



Planning Board

February 11, 2015 – 6:02 PM - **Minutes**
New Bedford Free Main Public Library, 613 Pleasant Street

MEMBERS PRESENT:

Colleen Dawicki, Chairperson
Janine DaSilva, Vice-Chairperson
Peter Cruz
Arthur Glassman

Chairperson Dawicki called the meeting to order at 6:02 p.m...

Ms. Dawicki called for approval of the meeting minutes from November 5, December 10 and December 23 2014.

Ms. DaSilva, noted some necessary corrections and made a motion to approve the necessary corrections as well as the minutes from all three meetings, November 5, December 10 and December 23 2014. The motion was seconded by Arthur Glassman.

Motion passed 4-0.

Chairperson Dawicki moved to take the agenda out of order and begin with Case #38-14, noting the applicant had requested a continuance.

A motion to do so was made (JD) and seconded (AG). Motion passed unopposed.

PUBLIC HEARINGS

CASE #38-14 –Request for Continuance

A motion was made (JD) and seconded (AG) to re-open the public hearing. Motion passed unopposed.

Ms. Dawicki noted for the general public that the board would not be discussing this matter or taking comments this evening.

Ms. Dawicki then read into the record correspondence dated 1/21/15 from Edward Redman of Preferred Realty Services, LLC.

A motion was made (JD) and seconded (AG) to continue Case #38-14 to the March 11, 2015 meeting. Motion passed unopposed.

Ms. Dawicki informed the audience that the matter would be discussed at the next planning Board meeting on March 11, 2015.

CASE #1-15 – Proposed zoning change

Ms. Dawicki noted that the proposed change was submitted by Councilor Winterson on behalf of Thomas Melanson.

Ms. DaSilva informed the board that her spouse owns property at 205 Court Street. She stated there would not be a conflict.

Ms. Dawicki noted the information already forwarded to the board; i.e.; zoning maps, pictures of the lot, and information about the surrounding neighborhood. She noted the subject property is zoned Residential B, with the three other corners at the intersection are zoned Mixed Use Business.

Thomas Melanson of 38 Newton Street addressed the board. He stated the property was used for business and was changed. He noted the previous owner at the time never changed the use to Mixed Use Business. He stated he is paying commercial taxes, though the property is presently vacant.

In response to an inquiry by Mr. Glassman, Mr. Melanson stated the property was previously a marketing and advertising business, and prior to that a print shop.

Ms. Dawicki clarified the other corners were commercial buildings.

A motion was made (JD) and seconded (AG) to open the public hearing. Motion passed unopposed.

In response to Ms. Dawicki's invitation to speak in favor of the application, Jason Lanagan of 29 Union Street addressed the board. He stated that, as a real estate broker, he was representing the potential buyer.

Mr. Lanagan stated the buyer has been running a specialty clothing store for 35 years in the center of Fairhaven and now another in the south end mills of New Bedford. He stated this would be an owner-occupied operation, the buyer moving to this location from their current location. He noted the board has demographics on the property and neighborhood, and stated this building has been sitting vacant in a neighborhood that could use economic development and revitalization. He stated the clothing and art use would be low impact to the neighborhood and would hopefully bring life back to corner.

He stated he wanted to address the board on the use, as the current zoning would not allow the potential buyer to come in and run his business. He noted the offer and subsequent sale is dependent on the change proposed to the board.

There was no response to Ms. Dawicki's further invitation to speak or be recorded in favor.

There was no response to Ms. Dawicki's invitation to speak or be recorded in opposition.

A motion was made (JD) and seconded (AG) to close the public hearing. Motion passed unopposed.

Ms. Dawicki noted the application seemed pretty cut and dry.

Mr. Glassman noted that by not changing the zoning on this commercial building, it would preclude anything being done with the building.

Ms. Dawicki agreed, noting the situation was very similar to a previous case heard. She stated the application appears to meet all criteria for granting the change.

There being no further questions or discussion, a motion was made (JD) and seconded (AG) that the Planning Board make a recommendation to the City Council to change the zoning for the property located at 204 Court Street, Assessor's Map Plot 51, Lot 273, from Residential B to Mixed Use Business.

Motion passed 4-0.

CASE #2-15 – Proposed amendment to Chapter 9

There being no one to present on this matter, Ms. Dawicki directed the board members to the packets received, including a letter from the Mayor proposing the change, noting the proposal that Appendix A, Table of Principal Use Regulations, will exclude contractors yards from Mixed Use Business and planned business district, Industrial A and Industrial B zoned property will be unchanged.

She read the remainder of the letter into the record, and she stated she felt this change would alleviate concerns and eliminate cases coming before the board like the Shawmut Avenue neighborhood where a zoning change was requested due to concerns about such things coming into residential neighborhoods.

Ms. Friedman directed the board to a map showing the delineation of the mixed use business and planned business districts.

Ms. DaSilva inquired as to the impetus behind the proposed change.

Ms. Friedman commented it was the appropriateness.

Ms. Dawicki again noted that the Shawmut Avenue location near the airport, where a contractors' yard would be much different than the clothing store case just before the board. She noted on the map before the board that currently a contractor's yard could be in any lot on the map shown as a red area. She stated that in the future, should the change be recommended and approved, contractors' yards could only be in Industrial A and B, shown as light blue and purple on the map, areas relegated to the Waterfront Industrial Area.

Mr. Glassman inquired as to the definition of a contractors' yard, asking whether it included snow equipment and supplies.

Ms. Friedman stated it could be supplies and heavy equipment.

Mr. Glassman noted such items could take away from the neighborhood.

Ms. Dawicki noted a matter that had come before the board on Ash Street, with a proposed use as a contractor's yard, where they might store trucks and materials, and the neighborhood was concerned about early morning truck idling and loading.

There being no further discussion, a motion was made (JD) and seconded (AG) that the Planning Board make a recommendation to the City Council approving the proposed amendment to Chapter 9, Code of Ordinances, amending Appendix A, Table of Principal Use Regulations to exclude a contractors' yard in Mixed Use Business and planned business districts.

Motion passed 4-0

Mr. Glassman stated he was hopeful he could have gotten an update on the Bismark and Eastland Terrace subdivisions, noting the board's goal had been to get it taken care of so that residents could get city services, such as plowing.

Ms. Friedman stated she was aware that Ms. Maclean had been going through them and would likely be able to give an update at the next meeting.

Ms. Dawicki suggested that be added to old business for the next meeting.

There being no further business before the board, a motion was made (JD) and seconded (AG) to adjourn. Motion passed unopposed.

Ms. Dawicki announced that the next meeting is scheduled for Wednesday March 11, 2015.

Whereupon proceedings adjourned at 6:22 pm.