

Approved 02/10/2016



## ***Planning Board***

January 13<sup>th</sup>, 2016 – 6:00 PM – **Minutes**  
New Bedford City Hall  
Meeting Room 314  
133 Williams Street

**PRESENT:**                               **Colleen Dawicki, Chairperson**  
**Kathryn Duff**  
**Peter Cruz**  
**Arthur Glassman**  
**Alexander Kalife**

**ABSENT:**                               No members absent

**STAFF:**                               **Constance Brawdors, Staff Planner**

### **CALL TO ORDER**

Chairperson Dawicki called the meeting to order at 6:05 p.m.

### **ROLL CALL**

A formal roll call was conducted confirming members present as stated above.

A motion was made (KD) and seconded (AG) to approve the December 9, 2015 meeting minutes.  
Motion passed unopposed.

### **Item 1 - CASE #1-16**

**Request by applicant for a Special Permit for reduction of parking spaces, and Case 02-16: Greater New Bedford Community Health Center HIIP Project - Request by applicant for Site Plan approval for the expansion of an existing medical clinic, located at 838-842 Purchase Street (Map 53, Lots 30, 30A, 30B & 30C), in the Mixed Use Business zoning district. Applicant's Agent: Daniel P. Faber, Dan's Restoration Company, Inc., 49 Doolittle Avenue, Dartmouth, MA 02747.**

Ms. Dawicki reported that the Greater New Bedford Community Health Center had requested a continuance. She read the correspondence e-mail into the record.

A motion was made (KD) and seconded (AG) to continuance case 1-16 to the 2016 meeting scheduled on February 10, 2016.

Motion passed unopposed.

Upon Ms. Dawicki's request, a motion was made (KD) and seconded (AG) to take the matter of **Item 5**

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- **Whaler's Woods Estates** out of order.  
Motion passed unopposed.

**Item 5 - Whaler's Woods Estates**

**Request by applicant, Long Built Homes, Inc., to clarify the request for reduction of cash surety to include completion date of subdivision. Applicant's agent: Atty. Lee Castignetti, Jr., Long Built Homes, Inc., 158 Charles McCombs Boulevard., New Bedford, MA 02745.**

Ms. Dawicki noted the request by the applicant Long Built Homes, Inc. to clarify the request for a reduction of cash surety to include completion date of subdivision. Lee Castignetti, attorney for the applicant, reminded the board of the agreement of several weeks ago on the reduction of bond. In that process, the city's solicitors' office has required a completion date for the subdivision. He stated the applicant is therefore requesting a completion date of June 30, 2016.

A motion was made (KD) and seconded (AG) that the board acknowledges the final date of completion of the Whalers Woods Subdivision as June 30, 2016.

Motion passed unopposed, Alex Kalife abstaining so as to act as Notary.

A motion was made (KD) and seconded (AG) to authorize Chairperson Colleen Dawicki to represent the board in the partial release of the subdivision and sign the release form. Motion passed unopposed. Alex Kalife again abstaining.

**PUBLIC HEARINGS**

**Item 2 - CASE #3-16**

**Request by applicant Parallel Products of New England, Inc., of Louisville, KY, for Site Plan approval for a liquid waste disposal and recycling facility, located at 50 Duchaine Boulevard in New Bedford Business Park in the Industrial C zoning district. Applicant: Parallel Products of New England, Inc., 401 Industry Road, Louisville, KY 40208.**

Ms. Duff recused herself from hearing/voting on this matter.

Christian A. Farland, P.E. and President of Thompson Farland Company presented the case submittal for Parallel Products. Senior Project Manager John Marchand of Thompson Farland and Tim Cusson, Vice President of Business Development for Parallel Products, were present to answer questions from the Planning Board.

Mr. Farland stated the applicant has outgrown their current space on Shawmut Avenue and are looking to relocate in the city of New Bedford. He stated the 29.5 acre site is the former Polaroid site at the most southerly portion of the Industrial Park. He noted the 152,000 s.f. building which has been vacant for some ten years and is approximately 2,000' from Ashley Boulevard, limiting the public view of the facility.

Mr. Farland stated the property is surrounded by vegetative wetlands and a Notice of Intent has been filed with the Conservation Commission. He stated the applicant will not expand on the present building, but plans to add twenty-four loading docks and additional employee and trailer parking. He stated the applicant will make storm water improvements to the site, and enumerated the planned

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improvements on the challenging site. He noted water and sewer will remain the same, and the electric service will be improved as required. Mr. Farland stated lighting, trash removal, and landscaping will remain the same. Mr. Farland discussed the erosion control plan.

Mr. Farland continued, stating he was in receipt of the DPI comment letter and had no issues with the comments or their condition to approval. He expressed excitement over the expansion of the company and its future potential, along with its desire to take over a presently large vacant building. He noted the project meets all City of New Bedford requirements and the applicant is seeking no variances.

Mr. Glassman clarified the location of the company's present building. Mr. Cruz asked for clarification that the front of the building would be mainly truck traffic. Mr. Farland confirmed and explained truck routing on the site. It was noted that truck traffic and pedestrian parking were separated by a strip.

Landscaping was briefly discussed with regard to present drainage ditches. Mr. Farland noted that the applicant had no proposed changes to landscaping due to the distance of the private roadway site from the public way. It was stated that office space would be brought back into use at the site.

Mr. Farland confirmed for Ms. Dawicki that existing lighting will be used and upgraded, adding site lighting to the building.

Mr. Glassman noted the applicant was really not changing anything.

In response to Ms. Dawicki's inquiry, Mr. Farland stated signage will be out on Duchaine Boulevard, the applicant adding onto the permitted NWB sign.

Mr. Cruz had no concerns with the storm water/drainage plans.

In response to Ms. Dawicki's inquiry, Mr. Farland stated there was ample snow storage areas on the site, delineated in the green areas.

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

There was no response to Ms. Dawicki's invitation to speak in favor of the application.  
There was no response to Ms. Dawicki's invitation to speak in opposition.

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

Ms. Dawicki drew the applicant and board's attention to staff comments. She further discussed issues to include in the motion.

A motion was made (AG) and seconded (PC) to approve Case #3-15 Site Plan approval subject to conditions set by DPI, recommendations per staff comments, the lighting and landscaping plans, waiving Sections 3 and 3c, in addition to conditions of the Conservation Commission.  
Motion passed 4-0.

## **CONTINUED PUBLIC HEARINGS**

**Item 3 - CASE #31-15**

**Request by City Councilor Henry Bousquet for recommendation by the Planning Board for rezoning of 170 Reynolds Street (Map 91, Lot 45) from Residence C to Mixed Use Business.**

Councilor Ward 3, Henry Bousquet, stated he had received a number of phone calls when first elected regarding the site on the corner of Gardner and Rockdale Avenue regarding the Mr. Medeiros' legal parking of a hitched landscaping trailer which potentially obstructed traffic views. He stated Mr. Medeiros then purchased an additional parcel, currently in disrepair, on Reynolds and Adams Streets with plans to open an office and store his landscaping equipment. Mr. Bousquet stated that Mr. Medeiros was sold the property under pretense that it was a commercial property; at his request, Councilor Bousquet submitted a motion to City Council to rezone from Residence C to Mixed Use Business.

Helio Medeiros, 1329 Rockdale Avenue, stated that he was led to believe the property was commercial subsequently finding it was zoned residential. He stated the building looks commercial and has commercial fencing. He stated there are no bedrooms, kitchen, et cetera within the abandoned building. He stated he would continue to improve the property, and use it to store the trailer now parked on Rockdale Avenue. He noted the money invested will be a financial loss to him without the Mixed Use Business zoning recommendation.

In response to Mr. Glassman, Mr. Medeiros stated that he has one business truck and three trailers which will be stored. He confirmed he is looking to store equipment and not run his business from the site.

In response to Ms. Duff, Mr. Medeiros stated that he would eventually like to fix the building and locate his office within it.

In response to Mr. Cruz, Mr. Medeiros stated there is an existing curb cut.

Mr. Glassman stated that the pictures clearly showed it was a commercial building.

Ms. Dawicki covered the points the board would consider in recommending said change and read correspondence from the building commissioner. She noted a similar request from last year that was decided favorably.

The board discussed the property's un-usability short of the proposed commercial use, with Ms. Dawicki remaining the board of the potential uses if the parcel is deemed mixed use.

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

In response to Ms. Dawicki's invitation to speak in favor, Ruben Rosa, 168 Reynolds Street, stated he knows the owner and how he does business. He stated he was confident in what he will do and he is not concerned with noise.

In response to Ms. Dawicki's invitation to be recorded in favor: Councilor Henry Bousquet.

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

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

Mr. Glassman stated the appearance of the abutter representing the improvement being made weighed heavily for him, especially without any opposition being expressed. Ms. Duff concurred.

Ms. Duff inquired as to setback and greenspace requirements, which were addressed by Ms. Brawders.

A motion was made (KD) and seconded (AG) to recommend the proposed zoning change from Residential C to Mixed Use Business for the lot located at 170 Reynolds Street as proposed by Councilor Bousquet. Motion passed 5-0.

**Item 4 - CASE #29-15 and 30-15**

**Request by applicant for Special Permit for reduction of parking spaces, and Case 30-15: 414 Ashley Blvd - Request by applicant for Site Plan approval for the expansion of an existing multifamily residential structure, located at 414 Ashley Blvd (Map 108, Lot 45), in the Mixed Use Business zoning district. Applicant: Jason Couto, Couto Construction, Dartmouth, MA.**

Jason Couto, 23 Highhill Road, Dartmouth, stated the current rundown property is vacant with a commercial storefront on the first floor. He stated he has been unsuccessful in renting the retail space and is looking to change the space over to residential use. He acknowledged parking concerns and stated they will remove the fifteen minute parking sign now present. He stated they will make it low maintenance while keeping the historical characteristics.

In response to Ms. Duff, Mr. Couto stated proposed renovations include a complete interior first floor buildout, creating a three bedroom residential apartment. He stated they will use new vinyl siding for the exterior, again, keeping the aesthetically pleasing characteristics with lower maintenance materials. He stated the first floor, which he is looking to convert, is all retail with two residential dwellings above. He stated the building is not occupied at this time.

In response to Ms. Dawicki, Mr. Couto stated there is a single stall garage on-site, providing one parking space, with six spaces needed.

Mr. Couto stated he had not provided elevations. Ms. Brawders noted the applicant provided photographs of the site, and stated the submission was a minor site plan.

Ms. Duff and Mr. Couto had a discussion about alternative siding to vinyl, the property being on the corner of a major street. The applicant expressed financial concerns, the property still needing interior renovations, such as plumbing.

In reply to Ms. Dawicki, Mr. Couto stated he knew of no neighborhood space for parking space leases to meet his requirements. He thought he may be able to get two spaces if he knocked down the present garage, which is not currently being used.

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

In response to Ms. Dawicki's invitation to speak in favor, Derek Couto, 19 Highhill Road, Dartmouth, brother and partner to Jason Couto, stated that he understood the difference in siding looks, but noted that no property in the general vicinity will look half as good as their finished product. He also discussed the siding material. He stated the previous businesses at this location have all failed, and despite their many attempts, they have been unable to rent the retail space. He stated this lot is almost entirely taken up by the house. He noted they are planning to renovate the second and third floors of this abandoned property as well. He welcomed board suggestions. He stated his belief that five houses, one way or another, are all vinyl sided, and that the property is neither in a historical district nor surrounded by historical homes.

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 (KD) and seconded (AG) to close the public hearing. Motion passed unopposed.

Mr. Glassman agreed that past businesses have not succeeded in that location. He noted that he felt parking would be easier for an apartment than a retail store.

In response to Ms. Dawicki, Mr. Couto stated he would agree to demolish the garage if the board wished.

In response to Mr. Cruz, Mr. Couto stated the garage was not in bad shape, the masonry being in fine condition, but the wood façade is chipping and needs a paint job and thinner floor has some cracks. They discussed runoff concerns with a garage knockdown, as well as setbacks.

The board briefly discussed the parking availability on the parcel and determined it would be the same with or without the garage. The board continued discussion among themselves on the parking situation.

Ms. Duff suggested the planting of a city tree on the large front grass ribbon. Ms. Dawicki directed the applicant that he would have to go before traffic commission for the parking sign removal.

Mr. Glassman expressed his happiness that an old decaying building will be restored. Ms. Duff agreed.

After brief discussion on other motion requirements, a motion was made (KD) and seconded (AG) to approve site plan review for Case #30-15 with the following conditions: that the owner go before traffic commission for removal of the 15 minute parking sign on Ashley Boulevard; that the owner agree to plant a street tree in the grass strip along Ashley Boulevard in front of the property in coordination with DPI; that the owner agree to all planning staff edits regarding typos and date needed. Motion passed 5-0.

After brief board discussion, a motion was made (KD) and seconded (AG) to grant the request for a reduction in parking for Case #29-15 from the required six parking spots to a waiver of five, the owner having to supply one parking spot on the property. Motion passed 5-0.

## **NEW BUSINESS:**

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**PLANNING STAFF REPORT:**

- Congratulations were offered by Ms. Brawders to Chairman Dawicki and Board Member Glassman on their re-appointments.
- Eastland Terrace/Eastland Farms is scheduled for the City Council Agenda on January 14, 2016 for road acceptance
- Bismark Street and Bismark Meadows Road were presented and accepted by City Council on 12/17/15.

**ANNOUNCEMENTS FROM SURROUNDING COMMUNITIES:**

- 1/11/16 - Town of Dartmouth Planning Board held a public hearing for special permit for construction of 4,200 s.f. convenience store/gas station at Ventura Drive and Faunce Corner Road. Hearing continued to 1/25/16.
- 1/12/16 Town of Fairhaven Planning Board held a public hearing for special permit for construction of a two megawatt solar farm on a 14 acre site located at 197 New Boston Road. Case continued to 2/9/16.
- 1/26/16 – Town of Fairhaven Planning Board public hearing is scheduled for a re-zoning request at 294 Huttleston Avenue from Business District B to Apartment/Multi-family District C.
- Receipt of Notice of Decision Freetown re: site plan approval for Americann, Inc., located on 47 acres at Campanelli Drive for construction of approximately 1 million s.f. of office, greenhouse; and head house for the cultivation and processing of medical marijuana.

**ADJOURNMENT**

There being no further board discussion, a motion was made (KD) and seconded (AG) to adjourn. Motion passed unopposed.

Meeting adjourned at 7:25 pm.

**NEXT MEETING**  
Wednesday, February 10, 2016