



Zoning Board of Appeals

2/20/2019 3:25:40 PM CITY CLERK

Agenda

March 21, 2019– 6:00 PM

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

MEETING CALLED TO ORDER

APPROVAL OF MINUTES

- February 14, 2019 meeting minutes

SCHEDULED HEARINGS

- #4363** Notice is given of a public hearing on the petition of: **Lee Miguel, D/B/A Miguel's Electric** (3 North Street Fairhaven, MA 02719) and **SITEC, Inc.** (449 Faunce Corner Road, Dartmouth, MA 02747) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2200 (use regulations), 2210 (general), 2230 (table of principal use regulations-Appendix A, commercial - #23 restaurant, fast food) and 5300-5330 & 5360-5390 (special permit); relative to property located at **1353 Purchase Street**, Assessors' map 66 lot 11 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to convert the building into a fast food pizza restaurant per plans filed. **Continued agenda item from February 14, 2019.**
- #4364** Notice is given of a public hearing on the petition of: **Lee Miguel, D/B/A Miguel's Electric** (3 North Street Fairhaven, MA 02719) and **SITEC, Inc.** (449 Faunce Corner Road, Dartmouth, MA 02747) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3000 (general regulations), 3100 (parking and loading), 3110 (applicability) and 3130 (table of parking and loading requirements, Appendix C- fast food drive-in, carry out restaurants); relative to property located at **1353 Purchase Street**, Assessors' map 66 lot 11 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to convert the building into a fast food pizza restaurant per plans filed. **Continued agenda item from February 14, 2019.**
- #4365** Notice is given of a public hearing on the petition of: **Sharon Street Realty Trust, C/O Jose Araujo Trustee** (PO Box 91 Rochester, MA 02770) and **Farland Corp.** (401 County Street, New Bedford, MA 02740) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-Appendix B, front yard, side yard, rear yard, lot coverage by building % and green space), 2750 (yards in residence district), 2751 (front yard), 2753 (rear yard) and 2755 (side yard); relative to property located at **984 Sharon Street**, Assessors' map 137A lot 21 in a Mixed Use Business [MUB] zoned district. The petitioner proposes to re-construct a 12-unit residential apartment building on the same footprint previously destroyed by a fire per plans filed.
- #4366** Notice is given of a public hearing on the petition of: **David and Donna DeMello** (88 Newton Street, New Bedford, MA 02740) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2300 (accessory building and uses), 2310 (general), 2330 (accessory structures), 2331 (private garage), 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-Appendix B, side yard), 2750 (yards in residence

2/20/2019 3:25:40 PM CITY CLERK

district) and 2755 (side yard); relative to property located at **88 Newton Street**, Assessors' map 51 lot 42 in a Residential B [RB] zoned district. The petitioner proposes to construct an 18'x21'x9' metal garage per plans filed.

#4367 Notice is given of a public hearing on the petition of: **161 Popes Island LLC** (867 Middle Road, Acushnet, MA 02743) and **Whisk & Jane LLC, C/O Ericca Kennedy** (PO Box 757, Wareham, MA 02571) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 4100B (marijuana establishments and medical marijuana treatment centers), 4130B (general), 4131B (location requirements and restrictions), (ii) (no marijuana establishment or medical marijuana treatment center shall be located within:) a. (500 feet of any public or private school providing education in kindergarten or any of grades 1 through 12, licensed daycare center, nursery school, preschool, building operated as part of the campus of any private or public institution of higher learning, playground, park, public library, church excluding chapels located within a cemetery, substance abuse treatment facility, marijuana establishment, or medical marijuana treatment center). (ii) (the distance under this provision shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment or medical marijuana treatment center will be located); relative to property located at **161 Popes Island**, Assessors' map 60 lot 26 in an Industrial A [IA] zoned district. The petitioner proposes to operate a marijuana establishment per plans filed.

OTHER BUSINESS

- Next Scheduled Meeting will be held on Thursday, April 11, 2019

ADJOURNMENT

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) 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.