



ZONING BOARD of APPEALS

City Hall, Room 303
133 William Street,
New Bedford, MA 02740
(508) 979-1488
www.newbedford-ma.gov

Registry of Deeds/City Clerk Use Only:

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number:	#4372			
Request Type:	Extension of Special Permit			
Address:	115,117 & 121 Union, 7 N. Second St. & 127-129 Union Street			
Zoning:	Mixed Use Business (MUB) & Downtown Business Overlay District (DBOD)			
Recorded Owner:	Paul A. Piva & Gail Florek			
Owner Address:	10 Pequod Road, Fairhaven, MA 02719			
Applicant:	117 Union Street LLC			
Applicant Address:	128 Union Street, New Bedford, MA 02740			
Request Submittal Date	Public Hearing Date	Decision Date		
August 21, 2020	September 17, 2020	September 17, 2020		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
53	40,41,215,216,146	1838	1144	-

The petitioner requests an extension of the Zoning Board of Appeals' decision approving Case #4372 for a Special Permit with conditions, recorded on May 7, 2019. Due to the Covid-19 pandemic, 117 Union Street, LLC has been unable to commence the proposal. The petitioner seeks an extension of the decision for a one-year period to allow for the construction to commence. This request is relative to property located at **115, 117 & 121 Union Street, 7 N. Second Street & 127-129 Union Street** Assessors' map 53 lot 40, 41, 215, 216, 146 in a Mixed Use Business [MUB] zoned district.

Action: GRANTED, WITH CONDITIONS, for the reasons set forth in the attached decision with the Conditions as described therein.

A copy of this Decision was filed with the City Clerk of the City of New Bedford on September 23, 2020.

9/23/20

Date


Stephen Brown, Clerk of the Zoning Board of Appeals

APPLICATION SUMMARY

117 Union Street, LLC (128 Union Street, New Bedford, MA 02740) requests a one-year extension of the Special Permit for Case #4372 to allow for the construction to commence. The request is a one-year extension of Zoning Board of Appeals approval of Case 4372 for a Special Permit with conditions, recorded by the City Clerk on May 7, 2019.

1.) MATERIALS REVIEWED BY THE BOARD

Plans Considered to be Part of the Application

- Letter to the Zoning Board of Appeals from Attorney, Christopher T. Saunders, representing 117 Union Street, LLC requesting a time extension for the special permit for case #4372 relative to property located at 115, 117 & 121 Union Street, 7 N. Second Street & 127-129 Union Street dated August 20, 2020, date Stamped received by the Department of City Planning and City Clerk, dated August 21, 2020.

2.) DISCUSSION

On the evening of the September 17, 2020 meeting, board members: Leo Schick, Stephen Brown, Allen Decker, Celeste Paleologos and Leo Choquette, Jr. were present for the public hearing, which was held remotely via Zoom teleconference in accordance with the Governors emergency order for board and commission proceedings. City of New Bedford staff: Danny D. Romanowicz (Commissioner of Buildings & Inspectional Services), and Angela Goncalves (Assistant Project Manager) were present during proceedings for the subject case review.

Clerk Brown informed the board that they had received correspondence dated August 20, 2020, requesting a one-year extension. A motion was made by Clerk Brown to hear the request.

Clerk Brown stated the letter submitted from Attorney Saunders stating due to the Covid-19 pandemic the project was unable to commence was sufficient for the Board to vote. The Board and Attorney Saunders concurred with Clerk Brown.

With no further discussion, the board indicated their readiness to vote.

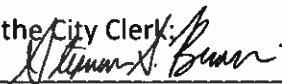
A motion was made by Mr. Schick to accept the motion to receive/vote and Mr. Brown moved the motion to grant the request. The motion passed unopposed.

3.) DECISION

The Zoning Board of Appeals hereby **grants the request for a one-year extension of the Special Permit for Case #4372.**

On a motion by L. Schick seconded by S. Brown to **grant the request**, the vote carried 5-0-0 with members L. Schick, A. Decker, S. Brown, C. Paleologos and L. Choquette, Jr. voting in the affirmative; no members voting in the negative or abstaining. (Tally 5-0-0).

Filed with the City Clerk:



Stephen Brown

9/23/20

Date

Clerk of the Zoning Board of Appeals