the granted approval must be exercised by issuance of a building permit and acted upon within one year from the date of the decision or they will lapse;
- Developer and site contractor must schedule a pre-construction meeting with DPI prior to the start of

construction.
Board Member Duff requested a correction to the motion to read no earlier than one hour prior to opening and no later than one hour after closing. The correction was adopted and the motion seconded.
ROLL CALL VOTE:

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

Motion passes 5-0

A motion was then made (AK) and seconded (CD) to approve Case #23-02 request for a special permit for construction of a fast-food restaurant with a drive-through and associated site improvements at 756 South Water Street, a 20,390+ square foot site (Map: 31 Lot: 232) in a MUB-zoned district, with the following specific conditions:
The number of parking spaces shall be 12;
The applicant shall adhere to the conditions of the Special Permit issued by the Zoning Board of Appeals;
The applicant shall ensure a copy of the Notice of Decision bearing the certification of the City of New Bedford 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 general conditions as previously stated also apply.
ROLL CALL VOTE:

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

Motion passes 5-0

5. OTHER BUSINESS:
Assistant City Planner Mike McCarthy, after introduction of the consultants, they provided updates on the **Comprehensive Plan** presentation status.

After consultant presentation, team introduction and details/highlights related to master planning, she discussed topics to include goals, present and future, resilience, tools for change, community interaction and milestones, pandemic recovery, et cetera. She noted progress at ¼ of the way and welcomed input, comments and questions from the board.

Annie Streetman, agency urban planner, summarized for the board the plan goals/direction, to include mapping, resources, land uses, housing, economic development, the port, policy priorities, et cetera. She discussed the city's abundance of open space and recreation. She discussed natural resources, the coastal plan and cultural opportunities, public services and facilities. Ms. Streetman discussed transportation/mobility as another topic area, all of which will make New Bedford's Comprehend Plan unique to the city.

Original speaker spoke on research reports and data analysis, as well as community input. She spoke on the steering committee for community engagement as compiled, to include focus groups and non-profits. She announced a 2/11/23 community workshop. She detailed other steps accomplished to date, as well as feedback

received on needs and priorities, as they continue to develop a community engagement plan. She spoke on the unique character features of the city, to include history, generational ties, et cetera. She commented on aspirations, to include housing affordability, arts, the railroad, small businesses, et cetera, as well as topics to be addressed at future meetings. She covered created forms for board members to review and complete, as well as themes and visions. She welcomed board comment.

Jen Carloni reminded the board of their duties with regard to the Comprehensive/Master Plan updates.

CP Glassman thanked the participants for the presentation. He commented on the exceptional steering committee compiled.

BM Duff commented positively on the importance of goals regarding climate change/building resiliency in our port city and its heritage/legacy.

BM Khazan commented positively on the background diversity of our city and its continuity for residents. She agreed with the importance of affordable housing.

The original speaker noted for the board the plans to have youth input as well.

BM Cruz concurred with both BM Khazan and BM Duff and commented positively on the presentation and group compiled.

CP Glassman stated as a business owner and taxpayer he is eager to see more economic development in the city.

BM Duff encouraged pop ups be placed in various locations/areas of our long, skinny city. Ms. Carloni provided input on outreach planning. She encouraged input and feedback from board members.

BM Duff was pleased with engagement locations planned, as was BM Khazan, who suggested neighborhood associations and rec centers for meeting locations.

After meeting announcements, the presentation concluded.

ELECTION OF OFFICERS

After board input and discussion, to include retaining Arthur as Chairperson, Peter Cruz, as Vice Chair and Alex Clerk, a motion was made (KD) and seconded (AK) to keep board positions in place as they exist with Mr. Glassman as Chair, Peter Cruz as Vice Chair and Alex Kalife as Clerk/Reader.

ROLL CALL VOTE:

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

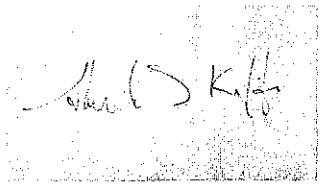
CITY PLANNER UPDATE

Jen Carloni reiterated comprehensive plan updates to include upcoming meetings.
She updated the board on the adoption of the Hicks/Logan Redevelopment Plan.
MacArthur Drive is before the Ordinance Committee.

BM Duff inquired as to manufacturing development behind the airport/golf course.

6. ADJOURNMENT:

A motion was made (KD) and seconded (PC) to adjourn at 8:06 p.m.
Motion passed unopposed.



Date: 4/3/23

Alexander J. Kalife, Planning Board Clerk