



CITY OF NEW BEDFORD
 JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

CITY CLERKS OFFICE
 NEW BEDFORD, MA
 2016 JAN 22 A 11:55
 CITY CLERK

NOTICE OF DECISION

Case Number: 29-15 and 30-15				
Request Type: Special Permit and Site Plan Approval				
Address: 414 Ashley Boulevard				
Zoning: Mixed Use Business (MUB)				
Recorded Owner: Jason O. Couto				
Applicant: Jason Couto, Couto Construction Inc.				
Applicant Address: 23 High Hill Road, Dartmouth, MA 02747				
Application Submittal Date		Public Hearing Dates		Decision Date
November 13, 2015		December 9, 2015 and January 13, 2016		January 22, 2016
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
108	45	11289	202	

Application: Case **29-15** Request for **Special Permit** for reduction of parking spaces from six (6) spaces to one (1), and Case **30-15**: Request for **Site Plan** approval for the expansion of an existing two-family residential structure.

Action on Case 29-15: GRANTED, WITH THE FOLLOWING CONDITIONS: (Same as those under Case 30-15)

Action on Case 30-15: GRANTED, WITH THE FOLLOWING CONDITIONS:

Special Permit and Site Plan approvals granted with the following conditions:

1. Applicant shall work with planning staff in the revision of plans and recommendations set forth under conditions of approval.
2. Applicant shall work with planning staff to correct inconsistencies for final plan set revisions.
3. All inconsistencies and typographical errors are to be corrected on plan sheets and applications.
4. Applicant is to consult with the City of New Bedford Traffic Commission for permission and approval to remove any fifteen (15) minute parking limitation at Ashley Boulevard in proximity to the site.
5. After consulting with the Department of Public Infrastructure for the city's recommendations as to the type of street tree to be planted, the applicant shall plant one (1) tree within the green ribbon at Ashley Boulevard.

A copy of this Decision was filed with the City Clerk of the City of New Bedford on January 22, 2016. Any person aggrieved by this decision for Special Permit has twenty (20) days to appeal the decision in

accordance with the procedures set forth in Section 17 of Chapter 40A of the General Laws of Massachusetts. Any person aggrieved by this decision for Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

1/22/16
Date



Colleen Dawicki, Chair
New Bedford Planning Board

1) APPLICATION SUMMARY

The petitioner submitted concurrent applications for SPECIAL PERMIT and SITE PLAN APPROVAL under Chapter 9 Comprehensive Zoning, Section 5300 and Section 5400 respectively, relative to property listed above located in a Mixed Use Business zoning district. The proposal included constructive rehabilitation/renovation and expansion from an existing two-family, multifamily structure and retail store front, to a three-family residential dwelling unit by abandoning the retail component of the structure.

Applicant requested a reduction in residential parking for six (6) parking spaces, where two (2) spaces are required per dwelling unit, to one (1) space. This effectively results in a reduction in the number of required parking spaces from two (2) spaces per dwelling unit to one (1) space in total to serve the multi-family residential use.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

The submittal was shown on a plan set for 414 Ashley Blvd, New Bedford, MA dated 11/9/15 located at Map 108, Lot 45, prepared by Jason Couto, Couto Construction Inc., 478 N. Front Street, New Bedford, MA consisting of:

1. Title Page T-1
2. First Floor A-1
3. Site Plan S-1
4. Staff Comments with Attachments:
 - a. Plan Set
 - b. Application for Special Permit for Parking Reduction
 - c. Site Plan Review Application
 - d. Architect's Statement for Controlled Construction Services in accordance with MA Building Code 8th ed.
 - e. Quitclaim Deed - Bristol County (S.D.) Registry of Deeds Book 11289, Page 202
 - f. Photos
 - g. Plan of Land Surveyed for Maria A. Benjamin –Approval Not Required Bristol County (S.D) Registry of Deeds Book 82, Page 33
 - h. Copies-Index Cards from City of New Bedford Licensing Board and Building & Inspectional

3) DISCUSSION

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion.

Constance Brawders (Staff Planner) was present during proceedings for the subject case review.

Jason Couto, owner/applicant, described the proposal for constructive rehabilitation and expansion of the derelict, mixed-use property located at the northeast corner of Ashley Boulevard and Belleville Road. The applicant stated he had been unable to successfully enter into a lease agreement for the first-floor commercial/retail use space and was petitioning the Board for Site Plan approval for expansion of this two-family dwelling to a three-family dwelling by abandoning the by-right retail use in the Mixed Use Business (MUB) zoning district and converting the first floor existing retail space to a third dwelling unit.

As on-site parking is limited to one (1) private garage space, the applicant sought a Special Permit for reduction in parking to accommodate the principal multifamily residential use.

Discussion ensued regarding the interior remodeling of the first floor, parking availability for tenants, and materials to be used to refinish the exterior of the structure. The Planning Board reminded the applicant that under Site Plan review, the Board takes into consideration how the building presents itself on the site, included but not limited to, the landscaping plan and availability of on street parking; options available for exterior siding materials were also discussed, though non-binding.

Chairperson Dawicki asked for a motion to open the Public Hearing. Board Member Duff moved to open the hearing, seconded by Board Member Glassman. Motion carried unanimously Five (5) to Zero (0).

Speaking in favor of the project proposal was Derek Couto, partner in business and brother of the applicant. No member of the public body asked to be recorded in favor of the project.

No member of the public body spoke or asked to be recorded in opposition of the proposals.

Hearing no further questions or comments, the motion was moved to close the public hearing by Board Member Duff, seconded by Board Member Glassman. Motion carried unanimously Five (5) to Zero (0).

4) THE FOLLOWING CONDITIONS AND RESTRICTIONS SHALL APPLY

1. Applicant shall work with planning staff in the revision of plans and recommendations set forth under conditions of approval.
2. Applicant shall work with planning staff to correct inconsistencies for final plan set revisions.
3. All inconsistencies and typographical errors are to be corrected on plan sheets and applications.
4. Applicant is to consult with the City of New Bedford Traffic Commission for permission and approval to remove any fifteen (15) minute parking limitation at Ashley Boulevard in proximity to the site.
5. After consulting with the Department of Public Infrastructure for the city's recommendations as to the type of street tree to be planted, the applicant shall plant one (1) tree within the green ribbon at Ashley Boulevard.

5) DECISIONS

Board Member K. Duff made the motion to approve the Special Permit Application for **Case #29-15** for a reduction in parking from six (6) to one (1) on-site parking spaces, seconded by Board Member A. Glassman.

A roll call vote was taken and unanimously approved Five (5) to Zero (0).

Board Member Kalife – Yes
Board Member Duff – Yes

Board Member Glassman – Yes
Chair Person Dawicki - Yes

Board Member Cruz – Yes

The Chair then asked for Site Plan approval for **Case 30-15**, with conditions as stated above, for the expansion of an existing two-family residential structure, located at 414 Ashley Boulevard in the Mixed Use Business zoning district. Board Member Duff made a motion to approve the Site Plan Application for **Case #30-15**, with conditions; seconded by Board Member Glassman. Motion carried unanimously Five (5) to Zero (0).

Filed with the City Clerk on:

1/22/16
Date



Colleen Dawicki, Chair
New Bedford Planning Board