



# Committee on Ordinances

August 13, 2013 – 6:45 PM - **Minutes**  
City Hall, 133 William Street, City Council Chamber, Room 214

\*\* View Agenda \*\*

**MEETING: COMMITTEE ON ORDINANCES**

**DATE: AUGUST 13, 2013**

**TIME: 6:50 P.M.**

**PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING**

**PRESENT: COUNCILLORS STEVEN MARTINS, CHAIRMAN; DAVID ALVES, VICE-CHAIRMAN; HENRY BOUSQUET; DEBORA COELHO; BRUCE DUARTE, JR.; BRIAN GOMES; DENIS LAWRENCE, JR.; JOSEPH LOPES; JOHN SAUNDERS**

**ABSENT: COUNCILLORS JANE GONSALVES; JAMES OLIVEIRA**

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Councillor Martins called the Ordinance Committee Meeting to order and took attendance. Councillor Gonsalves sent a communication stating she would not be in attendance as she was attending a wake.

Notice, City Clerk of reference of a Public Hearing on a Written Motion, Councillor Martins, on behalf of WINN Development, requesting that the parking lots for Whalers Place (Plot 100/Lots 29 and 47) and Cliftex Lofts (Plot 105/Lots 132, 169, 180, 213 and 216) be REZONED from MIXED-USE BUSINESS to RESIDENTIAL (Ref'd 6/13/13, duly advertised on Wednesday, July 31, 2013, and on Tuesday, August 6, 2013) and a Communication, Acting City Planner Jill Maclean, to Councillor Martins, Chairman, Committee on Ordinances, informing the Committee that the Planning Board held a Public Hearing on July 10, 2013, to discuss the proposed amendment to the New Bedford Code of Ordinances, submitted by Councillor Martins, requesting that the parking lots for Whalers Place (Plot 100/Lots 29 and 47) and Cliftex Lofts (Plot 105/Lots 132, 169, 180, 213 and 216) be REZONED from MIXED-USE BUSINESS to RESIDENTIAL. The Planning Board voted to send a **FAVORABLE RECOMMENDATION** to the Committee on Ordinance and recommends that these lots, if rezoned, be changed to Residential "C" to fit in with the lots located along the west side of Belleville Avenue (7/15/13) was received and placed on file by Councillor Alves and seconded by Councillor Lawrence. (1,1a)

Councillor Martins opened the hearing and asked Attorney Chris Saunders to explain the rezoning and answer any questions.

Attorney Chris Saunders, 700 Pleasant Street, New Bedford was present on behalf of WINN Development and informed the Committee that his client owns Whalers Place and Cliftex Lofts and they went before the Zoning Board of Appeals for Special Permits to use these parking lots but were told by Peter Barney that these lots can not be assessed at the commercial rate because they can only be used for residential purposes because special permits ties them to the lots and as long as they want to park between these mills, these parking lots can only be used for residential purposes. Peter Barney suggested that we do a zoning change and that is why we are here.

There was no one present to speak or be recorded in favor of the zoning change and there was no one present to speak or be recorded in opposition to the zoning change. Councillor Alves made a motion to close the hearing, which was seconded by Councillor Lopes. The hearing was closed.

On motion by Councillor Lawrence and seconded by Councillor Alves, the Committee VOTED: To recommend to the City Council to APPROVE the Zoning Change of the parking lots for Whalers Place (Plot 100/Lots 29 and 47) and Cliftex Lofts (Plot 105/Lots 132, 169, 180, 213 and 216) being REZONED from MIXED-USE BUSINESS to RESIDENTIAL. This motion passed on a Roll Call vote of Yeas 9, Nays 0.

Councillor Gomes made a motion to adjourn, which was seconded by Councillor Lopes.

This meeting adjourned @ 6:55 p.m.

ATTEST:

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Clerk of Committees