March 25, 2019

New Bedford Planning Board  
133 Williams Street  
New Bedford, MA 02740  

RE: 117 UNION STREET MULTI-USE FACILITY

Dear Planning Board members:

Enclosed are revised documents and plans that have been modified in response to the Planning staff report, input received from the Planning Board at the public hearing and subsequent conversations with Planning Staff. The documents now include the proposed trash room, bike storage room, one additional studio apartment and yard where the transformer and handicap space are to be located on the north end of 127-129 Union Street. That lot, which is a portion of Assessor's Map 55, Lot 146, was not included in the previous application.

The enclosed revised rejection packet from the Department of Inspectional Services, the application, the application checklist, the narrative and plans have all been modified to include those revisions.

Sincerely,

PRIME ENGINEERING, INC.

Richard J. Rheaume, P.E., LSP  
Chief Engineer
March 25, 2019

New Bedford Planning Board
133 William Street
New Bedford, MA 02740

RE: 117 UNION STREET

Dear Board Members,

On behalf of 117 Union Street LLC, we hereby submit the enclosed revised package for a Special Permit and Site Plan Review for a proposed commercial/residential building. The revision consists of adding 127-129 Union Street (Assessor’s Map 53, Lot 146) to the application. The submittal package consists of 16 copies of the following:

- This letter;
- The executed application forms;
- The application checklists;
- Plans (4 full size and 12 reduced size);
- The Impact Report which includes the estimated cost of site work and the Traffic Impact and Access Study;
- The Stormwater Report;
- The deeds (proof of ownership);
- The rejection package from the Building Department and
- Certified abutter’s list.

Additionally, we have included:

- A CD disk of the drawings in PDF format (CAD format will be submitted after all Planning input has been received);

A petition for a Special Permit is being submitted to the New Bedford Zoning Board of Appeals for several dimensional non-compliances.

It is proposed that the building construction will commence this year. The existing site consists of five separate attached one story buildings and a paved parking lot. A determination has been made that the plan as presented complies with ADA regulations.

Sincerely,

PRIME ENGINEERING, INC.

Richard J. Rheuamer, P.E., LSP
Chief Engineer
Summary of Existing Petitions

There are five existing one story brick buildings in poor repair with a small parking lot bordered by Union Street, North Second Street and Barker’s Lane. It is proposed to raze the buildings and construct a 5 story building with a lobby and commercial use on the first floor and 42 apartments on Floors 2 through 5. At the northwest corner, a one story building will be built with one additional studio apartment, a trash storage room and a bike storage room. The yard to the north will have a single handicap parking space, a transformer, gas meters, pedestrian walkways and landscaping. This requires Site Plan Review from the Planning Board. It is not proposed to provide any off street parking or loading other than a single handicap space. This requires a Special Permit from the Planning Board.

There are several requests for dimensional relief, including minimum lot size, rear setback, building coverage and required green space for which a Special Permit from the Zoning Board of Appeals is being sought.
PLANNING BOARD

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: Proposed Commercial/Residential Development - 117 Union Street by: Prime Engineering, Inc. dated: March 21, 2019

1. Application Information

Street Address: 117 Union Street

Assessor’s Map(s): 53 Lot(s) 40, 41, 215 and 216 & a portion of Lot 146

Registry of Deeds Book: 1838, Page: 1144 also Book 1707, Page 903

Zoning District: MUB - New Bedford Landing Waterfront Historic District

Applicant’s Name (printed): 117 Union Street LLC

Mailing Address: 128 Union Street - 4th Floor New Bedford MA 02740

Contact Information: (619) 316-5895 michael@nbdcorp.org

Telephone Number Email Address

Applicant’s Relationship to Property: □ Owner □ Contract Vendee □ Other

List all submitted materials (include document titles & volume numbers where applicable) below:

Cover letter, application, 4 full size and 12 reduced size sets of plans, Impact Report, deed, certified abutters list, filing fee, estimated site costs (refer to attached cover letter), rejection packet from DIS, Stormwater Report and application checklist.

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

03-19-2019

Date Signature of Applicant

City Hall • 133 William Street • Room 303 • New Bedford, MA 02740 • www.newbedford-ma.gov
PH: (508)979-1488 • FX: (508)979-1576
2. **Review Applicability** (Check All That Apply to Your Proposal)

- [✓] Residential
- [✓] Commercial
- [ ] Industrial
- [ ] Mixed (Check all categories that apply)
- [✓] New Construction
- [✓] Conversion
- [✓] Rehabilitation
- [ ] < 2,000 gross sq feet
- [✓] > 2,000 gross sq feet
- [✓] 3 or more new residential units
- [ ] 1 or more new units in existing res. multi-unit
- [ ] Drive Thru Proposed
- [ ] Ground Sign Proposed
- [ ] Residential Driveway
- [ ] With > 1 curbcut

3. **Zoning Classifications**

**Present Use of Premises:**
Five separate one story buildings with small parking lot

**Proposed Use of Premises:**
Commercial first floor with four floors of apartments

**Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):**
None

4. **Briefly Describe the Proposed Project:**

Razing five existing one story buildings and erecting a commercial facility on first floor with 4 stories above with 43 residential units.

5. **Please complete the following:**

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Allowed/Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (sq ft)</td>
<td>10,173</td>
<td>15,000</td>
<td>10,173</td>
</tr>
<tr>
<td>Lot Width (ft)</td>
<td>70</td>
<td>0</td>
<td>70</td>
</tr>
<tr>
<td>Number of Dwelling Units</td>
<td>max.</td>
<td>0</td>
<td>No std.</td>
</tr>
<tr>
<td>Total Gross Floor Area (sq ft)</td>
<td>8,074</td>
<td>N/A</td>
<td>42,000</td>
</tr>
<tr>
<td>Residential Gross Floor Area (sq ft)</td>
<td>0</td>
<td>N/A</td>
<td>33,600</td>
</tr>
<tr>
<td>Non-Residential Gross Floor Area (sq ft)</td>
<td>6,180</td>
<td>N/A</td>
<td>9,144</td>
</tr>
<tr>
<td>Building Height (ft)</td>
<td>max.</td>
<td>15</td>
<td>100</td>
</tr>
<tr>
<td>Front Setback (ft)</td>
<td>min.</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Side Setback (ft)</td>
<td>min.</td>
<td>N/A</td>
<td>10</td>
</tr>
<tr>
<td>Side Setback (ft)</td>
<td>min.</td>
<td>N/A</td>
<td>12</td>
</tr>
<tr>
<td>Rear Setback (ft)</td>
<td>Lot Coverage by Buildings (% of Lot Area)</td>
<td>Permeable Open Space (% of Lot Area)</td>
<td>Green Space (% of Lot Area)</td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------------------------</td>
<td>--------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>min.</td>
<td>max.</td>
<td>min.</td>
<td>min.</td>
</tr>
<tr>
<td>0</td>
<td>100</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

6. For commercial uses, please complete the following:

   a) Number of customers per day:
      - Existing: 0
      - Proposed: 200

   b) Number of employees:
      - Existing: 0
      - Proposed: 4

   c) Hours of operation:
      - Existing: 0
      - Proposed: 7 am to 11 pm

   d) Days of operation:
      - Existing: 0
      - Proposed: Sun-Sat

   e) Hours of deliveries:
      - Existing: 0
      - Proposed: 8 am - 6 pm

   f) Frequency of deliveries:
      - Options: Daily, Weekly, Monthly, Other: __________

7. Planning Board Special Permits:

   ✔ The applicant is also requesting a Special Permit from the Planning Board.

   Specify the requested Special Permit(s) below, and set forth within attached Development Impact Statement how the request meets approval criteria listed in §5320 of the zoning code.
   To allow fewer parking and loading spaces than normally required.

   ____________________________________________________________

8. ZBA Variances and Special Permits:

   NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.

   ✔ The applicant is also requesting a special permit from the ZBA:

   Specify zoning code section & title
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

   ✔ The applicant is also requesting a variance from the ZBA:

   Specify zoning code section & title
   ____________________________________________________________
   ____________________________________________________________
9. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: 117 Union Street LLC

at the following address: 128 Union Street, New Bedford, MA

to apply for: Site Plan Review and Special Permit

on premises located at: 115, 117 and 121 Union Street

for which the record title stands in the name of Paul A. Piva and Gail Florek

whose address is: 10 Pequot Road, Fairhaven, MA 02719

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 1838 Page: 1144

OR Registry District of the Land Court, Certificate No.: Book: Page:

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

3/25/19  Paul A. Piva
Date Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)
February 13, 2019

To the Members of the ZBA Board,

This letter is to authorize the prospective buyer to apply for a permit from your board pursuant to the application dated February 2019 which this letter is attached to.

Please let us know if we can be of any further assistance.

Sincerely,

Paul A. Piva

Gail A. Florek

STATE OF MASSACHUSETTS

COUNTY OF BRISTOL

On this 13th day of February, 2019, before me personally appeared Paul A. Piva, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Krystal Antunes
Notary Public
Print name: Krystal Antunes
My commission expires: 10-10-2022

STATE OF MASSACHUSETTS

COUNTY OF BRISTOL

On this 13th day of February, 2019, before me personally appeared Gail A. Florek, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

________________________
Notary Public
Print name:________________
My commission expires:________________
I, Robert J. Piva

of Dartmouth, Bristol County, Massachusetts

being praying for consideration paid, and in full consideration of Twenty-Five Thousand Dollars ($25,000) granted, to Paul A. Piva and Gail Florence

of 25 William Street, New Bedford, MA, with quitclaim conveys all of my right, title and interest in and to the premises in New Bedford, together with the buildings thereon, bounded and described as follows:

Beginning at the intersection of the northerly line of Union Street and the westerly line of Second Street;

thence westerly in said northerly line of Union Street to land now or formerly of Fred B. Brightman;

thence westerly in line of the last named land to the southerly line of Barker's Lane;

thence easterly in the southerly line of said lane to the said westerly line of Second Street;

thence southerly in said westerly line of Second Street to the point of beginning.

Containing fifty (50) square rods, more or less.

Being the same premises conveyed to myself and the Grantors by deed of Isca L. Morse, dated October 9, 1975 and recorded with the Bristol County D.D. Registry of Deeds in Book 1107, Page 303.

Subject to the encumbrances of record.

Witnesses: my hand and seal this 6th day of April 1982.

ROBERT J. PIVA

The Commonwealth of Massachusetts

BRISTOL, MA

APRIL 6, 1982

ROBERT J. PIVA

That personally appeared the above named ROBERT J. PIVA

and acknowledged the foregoing instrument to be his free act and deed, before me

Recorded April 6, 1982

My conclusion thereof

registrar
Lora L. Rosefsky
of 182 Newton Street, Brookline, Norfolk County, Massachusetts,
being the foregoing, for consideration paid, and in full consideration of $70,000.00
and $15,000.00, by Paul A. Fiva, Robert J. Fiva, and Gail W. Fiva as the tenants in common, each an undivided one-third interest,
all of the land and buildings thereon in New Bedford, Bristol County, Massachusetts, bounded and described as follows:

(Description of land and buildings, if any)

Beginning at the intersection of the northerly line of Union Street and the westerly line of Second Street;

thence westerly in said northerly line of Union Street to land now or formerly of Fred S. Brightman;

thence northerly in line of the last named land to the southerly line of Barker's Lane;

thence easterly in the southerly line of said lane to the said westerly line of Second Street;

thence southerly in said westerly line of Second Street to the point of beginning.

Containing fifty (50) square rods, more or less.

Being the same premises conveyed to us by deed of Elber Realty, Inc., dated December 30th, 1971, and duly recorded in Bristol County (60) Registry of Deeds in Book 1623, Page 115.

WITNESSEs AGREE to bind and seal this deed the 19th day of September, 1975.

(Names and signatures of witnesses)

The Commonwealth of Massachusetts

The undersigned, personally appeared the above-named Lora L. Rosefsky, and acknowledged the foregoing instrument to be his free act and deed, before me,

(Notary Public)

Attest: John E. Share, Register
REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor’s office (city hall, room #109).

<table>
<thead>
<tr>
<th>SUBJECT PROPERTY</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>MAP #</td>
<td>53</td>
</tr>
<tr>
<td>LOT(S)#</td>
<td>216, 40, 41, 215, 146</td>
</tr>
<tr>
<td>ADDRESS:</td>
<td>117 Union St, 7 N Second St, 115 Union St, 121 Union St, 127-129 Union St</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OWNER INFORMATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME:</td>
<td>Paul A Piva &amp; Gail Florek</td>
</tr>
<tr>
<td>MAILING ADDRESS:</td>
<td>10 Pequod Rd Fairhaven, MA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICANT/CONTACT PERSON INFORMATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME (IF DIFFERENT):</td>
<td>Rich Rheaueme</td>
</tr>
<tr>
<td>MAILING ADDRESS (IF DIFFERENT):</td>
<td>350 Bedford St Lakeville, MA 02347</td>
</tr>
<tr>
<td>TELEPHONE #</td>
<td>508-947-0050</td>
</tr>
<tr>
<td>EMAIL ADDRESS:</td>
<td><a href="mailto:rich@primeengineering.org">rich@primeengineering.org</a></td>
</tr>
</tbody>
</table>

**REASON FOR THIS REQUEST: Check appropriate**

- [x] ZONING BOARD OF APPEALS APPLICATION
- [x] PLANNING BOARD APPLICATION
- CONSERVATION COMMISSION APPLICATION
- LICENSING BOARD APPLICATION
- OTHER (Please explain):

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor’s office (city hall, room #109).

**Official Use Only:**

As Administrative Assistant to the City of New Bedford’s Board of Assessors, I do hereby certify that the names and addresses as identified on the attached “abutters list” are duly recorded and appear on the most recent tax.

Carlos Amado
Printed Name

[Signature]

3/21/2019
Date
March 21, 2019
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 115,117,121,127-129 Union Street & 7 N Second Street (Map: 53, Lot: 216,40,41,215,146). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor’s Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Location</th>
<th>Owner and Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>53-141</td>
<td>BARKER’S LN</td>
<td>CITY OF NEW BEDFORD, PARKING LOT &amp; GARAGE 131 WILLIAM ST NEW BEDFORD, MA 02740</td>
</tr>
<tr>
<td>53-215</td>
<td>121 UNION ST</td>
<td>PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719</td>
</tr>
<tr>
<td>53-216</td>
<td>117 UNION ST</td>
<td>PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719</td>
</tr>
<tr>
<td>53-41</td>
<td>115 UNION ST</td>
<td>PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719</td>
</tr>
<tr>
<td>53-143</td>
<td>141 UNION ST</td>
<td>WATERFRONT HISTORIC AREA LEAGUE OF NEW BEDFORD INC, 128 UNION STREET NEW BEDFORD, MA 02740</td>
</tr>
<tr>
<td>53-144</td>
<td>139 UNION ST</td>
<td>WATERFRONT HISTORIC AREA LEAGUE OF NEW BEDFORD, INC, 128 UNION STREET NEW BEDFORD, MA 02740</td>
</tr>
<tr>
<td>53-145</td>
<td>133 UNION ST</td>
<td>LAJOIE MICHAEL P &quot;TRUSTEE&quot;, M B M REALTY TRUST 28 WATERFALL ROAD ACUSHNET, MA 02743</td>
</tr>
<tr>
<td>53-146</td>
<td>127 UNION ST</td>
<td>PIVA PAUL A, 10 PEQUOD ROAD FAIRHAVEN, MA 02719</td>
</tr>
<tr>
<td>53-40</td>
<td>7 N SECOND ST</td>
<td>PIVA PAUL A, FLOREK GAIL 10 PEQUOD ROAD FAIRHAVEN, MA 02719</td>
</tr>
<tr>
<td>53-154</td>
<td>93 UNION ST</td>
<td>ST ANNE CREDIT UNION, 93 UNION STREET NEW BEDFORD, MA 02740</td>
</tr>
<tr>
<td>47-21</td>
<td>25 S WATER ST</td>
<td>N B YOUNG MENS CHRISTIAN, ASSOCIATION 25 SOUTH WATER ST NEW BEDFORD, MA 02744</td>
</tr>
<tr>
<td>47-5</td>
<td>128 UNION ST</td>
<td>128 UNION STREET LLC, 117 HATHAWAY ROAD NORTH DARTMOUTH, MA 02747</td>
</tr>
</tbody>
</table>