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STAFF COMMENTS

ZONING BOARD OF APPEALS MEETING

July 15, 2016

Case # 4238: **SPECIAL PERMIT**
99 Field Street
Map: 27, Lot: 54

Owner/ Applicant: William St.Pierre
99 Field Street
New Bedford, MA 02740

Overview of Request: The petitioner has submitted an application for a **Special Permit** relative to the subject property located within a **Residential B [RB]** zoning district. The petitioner proposes to utilize an existing concrete patio area to install an 18' x 32' driveway in the rear of the property listed above. The location of the driveway is proposed off of Hollyhock Street, which does not constitute frontage of the lot, and therefore requires a Special Permit.



99 Field Street
Looking Southwest from Field Street

As with all Special Permits, the ZBA must determine that the benefit to the City and the neighborhood outweighs the adverse effects of the proposed use. To this end the board shall consider each of the following in its determination:

- a.) social, economic, or community needs which are served by the proposal;
- b.) traffic flow and safety, including parking and loading;
- c.) adequacy of utilities and other public services;
- d.) neighborhood character and social structures;
- e.) impacts on the natural environment; and potential fiscal impact, including impact on city services, tax base, and employment.

Existing Conditions: The 6,400± sq. ft. corner lot located east of Rural Cemetery and west of Dartmouth Street and has 80' frontage on Field Street and an 80' along the adjacent Hollyhock Street. The section of Hollyhock Street dead ends at the Rural Cemetery property. The property has a 22'± x 32'± two-family house, shed, and pool. There are concrete walkways surrounding the house and a concrete patio area located in the rear behind the house. The rear patio area abuts the walkway of the rear abutting multifamily dwelling. The existing house is positioned in the northeast corner of the property causing the property to not have a side yard on the north side but have 50'± x 80'±

green space area on the south side of the property. The neighborhood is comprised of mix of housing styles including single, two- and multifamily dwellings.

Proposal: The petitioner proposes to utilize a portion of an existing “L” shaped concrete patio area as a driveway. To create the driveway area the petitioner proposes an additional 12.5’ x 7.5’ concrete pad be added to the portion of concrete abutting the house. The petitioner indicated to planning staff that the existing shed located in the northwest corner is to remain in place. The petitioner’s application states the proposal would eliminate four cars being parked on a congested street thereby aiding snow removal for city plows.

The application describes the neighborhood with many single and multi family homes without driveways, therefore parking spaces during congested times would be alleviated. The petitioner has indicated there would be “no impact on the natural environment” and the proposal would “increase the property value.”

For Board Member Consideration: Utilizing the existing impervious surface would reduce costs for the petitioner as well as minimize any further environmental impact a new driveway installation would have elsewhere on the site. That said, staff notes a safety concern given the absence of a physical barrier between the concrete patio on the petitioner’s property and the concrete walkway of the abutting property. The petitioner indicated to staff that the existing shed is to remain in place, yet the structure may, at some point in the future, be removed and the entire space used for parking vehicles.

Therefore, if granted, the board may wish to consider a condition enforcing safety measures protecting the rear property pedestrians from vehicles as follows:

- These measures could be the delineation of the 18’ x 32’ parking area by a physical boundary such as a fence, wall or similar feature from the rest of the patio area.
- In addition the board may wish to also consider a condition that the rear property line be delineated by a fence or wall and parking is not to be allowed within four (4’) of the rear property line.



99 Field Street Map: 27, Lot: 54

NOTE: Property line is approximate; for discussion purposes, only.