



# Zoning Board of Appeals

## Agenda

June 20, 2019– 6:00 PM

New Bedford City Hall, Room 314  
133 William Street New Bedford, MA

6/6/2019 9:16:36 AM CITY CLERK

### MEETING CALLED TO ORDER

#### APPROVAL OF MINUTES

- May 23 meeting minutes

### SCHEDULED HEARINGS

- #4377** Notice is given of a public hearing on the petition of: **Kathy A. Knapp** (125 Lafayette Street, New Bedford, MA 02745) and **Moses Smith, Markey & Walsh, C/O Timothy Walsh** (50 Homers Wharf, New Bedford, MA 02740) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulations), 2710 (general), 2750 (yards in residence district), 2755 (side yard), 3100 (parking and loading), 3110 (applicability), 3140 (location and layout of parking and loading facilities) and 3145 (no driveway in a residential district shall exceed eighteen (18) feet in width); relative to property located at **125 Lafayette Street**, Assessors' map 114 lot 241 in a Residential B [RB] zoned district. The petitioner proposes to expand the width of the existing driveway from 12' to 26', exceeding the 18' limit by 8', and install a 2' buffer between the property line and the driveway, reduced from the required 4' buffer per plans filed.
- #4378** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue New Bedford, MA 02745) and **T.M. Crowley & Associates, C/O Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3210 (general regulations) 3220 (prohibited signs), 3222 (any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature), 5200 (Zoning Board of Appeals) 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **2904 & 2914 Acushnet Avenue, and ES Acushnet Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The petitioners are proposing to install a ground sign with an electronic message board per plans filed.
- #4379** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue New Bedford, MA 02745) and **Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3130 (table of parking & loading requirements- Appendix C), 3140 (location and layout of parking & loading facilities), 3149 (special permit for commercial parking in residential districts) and 5300-5330 & 5360-5390 (special permit); relative to property located at **2904 & 2914 Acushnet Avenue, and ES Acushnet**

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**Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The petitioners are proposing to construct a convenience store, fuel island and car wash which are on two lots per plans filed.

**#4380** Notice is given of a public hearing on the petition of: **MIH1, LLC** (401 County Street New Bedford, MA 02740), **Kevin Burgess** (2904 Acushnet Avenue New Bedford, MA 02745), **Neil A. & Erica S. Meunier** (2914 Acushnet Avenue New Bedford, MA 02745) and **T.M. Crowley & Associates, C/O Michael A. Kehoe, Esq., Partridge Snow & Hahn, LLP** (128 Union Street Suite 500, New Bedford, MA 02740) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3200 (sign regulations), 3201 (purpose), 3210 (general regulation), 3250 (regulation governing particular types of signs), 3254 (ground signs) and 3255 (area restrictions for ground signs); relative to property located at **2904 & 2914 Acushnet Avenue, and ES Acushnet Avenue**, Assessors' map 130D lots 117, 247, 248, & 447 in a Mixed Used Business [MUB] & Residential A [RA] zoned district. The petitioners are proposing to install signage per plans filed.

**#4381** Notice is given of a public hearing on the petition of: **Michael Simmons** (340 Belair Street New Bedford, MA 02745) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2300 (accessory buildings and uses), 2310 (general), 2330 (accessory structures), 2331 (private garage), 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-Appendix-B side yard FT), 2750 (yards in residence district) and 2755 (side yard); relative to property located at **340 Belair Street**, Assessors' map 130B lot 383 in a Residential A [RA] zoned district. The petitioner is proposing to construct an attached carport covering the driveway per plans filed.

#### **OTHER BUSINESS**

- Next Scheduled Meeting will be held on Thursday, July 18, 2019

#### **ADJOURNMENT**

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In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact **Angela Goncalves at 508-979-1488 ([Angela.Goncalves@newbedford-ma.gov](mailto:Angela.Goncalves@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.