



# Zoning Board of Appeals

## Agenda

April 25, 2019– 6:00 PM

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

4/25/2019 9:45:15 AM CITY CLERK

### MEETING CALLED TO ORDER

### APPROVAL OF MINUTES

- March 21, 2019 meeting minutes

### SCHEDULED HEARINGS

- #4360** Notice is given of a public hearing on the petition of: **John T. Ricciuti, Trustee of Ricciuti Realty Trust, C/O Holland & Knight LLP, Nadya Makenko, Esquire** (10 Saint James Avenue, Boston, MA 02116) and **Yearly Grind II Realty, LLC** (PO Box 51147, New Bedford, MA 02745) 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 **970 Ashley Boulevard**, Assessors' map 127D lot 89 & 98 in a Mixed Used Business [MUB] & Residential B [RB] zoned districts. The petitioner proposes to construct a Dunkin' Restaurant with a drive through window per plans filed. **(Continued Agenda item from February 14, 2019).**
- #4361** Notice is given of a public hearing on the petition of: **John T. Ricciuti, Trustee of Ricciuti Realty Trust, C/O Holland & Knight LLP, Nadya Makenko Esquire** (10 Saint James Avenue, Boston, MA 02116) and **Yearly Grind II Realty, LLC** (PO Box 51147, New Bedford, MA 02745) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3110 (applicability), 3140 (location and layout of parking and loading facilities), 3149 (special permit for commercial parking in residential districts) and 5300-5330 & 5360-5390 (special permit); relative to property located at **970 Ashley Boulevard**, Assessors' map 127D lot 89 & 98 in a Mixed Used Business [MUB] & Residential B [RB] zoned districts. The petitioner proposes to construct a Dunkin' Restaurant with a drive through window per plans filed. **(Continued Agenda item from February 14, 2019).**
- #4372** Notice is given of a public hearing on the petition of: **Paul Piva & Gail Florek** (10 Pequod Road, Fairhaven, MA 02719), **117 Union Street LLC** (128 Union Street, New Bedford, MA 02740) and **Prime Engineering, Inc., C/O Richard J. Rheume** (PO Box 1088, Lakeville, MA, 02347) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 4500-4572 (Downtown Business Overlay District-DBOD) and 5300-5330 & 5360-5390 (special permit); relative to property located at **115, 117 & 121 Union Street, 7 North Second Street & 127-129 Union Street**, Assessors' map 53 lot 40,41,215,216 & 146 in a Mixed Use Business [MUB] zoned district. The petitioner

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proposes to raze the four existing attached buildings at 117 Union Street and construct a (5) story commercial/residential building per plans filed. **(Continued Agenda item from April 11, 2019).**

**#4373** Notice is given of a public hearing on the petition of: **New Homes by Castelo INC., C/O Jose S. Castelo** (1815 Acushnet Avenue, New Bedford, MA 02746) for a Variance under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-Appendix B, lot frontage ft.); relative to property located at Old Plainville Road, Assessors' map 124 lot 47,168 & 169 in a Residential B [RB] zoned district. The petitioner proposes to construct a duplex (two family dwelling) per plans filed.

**#4374** Notice is given of a public hearing on the petition of: **Manuel Almeida** (8 Wild Rose Lane, Acushnet, MA 02743) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-Appendix B, rear yard & minimum lot size), 2750 (yards in residence district) and 2753 (rear yard); relative to property located at 293 Princeton Street, Assessors' map 113 lot 126 & 128 in a Residential B [RB] zoned district. The petitioner proposes to convert an existing two story, single family residential dwelling unit into a two (2) residential dwellings per plans filed.

#### **OTHER BUSINESS**

- **Case 4370 19 Stephen Street (Special Permit) to confirm the Decision rendered by the Board.**
- Next Scheduled Meeting will be held on Thursday, May 23, 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.