

NEW BEDFORD PLANNING BOARD 2025 SEP 16 PM 3:21
REMOTE MEETING
May 14, 2025
CITY CLERK

MEETING MINUTES

NAME	TITLE	STATUS	ARRIVED/DEPARTED
Arthur Glassman	Chair	Present	Arrived: 6:10 pm/ Departed: 8:40 pm
Kamile Khazan	Member	Present	Arrived: 6:10 pm/ Departed: 8:40 pm
Peter Cruz	Vice Chair	Present	Arrived: 6:10 pm/ Departed: 8:40 pm
Kathryn Duff	Member	Present	Arrived: 6:10 pm/ Departed: 8:40 pm
Shayne Trimbell	Member	Absent	

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

ABSENT: Shayne Trimbell

STAFF: Jennifer Carloni, *City Planner*
Anne Louro, *Assistant City Planner*
Rachel Mulroy, *Staff Planner*

Rachel Mulroy gave opening remarks and explained procedures.

This meeting was held virtually in accordance with An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law by the Governor on March 28, 2025, which extends the temporary provisions pertaining to the open meeting law to June 30, 2027.

1. CALL TO ORDER

Chairperson Glassman called the meeting to order at 6:10 p.m.

2. CALL OF THE ROLL

Chairperson Glassman called the roll.

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

ROLL CALL VOTE:

Chairperson Glassman – Yes
Board Member Duff – Yes

Board Member Cruz – Yes
Board Member Khazan - Yes

Motion passes 4-0

4. PUBLIC HEARINGS:

ITEM 1 – Case 25-15: 950 Kings Highway – Request by applicant for Site Plan Review for the redevelopment of a 4123+ square foot site at the northernmost portion of a lot including demolition of an existing vacant building for a fast-food restaurant with order pick-up lane and associated improvements at 950 Kings Highway (Map: 123 Lot: 43), a 25+ acre lot in an Industrial A (IA) district in the King’s Highway Transit Oriented Development Overlay District (KHTOD). Owner: Cedar-Fieldstone, LLC (44 South Bayles Avenue, Port Washington, NY 11050) Applicant: Wheeler REIT, L.P. (2529 Virginia Beach Boulevard, Virginia Beach, VA 23452)

Case #25-15 was heard as part of new business. Chair Glassman opened the case and asked if a representative for the applicant was present to discuss the case.

Attorney Christopher Saunders, 700 Pleasant Street, New Bedford, came forward as the applicant’s agent and introduced project engineer Joey Fonseca of Bohler Engineering. He summarized the project proposal, noted the Zoning Board’s approval of a special permit two months ago, and explained that last month’s Planning Board continuance of the case provided the opportunity to revise plans ahead of the hearing to address Planning staff and Department of Public Infrastructure comments. He noted the applicant will not seek the waiver initially requested for the green space buffer or the number of parking spaces at the front of the site. Other improvements include one-way circulation and a reduction of 5 parking spaces. Atty. Saunders noted the native plantings incorporated into the plant schedule and indicated they were amenable to coordinating with staff as necessary. He clarified that the drive-up lane at the side of the building was for customers who ordered ahead of time to pick up their items.

Fonseca presented the site plans and described existing site conditions in relation to the neighborhood. He displayed the site layout and explained revisions made to the plan since the application submission. He noted the parking plan accommodates overflow parking for pick up orders and called out patio seating on the opposite side of the building from the designated parking spaces. Fonseca reviewed site circulation for waste management and pedestrian circulation. Green space improvements are projected to increase permeability by 3,700 + square feet. Stormwater improvements for roof runoff increase on site infiltration by another 2,300 + square feet.

Fonseca reviewed renderings of the original proposal compared to revisions presented for Board review at this hearing. He showed the landscaping plan which he noted included over 200 individual plantings in the schedule. Utilities and grease trap were reviewed briefly.

Chair Glassman opened the floor to the public for anyone who wished to speak in favor or opposed to the project. Hearing none, he opened the floor to the Board.

Board member Duff commended the project team’s efforts to improve the proposal. She inquired about barrier measures at the eastern slope of the site where parking is proposed.

Fonseca explained internal discussions lean toward updating the existing chain link fencing. Board member Duff noted the steep slope and encouraged improvements for safety and aesthetic value.

Board member Cruz concurred with Board member Duff and requested a wooden guardrail be installed in place of the fencing to better protect vehicles and for public safety.

Board member Cruz inquired about construction staging and access through the parking lots. Fonseca indicated construction fencing would be limited to the site and that access through the larger parking lot area should not be impeded except for short time periods when tying in utilities, water and sewer.

Board member Cruz asked Fonseca to review the stormwater plan sheet. Fonseca noted the location of the infiltration system on site and overflow to existing infrastructure within the larger parking lot. Additional catch basins are also proposed on site.

Board member Cruz inquired about trash truck circulation. Fonseca indicated the most likely path would be trucks approaching from behind the larger building to the south and circulating north to west for dumpster access, then exiting the area south to the main lot egress.

Board member Khazan indicated she had no questions.

Chair Glassman reviewed the conditions with the Board for a wood guardrail and the approval of a waiver request.

Board member Duff made the motion to grant the waiver for the location of parking in front of the building in the Kings Highway Transit Oriented District, seconded by Board member Cruz (PC), and with all in favor the motion carried.

Chair Glassman asked for a motion to approve the case.

Board Member Duff made the motion, seconded by Board Member Cruz to approve the request by applicant for Site Plan Review for the redevelopment of a 4,123± square foot site at the northernmost portion of a lot including demolition of an existing vacant building for a fast-food restaurant with order pick-up lane and associated improvements at 950 Kings Highway (Map: 123 Lot: 43), a 25+ acre lot in an Industrial A (IA) district in the King's Highway Transit Oriented Development Overlay District (KHTOD). Owner: Cedar-Fieldstone, LLC (44 South Bayles Avenue, Port Washington, NY 11050) Applicant: Wheeler REIT, L.P. (2529 Virginia Beach Boulevard, Virginia Beach, VA 23452)

The approval is based upon a determination that, as hereinafter conditioned, the site plan meets the objectives set forth in Section 5470 of the Ordinance.

The approval is subject to the following specific conditions:

1. Prior to the issuance of a building permit, the applicant shall provide the Department of City Planning with a revised plan set for administrative review showing the removal of the existing chain link fencing and installation of a wooden guardrail (with detail) at the northeast edge of the parking lot.

2. The conditions of the Zoning Board of Appeals approval for Case #4618 shall also be considered conditions of this approval.
3. The applicant shall coordinate with the Department of Public Infrastructure to resolve all comments in their 4/1/25 memorandum.
4. The applicant shall submit evidence of compliance with the approved plant schedule prior to the issuance of a certificate of occupancy.

With the following GENERAL conditions:

5. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
6. 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 part of the conditions specified by the Planning Board.
7. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
8. 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 made against the project's approval, be provided for the Planning Department Case file folder.
9. 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 must return before this Board for further review.
10. 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 three years from the date the decision was granted, or they will lapse.
11. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
12. The applicant shall submit final as-built plans to the Department of City Planning and a final site visit shall be conducted by Planning Staff prior to the issuance of a Certificate of Occupancy.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

ROLL CALL

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

ITEM 2 – Case 25-23 & 24: 1 Pearl Street – Request by applicant for Site Plan Review and a Special Permit for parking reduction for the redevelopment of a former tire processing site to a hotel at 1 Pearl Street (Map: 72 Lots: 170, 171, 172, 173), a 3+ acre lot in an Industrial B (IB) zoned district. Owner: Kimberly Aguiar, John

Jeffrey Ferreira and Thomas F. Ferreira, Trustees of the Ocean Realty Trust (110 Hathaway Road, Acushnet, MA 02743) Applicant: Franklin Hospitality Corporation (41 Old Bedford Road (Westport, MA 02790)

Case #25-23 was heard as part of new business. Chair Glassman opened the case and asked if a representative for the applicant was present to discuss the case. David Sherborne, architect and vice-president of Opeechee Construction came forward to present the proposal. He introduced Sean LaFrance with Franklin Hospitality and introduced Andrew Pike, president, and Barry Stowe, design engineer, with Opeechee. He introduced civil engineer Paul Matos and Jackie Trainor, landscape architect, of Allen & Major. Sherborne described the project development timeline to date and presented the plans for the proposal.

The hotel is proposed at 5 stories with an 18,000± square foot building footprint with a lounge and lobby, restaurant and bar, small meeting room, market area for sundries, fitness room, indoor pool and associated outdoor patios for the lounge and restaurant and swimming pool. He indicated 150 parking spaces were proposed on site.

Sherborne reviewed the zoning requirements relative to the proposal, and noted the request for a special permit for a building permit. He reviewed the initial iteration of the plans then reviewed changes after discussions with the City, which were subsequently submitted for the Board's review. He indicated the project team continues to coordinate with its corporate clients and the City of New Bedford on the exterior building design elements, and site circulation and landscaping.

Sherborne indicated landscaping along the Acushnet Avenue frontage and at Pearl Street. He noted pedestrian access routes and explained the setback of the building and relative to existing easements and the billboard sign which is under separate ownership. Sherborne explained the dumpster location would receive an enclosure treatment to compliment the final building design given its prominent location on site.

The architectural renderings showed a brick with EFIS façade with bump outs. Sherborne indicated he was aware of staff concerns as enumerated in the staff report and described further brick and masonry elements and color palette adjustments the team was considering. He indicated the project team was amenable to working with Planning staff to achieve a design acceptable to the City.

Chair Glassman noted his appreciation for the project team's efforts to improve the design in coordination with the City. He opened the floor so members of the public could speak in support or opposition. Hearing none, he opened the floor to the Board.

Board member Duff requested to view the examples the team drew from to inform the design. Sherborne displayed a rendering of a Courtyard Hotel completed in Portland, Maine, and another hotel in Woburn, MA.

Board member Duff discussed at length the design elements the design team would be drawing on for the New Bedford project with Sherborne. Board member Duff raised concerns, given the project site location along the working waterfront and historic mill district and abutting the new South Coast Rail station, about the level of intention and thoughtfulness that may yet be devoted to the design process given New Bedford's industrial history and developing innovations relative to the city's identity. Board member Duff acknowledged the compromising matter of the easement and billboard in terms of site layout, but reiterated her concern for building materials, and took note of the fencing proposal and enhancing amenities for cyclists. She indicated her willingness to work with the project team going forward.

Board member Cruz lamented the necessary setback of the building. He requested renderings at human-scale to see site sections of the proposed landscaping as viewed from the street. He inquired about truck maneuvers and reiterated Board member Duff's concern about bicycle storage. Board member Cruz inquired about roof runoff and parking lot stormwater capture.

Sherborne reintroduced Paul Matos, civil engineer with Allen & Major, who explained stormwater mitigation strategies were to include a rain garden at the southeast of the site to capture roof runoff and ground level sheet runoff, and catch basins to infiltration systems under the parking lot. Matos explained that he has been coordinating with DPI for compliance. Matos displayed the vehicle access plan and described trucks and emergency vehicles as entering on Pearl Street and exiting onto Acushnet Avenue. He explained that most deliveries would not require large trailer trucks.

Chair Glassman requested a review of the waste removal plan. Sherborne described the enclosure sited at the south of the building would likely be brick to match the hotel with gated access. He indicated staff access to the dumpster from a side egress point. He called out a concrete apron adjacent to the south of the enclosure to allow trucks to back up to the side of the enclosure for removal.

Board member Duff inquired about site conditions relative to increasing green space. Sherborne cited the limitations imposed by the easement and reviewed the purpose and boundaries of the easement.

Board member Duff inquired about renewable energy options. Sherborne indicated the rooftop may be suitable for development of solar in the future. He enumerated some of the sustainability targets the project attempts to reach.

Chair Glassman noted the project needed some work and asked if the project team would be amenable to working with a subcommittee of Planning staff and Board members as a condition of approval of the site plan review.

Sean LaFrance indicated he was in favor of working with such a committee.

Chair Glassman asked the Board members, who all indicated they were amenable to such a condition.

Hearing no further comments, Chair Glassman asked for a motion.

Board Member Duff made the motion, seconded by Board Member Cruz to approve the request by applicant for Site Plan Review for the redevelopment of a former tire processing site to a hotel at 1 Pearl Street (Map: 72 Lots: 170, 171, 172, 173), a 3± acre lot in an Industrial B (IB) zoned district. Owner: Kimberly Aguiar, John Jeffrey Ferreira and Thomas F. Ferreira, Trustees of the Ocean Realty Trust (110 Hathaway Road, Acushnet, MA 02743) Applicant: Franklin Hospitality Corporation (41 Old Bedford Road, Westport, MA 02790).

The approval is based upon a determination that, as hereinafter conditioned, the site plan meets the objectives set forth in Section 5470 of the Ordinance.

The approval is subject to the following specific conditions:

1. The applicant shall coordinate with the Department of City Planning and appointed members of the Planning Board to refine the architectural design of the building to complement the architectural qualities

of the historic architectural characteristics of other buildings in the neighborhood, per Chapter 9, Section 5471 (xi).

2. The applicant shall revise the landscape plan to show fencing and landscaping as per internal review working with the committee and the Department of City Planning and appointed members of the Planning Board.
3. The applicant acknowledges that signage is not approved as part of this site plan review. Any future signage will need to be submitted for permitting review and approval.
4. The applicant shall coordinate with the Department of Public Infrastructure to resolve all comments in their May 5, 2025, memo prior to the issuance of a building permit.
5. All exterior lighting shall be down shielded and dark-sky friendly lighting.
6. The applicant shall submit evidence of compliance with the approved plant schedule prior to the issuance of a certificate of occupancy.
7. The applicant shall coordinate with the Department of City Planning and appointed members of the Planning Board to address short term and long term bicycle parking for staff and hotel occupants.

With the following general conditions:

8. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
9. 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 part of the conditions specified by the Planning Board.
10. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
11. 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 made against the project's approval, be provided for the Planning Department Case file folder.
12. 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 must return before this Board for further review.
13. 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 three years from the date the decision was granted, or they will lapse.
14. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
15. The applicant shall submit final as-built plans to the Department of City Planning and a final site visit shall be conducted by Planning Staff prior to the issuance of a Certificate of Occupancy.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

ROLL CALL

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Duff then made the motion, seconded by Board Member Cruz to approve the request by applicant for a Special Permit for a parking reduction for a new hotel at 1 Pearl Street (Map: 72 Lots: 170, 171, 172, 173), a 3± acre lot in an Industrial B (IB) zoned district. Owner: Kimberly Aguiar, John Jeffrey Ferreira and Thomas F. Ferreira, Trustees of the Ocean Realty Trust (110 Hathaway Road, Acushnet, MA 02743) Applicant: Franklin Hospitality Corporation (41 Old Bedford Road, Westport, MA 02790)

The approval is based upon a determination that, as hereinafter conditioned, the site plan meets the objectives set forth in Section 5470 of the Ordinance.

The approval is subject to the following specific conditions:

1. The number of parking spaces shall be 150.
2. The applicant shall provide dedicated long-term bicycle parking for all long-term stay occupants, in coordination with the Department of City Planning and a member of the Planning Board.
3. Short term bicycle parking that provides security as well as protection from the elements shall be provided on site, in coordination with the Department of City Planning and a member of the Planning Board.
4. The rights authorized by the granted approval are subject to the provisions of the City's Code of Ordinances Chapter 9 Section 5370.

With the following general conditions:

5. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
6. 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 part of the conditions specified by the Planning Board.
7. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
8. 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 made against the project's approval, be recorded at the Registry of Deeds and that a copy of the recorded decision is provided for the Planning Department Case file folder.
9. 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 must return before this Board for further review.
10. 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 the decision was granted, or they will lapse.
11. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
12. The applicant shall submit final as-built plans to the Department of City Planning and a final site visit shall be conducted by Planning Staff prior to the issuance of a Certificate of Occupancy.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

ROLL CALL

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

ITEM 3 - Case 25-21 & 22: 1265 Purchase Street – Request by applicant for Site Plan Review for the renovation of a former garage and glazing workshop with associated offices to a robotics laboratory with office space and a Special Permit for a parking reduction at 1265 Purchase Street (Map: 66 Lots: 44, 46, 47, 48, 49, 51, 54, 56, 58, 60), a 1+ acre lot in a Mixed-Use Business (MUB) -zoned district. Owner/Applicant: Southcoast Research & Robotics, LLC (42 Grove Street, New Bedford, MA 02740)

Case #25-21 was heard as part of new business. Chair Glassman opened the case and asked if a representative for the applicant was present to discuss the case. Mark Parsons, owner of Southcoast Research & Robotics, 1265 Purchase Street, came forward to introduce himself and introduce the Board to SCRR and its mission, and the work underway on site.

Architect Alanna Jaworski of Union Studio presented an overview of the proposal and reviewed the architectural plans. She discussed public transit and the walkability and bike-ability of the site location and justified the applicant's request for a parking reduction. She reviewed existing and proposed site circulation to simplify the parking lot layout with one way vehicle circulation and improved landscaping. Pedestrian circulation to and from the site with building access points was discussed.

Jaworski enumerated the emergency work being done on site under a separate permit. She shared images of existing conditions and presented renderings of the proposed project.

Jason Kroll of Horsley-Witten, senior project engineer, reviewed the proposed site layout and utilities, sewer, and water services. He enumerated stormwater management plans for the roof and parking lot and parking lot reconfiguration with landscaping and bicycle parking. A 9 AM – 5 PM NO PARKING zone in front of the building is also proposed.

Kroll explained that 4 borings were performed and due to underground conditions, the stormwater will be treated and then be sent out to the combined sewer system rather than infiltrated on site. He explained how the proposed green space will help reduce runoff and improve water quality.

Jaworski indicated all proposed plantings are native plants. She noted the project team is coordinating with DPI to resolve all comments in their memorandum and that Eversource granted approval for a transformer pad along Purchase Street. She reviewed the lighting proposal for wall-mounted lighting, downcast at 3000 K for illumination of the walkway along the building.

Chair Glassman opened the floor so members of the public could speak in support or opposition. Hearing none, he opened the floor to the Board.

Board member Duff applauded the proposal. She inquired about a canopy or similar for protection of the bicycles from weather. Jaworski indicated they were amenable to protected bicycle parking. She asked about the screening of the transformer. Jaworski indicated it would be screened and details were pending Eversource siting of the transformer and bollards.

Board member Duff noted her appreciation for the proposed parking lot design and stormwater management strategies through the landscape design. Mark Parsons indicated his willingness to coordinate with the Department of City Planning and DPI.

Staff Planner Rachel Mulroy addressed the Chair on behalf of Board member Khazan to second Board member Duff's comments. Staff Planner Mulroy noted Planning staff could coordinate with the applicant on the details of the bike rack and transformer screening.

Chair Glassman inquired about the dumpster area. Board member Cruz asked for details on waste pick up relative to site circulation. Jaworski displayed the plans and described trash pickup. Board member Cruz inquired about hours for removal. Parsons explained that City-issued barrels are in use on site now, but they anticipate the need for a dumpster as SCRR grows, so the enclosure was included for site plan review.

Board member Cruz addressed the Board about conditioning the decision to coordinating with DPI for ADA compliance at the existing mid-block crossing shown on the plans.

Jaworski indicated the traffic engineer recommended an improved crossing at the north side of the Route 18 offramp. She noted there were ongoing discussions within the City about the traffic light at that opening as well. Board member Cruz encouraged the applicant to coordinate with the Traffic Commission and DPI to address existing needs of the community for safe access to the site. Kroll noted that although the existing conditions at the crossing were not ideal, more communication was necessary between the applicant and the City to achieve a long-term solution. Parsons indicated he was motivated to resolve the matter in coordination with the City.

Chair Glassman clarified with the applicant that they would coordinate with DPI to resolve all comments in their memo.

Board member Khazan inquired about permeable pavers for the parking lot crossing on site. Jaworski explained that budget constraints led the team to address stormwater through the living landscape.

Chair Glassman noted his appreciation for the repurpose of the historic building. The Board then discussed a motion among themselves.

1) DECISION

Board Member Duff made the motion, seconded by Board Member Cruz to approve the request by applicant for Site Plan Review for the renovation of a former garage and glazing workshop with associated offices to a robotics laboratory with office space at 1265 Purchase Street (Map: 66 Lots: 44, 46, 47, 48, 49, 51, 54, 56, 58, 60), a 1± acre lot in a Mixed-Use Business (MUB) -zoned district. Owner/Applicant: Southcoast Research & Robotics, LLC (42 Grove Street, New Bedford, MA 02740)

The approval is based upon a determination that, as hereinafter conditioned, the site plan meets the objectives set forth in Section 5470 of the Ordinance.

The approval is subject to the following specific conditions:

1. The applicant shall coordinate with the Department of Public Infrastructure to resolve all comments in their memorandum dated May 5, 2025 prior to the issuance of a building permit.
2. The applicant shall secure and record appropriate utility easements for the drain and sewer lines crossing the subject property and revise plans to show the easement bounds prior to the issuance of a certificate of occupancy.
3. Lighting shall be illuminated no earlier than one hour prior to opening and no later than one hour after closing.
4. The applicant shall submit evidence of compliance with the approved plant schedule prior to the issuance of a certificate of occupancy.
5. The applicant shall coordinate with the Department of City Planning for administrative review of three-season bicycle rack protection from the elements and the screening of the transformer.

With the following general conditions:

6. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
7. 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 part of the conditions specified by the Planning Board.
8. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
9. 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 made against the project's approval, be provided for the Planning Department Case file folder.
10. 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 must return before this Board for further review.
11. 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 three years from the date the decision was granted, or they will lapse.
12. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
13. The applicant shall submit final as-built plans to the Department of City Planning and a final site visit shall be conducted by Planning Staff prior to the issuance of a Certificate of Occupancy.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Duff then made the motion, seconded by Board Member Cruz to approve the request by applicant for a Special Permit for a parking reduction at a robotics laboratory with office space at 1265 Purchase

Street (Map: 66 Lots: 44, 46, 47, 48, 49, 51, 54, 56, 58, 60), a 1± acre lot in a Mixed-Use Business (MUB) -zoned district. Owner/Applicant: Southcoast Research & Robotics, LLC (42 Grove Street, New Bedford, MA 02740)

The approval is based upon a determination that, as hereinafter conditioned, the site plan meets the objectives set forth in Section 5470 of the Ordinance.

The approval is subject to the following specific conditions:

14. The number of parking spaces for all parcels in common ownership shall be 34.
15. The applicant shall provide bicycle parking on site for at least 10 bicycles.
16. The dimension of the parking spaces shall be allowed at 9 feet by 18 feet.
17. Bicycle parking shall provide security and protection from the elements, subject to administrative review by the City Planner prior to the issuance of a Certificate of Occupancy.
18. The rights authorized by the granted approval are subject to the provisions of the City's Code of Ordinances Chapter 9 Section 5370.

With the following GENERAL conditions:

19. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
20. 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 part of the conditions specified by the Planning Board.
21. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
22. 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 made against the project's approval, be recorded at the Registry of Deeds and that a copy of the recorded decision is provided for the Planning Department Case file folder.
23. 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 must return before this Board for further review.
24. 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 three years from the date the decision was granted, or they will lapse.
25. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
26. The applicant shall submit final as-built plans to the Department of City Planning and a final site visit shall be conducted by Planning Staff prior to the issuance of a Certificate of Occupancy.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

ROLL CALL

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

ITEM 4 - Case 25-20: Rezoning Request – Request by City Council on behalf of Jose S. Castelo and Rene Trial for a recommendation from the Planning Board - To rezone SS Bates Street (Map: 108 Lot: 317), a 9880+ square foot lot, from Industrial A (IA) to Residential C (RC).

Planning Board Chair Arthur Glassman read the request and asked if there was anyone present to speak on the matter. Staff Planner Rachel Mulroy presented the staff report and the petitioner's request. She reviewed the characteristics of the surrounding neighborhood, existing zoning of the surrounding area, and indicated seeing as the abutting properties were residential and RC zoning is present across the street, Planning Staff had no concerns.

Chair Glassman opened the floor for public comment. Joe Castello of 124 Bates Street indicated his support for the rezoning. The petitioner, Jose Castello, indicated he felt the rezoning would enhance the quality of life for the surrounding neighborhood.

The Board discussed the matter briefly among themselves. Chair Glassman inquired about the residential buildings allowed by right and about dimensional requirements. Staff Planner Mulroy noted a single, two- and three-family housing is allowed in the RC district. City Planner Jennifer Carloni displayed the zoning use tables and described the dimensional requirements. She noted that any plans for development would be reviewed by the Department of Inspectional Services and other relevant departments for compliance on an individual basis.

Hearing no more comments from the Board or the public, Chair Glassman asked for a motion.

Board member Duff made a motion, seconded by Board member Cruz, to favorably recommend rezoning Parcel 108-317, also known as SS Bates Street, from Industrial A to Residential C.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

ROLL CALL

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

ITEM 5 – Case 24-30: Gurney Place Definitive Plan – Request by applicant for approval of a Definitive Subdivision Plan for Gurney Place, a 5-lot subdivision on a proposed dead end road adjacent to Swallow Street Extension (Map: 138 Lots:485, 486, 487, 488, 490) a 3+ acre site in a Residential A zoned district. Owner: John Carvalho (59 Chestnuts Street, Fairhaven, MA 02719) Applicant: C-Maven Construction LLC (56 Kearney Road, Needham, MA 02494).

Chair Glassman reopened the case and asked if a representative was available to discuss the case. Steven Gioiosa introduced himself and applicant Dean Baravick. Gioiosa presented revisions in response to the second peer review.

Gioiosa described the steps taken to investigate whether the site's runoff discharge points would impact the Massachusetts designated Zone A protected water supply areas to the west and east of the site. He noted the discharge points were kept the same as what was approved in 2005. Gioiosa described field observations and stormwater management infrastructure at the adjacent Ava's Way. He concluded based on his research that the site drainage is sited in a Zone C, which is permissible under state regulations.

Gioiosa explained the proposed work on the abutter's lot had been discussed with the abutter. He indicated the abutter was amenable to the encroachment. Gioiosa noted a retaining wall would be the alternative plan, but that they preferred to work with the abutter, and reminded the Board that the plans would still require DPI stormwater approval prior to permitting.

Chair Glassman opened the floor to the public for comment. Hearing none, he opened the floor to the Board.

Board member Duff inquired about the slope of the detention basin walls. Gioiosa explained the design was an attempt to respect the standard 25-foot no touch zone required by DPI, and that the applicant would seek a waiver from DPI.

Board member Duff inquired whether the applicant has an agreement with the abutter in writing. Gioiosa indicated the communication with the abutter has been verbal.

Staff Planner Rachel Mulroy addressed the Board and indicated the Planning Department is available to assist in facilitating communication between the applicant and the abutter to secure evidence of an agreement to work on the abutter's property, to be reviewed by the City Solicitor's Office.

The Board then discussed a motion and specific conditions among themselves. At the Board's request, City Planner Carloni provided guidance on conditions of approve that would be appropriate for the Board to require.

Hearing no further comments, Chair Glassman asked for a motion.

A motion was made (KD) and seconded (PC) to approve Case #24-30: Gurney Place Definitive Plan – Request by applicant for approval of a Definitive Subdivision Plan for Gurney Place, a 5-lot subdivision on a proposed dead end road adjacent to Swallow Street Extension (Map: 138 Lots:485, 486, 487, 488, 490) a 3± acre site in a Residential A zoned district. Owner: John Carvalho (59 Chestnuts Street, Fairhaven, MA 02719) Applicant: C-Maven Construction LLC (56 Kearney Road, Needham, MA 02494).

The approval is based upon a determination that, as hereinafter conditioned, the site plan meets the objectives set forth in Section 5470 of the Ordinance.

The approval is subject to the following specific conditions:

1. The applicant shall submit evidence that the applicant has secured the appropriate permissions to encroach upon the abutter's property to the Department of City Planning, subject to approval by the City Solicitor, prior to the issuance of a building permit.
2. All peer review comments shall be resolved by the applicant as a part of the stormwater management permitting review in coordination with the Department of Public Infrastructure, including but not limited to the memorandum from Nitsch Engineering dated 2/3/25, prior to the issuance of a building permit.
3. The applicant shall coordinate with the Department of Public Infrastructure to resolve all comments in their March 4, 2025, and September 27, 2024, memoranda, prior to the issuance of a building permit.

With the following general conditions:

4. 7. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
5. 8. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure (DPI) received in relation to plan and placed on file for Planning Board consideration. The conditions of the DPI memorandum shall be considered to be part of these conditions.
6. 9. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
7. 10. 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 made against the project's approval, be recorded at the Registry of Deeds and that a copy of the recorded decision is provided for the Planning Department Case file folder.
8. 11. 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 must return before this Board for further review.
9. 12. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Prior to the Board's Endorsement of the Plan:

1. The applicant shall address all conditions of approval for Planning Board Case #24-30.
2. The applicant shall submit a standard Covenant or other performance guarantee for review by the Director of City Planning and City Solicitor prior to endorsement of the approved subdivision plan, in accordance with MGL CH 41 Section 81U.
3. The applicant shall coordinate with the Department of Public Infrastructure to resolve all comments in their March 4, 2025, and September 27, 2024, memoranda.
4. The applicant shall submit a declaration of Homeowner's Association, if applicable, which shall be reviewed and approved by City Solicitor.
5. The applicant shall submit a municipal lien certificate demonstrating that all taxes for properties in the subdivision are paid in full.

6. The applicant shall submit all restrictions to be recorded relative to drainage and all utility easement documents. All documents shall be reviewed and approved by City Solicitor and Department of Public Infrastructure, evidence of which shall be given to the Director of City Planning.
7. The final set of plans for endorsement shall incorporate a sheet including all of the conditions from the Certificate of Action.
8. The applicant shall submit a complete package of final revised plans and documents which include all of the items listed above as items 1-6.

Prior to the start of construction, the applicant is required to comply with the following conditions:

1. This subdivision decision and the final approved subdivision plan shall be recorded at the Bristol County (S.D.) Registry of Deeds by the applicant, with proof of recording submitted to the Planning Board within 90 days of the filing of the decision with the City Clerk and within 90 days of the signing of the plans by the Board. The applicant shall record the Covenant, all easement and restriction documents, and the Declaration of Homeowner's Association, if applicable, that have been reviewed and approved by City Solicitor. The applicant shall submit proof of recording at the Bristol County (S.D.) Registry of Deeds to the Planning Board through the Director of City Planning.
2. The applicant shall submit a construction schedule and attend a pre-construction meeting with the Director of City Planning, Department of Public Infrastructure, and the applicant's general contractor. Notice of the meeting shall be given to the Conservation Agent, Department of Public Infrastructure, and Director of City Planning.
3. The applicant is required to provide the Conservation Agent, Department of Public Infrastructure, and Director of City Planning with a minimum of 48 hours notice prior to the start of construction.

During construction, the applicant is required to comply with the following conditions:

1. All construction activities shall take place between the hours of 7:00 AM to 6:00 PM, Monday through Saturday. No construction is allowed on Sunday.
2. During construction, the applicant shall ensure adequate protection against toxic or hazardous materials discharge of loss through corrosion, accidental damage, spillage, or vandalism through such measures as provision for spill control in the vicinity of chemical or fuel delivery points, secure storage areas for toxic or hazardous materials, and indoor storage provisions for corrodible or dissolvable materials.
3. The applicant shall establish a staging area on-site for storage of construction equipment and other vehicles. The staging area shall be located as far away as possible from sensitive resource areas. This area shall be used for the storage of topsoil, trucks and heavy equipment. Straw bales and silt fencing shall be installed around any storage stockpiles of earth materials or fill. The site construction general contractor shall be provided with a copy of this document at the preconstruction meeting.
4. The applicant must provide temporary stabilization of all slopes within two business days of initial site grading.
5. During construction the applicant is required to control erosion. Silt sacks shall be installed in all catch basins and cleaned as needed. All disturbed areas must be stabilized prior to November 30th of every year to prevent erosion during winter months.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

ROLL CALL

Board Member Duff - Yes

Board Member Khazan – Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

ITEM 6 – Case 25-16 & 17: 1301-1307 Acushnet Avenue – Request by applicant for Site Plan Review for the new construction of a laundromat on a vacant lot and a Special Permit for a parking reduction at 301-1307 Acushnet Avenue (Map: 92 Lot: 65), a 5127+ square foot lot in a MUB zoned district. Owner: Lee Miguel (3 North Street, Fairhaven, MA 02719) Applicant: TD Design and Development Corporation (403 Rockdale Avenue, New Bedford, MA 02740)

Motion to open the public hearing was made by Board member Duff, seconded by Board member Cruz, with all in favor the motion carried.

Chair Glassman reopened the case and asked if a representative for the applicant was present to discuss the case.

City Planner Jennifer Carloni indicated the applicant requested a continuance to the June 11 meeting due to a number of outstanding questions and other items.

Staff Planner Rachel Mulroy indicated the applicant also requested an extension of time limits. Board member Duff made the motion to extend time limits 90 days, seconded by Board member Khazan and with all in favor, the motion carried.

Board member Duff then made the motion to continue the case to the June 11 meeting, seconded by Board member Cruz, and with all in favor, the motion carried.

ROLL CALL VOTE:

Chairperson Glassman – Yes

Board Member Cruz – Yes

Board Member Khazan - Yes

Board Member Duff - Yes

Motion passes 4-0

5. OTHER BUSINESS:

Staff Planner Rachel Mulroy presented the Community Preservation Plan for FY26 to the Board.

City Planner Carloni provided guidance on issuing comments for the benefit of the Board and general public.

Chair Glassman commented on the recent history of the CPA and encouraged the public to apply if they have projects.

Board member Duff raised the point that more public information should be readily available to community stakeholders.

Chair Glassman and Board member Duff applauded the plan and encouraged participation.

Assistant City Planner Anne Louro reviewed the challenges of the restrictive enabling legislation regarding the distribution of funds across the wards.

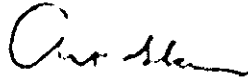
City Planner Carloni provided subdivision updates for Costa Estates.

She highlighted zoning updates in the coming months.

6. ADJOURNMENT:

A motion was made by Chair Glassman and seconded (KK) to adjourn at 8:40 p.m.

Date: 9/15/25



Arthur Glassman, Planning Board Chair