



# *Planning Board*

August 10, 2016 – 6:00 PM – **MARKED Agenda**

New Bedford City Hall  
Public Meeting Room 314, 3<sup>rd</sup> Floor  
133 William Street

Call the meeting to order **6:05 p.m.**

Call the roll

**Present:** Colleen Dawicki, Chair

Kathryn Duff

Arthur Glassman

Peter Cruz

Alexander Kalife

Approval of July 13<sup>th</sup>, 2016 minutes

**Minutes approved 5 – 0; Motion by Planning Board Member K. Duff, second by Board Member A. Glassman.**

## **Public Hearings:**

**1. Case 23-16:** Request by City Councilor Steven Martins on behalf of Mr. Pedro Fernandes, Lusitano Food Products, LLC, for recommendation by the Planning Board for rezoning of 127 Hathaway Street and 331 Ashley Boulevard (Map 103, Lot 13) from Mixed Use Business to Residence C.

**Motion to Recommend Failed on a vote of 5-0 resulting in the Board's recommendation *not* to approve the rezoning request. Motion by Board Member K. Duff, second by Board Member A. Glassman.**

**2. Whalers Place Subdivision:** Request by applicant to release Lots 1, 3, 4 and 10 from covenant restrictions as specified in the Form F Covenant dated August 18, 2004, as amended, and recorded in Bristol County (S.D.) Registry of Deeds at Book 7169, Page 163 on September 14, 2004 by Curtis J. Mello and John E. Williams for Howland Realty Trust, for a definitive subdivision known as Whaler's Place in New Bedford, MA, dated March 8, 2004, as revised thru May 11, 2004, and prepared by Prime Engineering, P.O. Box 1088, 350 Bedford Road, Lakeville, MA 02347. Applicant: Matthew B. Antonio, Palmer River Development Co., LLC P.O. Box 41, Swansea, MA 02777.

**Approved with Conditions 5-0; Motion by Planning Board Member K. Duff, second by Board Member A. Glassman.**

**3. Case 24-16: 139 Hathaway Road-O'Reilly Auto Parts** (S. B. Realty Limited Partnership, 92 Kilburn Street, New Bedford, MA 02740)-Request by applicant for modification of Site Plan approval for Case #19-16 for a minor layout adjustment for new construction of a retail building, located at 139 Hathaway Road (Map 101, Part Lot 14, 16 & 17 and Land Court Lot 11),

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(e) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.

in the Mixed Use Business and Industrial B zoning districts. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747.

**Approved with Conditions 5-0; Motion by Planning Board Member K. Duff, second by Board Member A. Glassman.**

**4. Case 25-16: Riverside Landing Multi-Use Development at the Former Fairhaven Mills - Drive- thru Restaurant** – Request by applicant for modification of Special Permit and Site Plan approval for Case #15-13 from medical ambulatory facility and drive-thru bank to medical ambulatory facility and drive-thru fast food restaurant at Riverside Landing (Map 93, Lots 261 & 292; a/k/a Map 93-2, Lots 264 & 261) in the Hicks-Logan-Sawyer District Interim Planning Overlay District (IPOD). Applicant's Agent: Prime Engineering, P.O. Box 1088, Lakeville, MA 02347.

**Approved with Waivers & Conditions 5-0; Motion by Planning Board Member K. Duff, second by Board Member A. Glassman.**

**5. Case 26-16: 314 Church Street – Assured Collision** – Request by applicant for site plan approval for a commercial business expansion at 314 Church Street (Map 113, Lot 68, 174, 175 & Map 109, Lots 237, 238, 239 & 240) in the Residence-B and Mixed Use Business (MUB) zoning districts. Applicant's Agent: Farland Corp, 401 County Street, New Bedford, MA 02740

**Approved with Conditions 4-0; Motion by Planning Board Member K. Duff, second by Board Member P. Cruz. Board Member A. Glassman Recused.**

**Continued Public Hearings:**

No cases for continuance

**Other**

**Adjourn**

**Date of Next Meeting: September 14<sup>th</sup>, 2016**

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