



City of New Bedford Department of City Planning

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MAYOR
JON MITCHELL
PLANNING DIRECTOR
JENNIFER CARLONI

PLANNING BOARD

STAFF REPORT

REPORT DATE

November 5, 2021

MEETING DATE

November 10, 2021

Case #21-39: Site Plan Review
83 Rivet Street
Map: 31 Lot: 163

Owner/Applicant: Carlos Almeida 256 Keene
Road, Acushnet, MA 02743

Zoning District: Mixed-Use Business (MUB)

Site Area: 4,016 ft²

Overview: Request by applicant for
Site Plan Review for the
addition of a residential
unit.



83 Rivet Street

Looking north from across Rivet Street.

Existing Conditions

The project site is currently a two-family residential property with a driveway and two-bay garage on the southside of Rivet Street.

The site has 41.70 feet of frontage on Rivet Street

Ingraham Place, a housing authority property, is directly south, across Rivet Street. The lot is abutted by a mixed-use property to the east with a convenience store on the first floor with residences above. To the west, it is abutted by a multi-family property. A parking lot on a commercial property abuts the lot to the north. The surrounding neighborhood consists of both single and multi-family residential and commercial properties within a MUB zone.

Related Permitting

In August, a Special Permit for the alteration of a nonconforming structure was granted by the Zoning Board of Appeals.

Decision Criteria

The applicant is requesting a Site Plan Review. The ordinance provides the Board the following criteria for reaching a decision.

Site Plan Review Criteria

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets the objectives identified in Section 5470 of the City's Zoning Ordinance (c.9) including:

- **Adequate access to each structure for fire and service equipment**
- **Adequate provision for utilities and stormwater drainage**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6" caliper trees and larger, removal of stone walls, displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site
 - Minimize the obstruction of scenic views from publicly accessible locations
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas
 - Minimize glare from vehicle headlights and lighting fixtures
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances
 - Ensure compliance with the Zoning Ordinance
 - Minimize damage to existing adjacent public ways
 - Promote orderly and reasonable internal circulation within the site so as to protect public safety

Proposed Conditions

The applicant proposes to convert the third-floor attic into a studio apartment, which will expand the existing two-family residence into a three-family. No exterior site improvements are included in the plan.

Staff Review

The table below outlines the proposed site changes and highlights items for discussion and the Board’s consideration.

Parking	<ul style="list-style-type: none"> Plans show that the driveway to the east of the building and the paved area in the rear will be used for parking. The Commissioner of Inspectional Services has indicated there is adequate parking available to accommodate the proposed conditions.
Landscaping & Site Features	<ul style="list-style-type: none"> No landscape improvements are proposed. The entire property is paved with asphalt and no landscaping exists. There is a two-bay garage on site located on the rear of the property. The Board may wish to discuss opportunities for green space and landscaping on site with the applicant.
Circulation	<ul style="list-style-type: none"> Plans show egress points to the north and south along the front of the building at Rivet Street, and at the rear of the building, respectively. A one-way driveway to the east of the building provides both access to parking in the rear and parking spaces.
Traffic/Transit	<ul style="list-style-type: none"> There is a 15-minute parking limit 8 am to 8 pm except for Sundays and holidays along the north side of Rivet Street east of the property at 83 Rivet Street. There is no parking along the south side of Rivet Street. There is a seasonal parking ban during snow on both sides of Rivet Street. There is a seasonal parking ban April 1 to November 1 on the first and third weeks from 12 am Thursday – 6 am Friday for street cleaning.
Stormwater	<ul style="list-style-type: none"> No new stormwater management is proposed.
Snow Storage	<ul style="list-style-type: none"> No new snow storage management is proposed. The Board may wish to discuss plans for snow removal and storage relative to the parking area/driveway.
Waste Receptables	<ul style="list-style-type: none"> No changes to the storage of residential waste receptacles are proposed.
Utilities	<ul style="list-style-type: none"> No alterations are proposed beyond what is indicated in the architectural plans.
Lighting	<ul style="list-style-type: none"> No exterior lighting is proposed.
Demolition and Erosion Control	<ul style="list-style-type: none"> As there is no exterior site work, no exterior erosion or demolition controls are proposed.
Architectural	<ul style="list-style-type: none"> Architectural plans show the proposed interior alterations including installation of walls, kitchen, and bath. Plans do not show any proposed exterior alterations.
Master Plan	<ul style="list-style-type: none"> The proposal is consistent with the Master Plan’s goal to expand housing options for all residents.

Interdepartmental Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

At the time of writing this report, no departmental memos have been received.

Site Photos



Front of building at 83 Rivet Street.
Looking north from directly across Rivet Street.



West side of property.
Looking northwest from the sidewalk on Rivet Street.



Rear egress of building and front of two-bay garage.
Looking southwest from southwest corner of the property.



Traffic signs on northerly side of Rivet Street.
Looking west from east of the property.



Traffic signs along northerly side of Rivet Street.
Looking west from southeast corner of the property.

Materials for Consideration

The engineered plan submission is shown as “Existing Conditions Layout Plan” dated 9/19/21, and prepared by S & K Engineering of Westport, MA. The plans are stamped by Kevin J. Silva, C.E.. The plan set consists of the following sheets:

- Site Plan

The architectural plan submission is shown as “83 rivet Street, New Bedford, MA” dated 10/15/21, and prepared by Domenic W. Deangelo P.E. of East Bridgewater, MA. The plan consists of the following sheets:

- Existing Third Floor Plan
- Proposed Third Floor Plan

Recommended Conditions



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

That the following **general conditions** also be applied to both decisions:

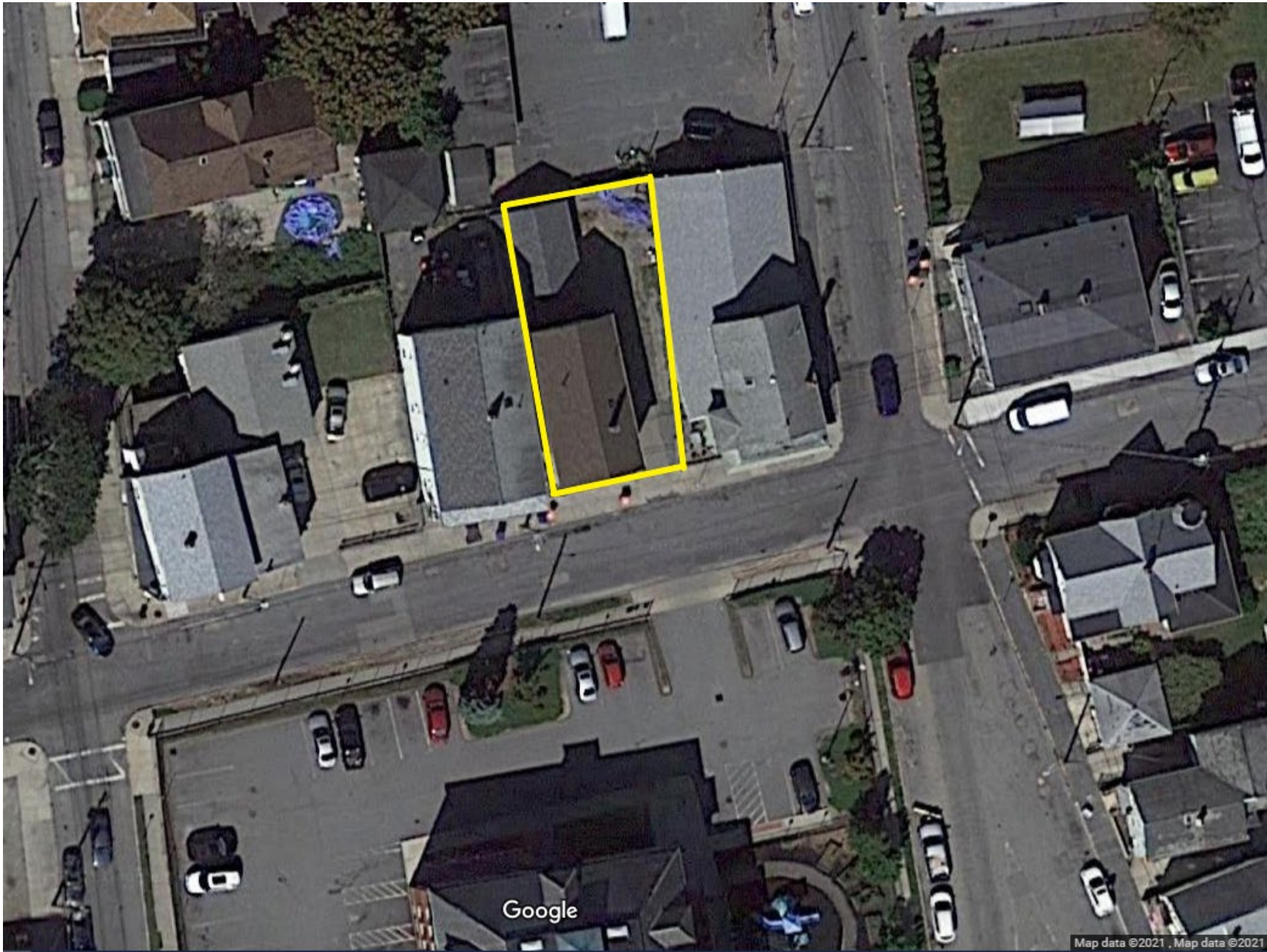
1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
2. The project shall be undertaken in a manner consistent with any departmental memos received in relation to plan and placed on file for Planning Board consideration. The conditions of such memos shall be considered to be part of these conditions.
3. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11” x 17” Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
4. The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project’s approval, be provided for the Department of City Planning case file folder.
5. That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project’s approval, be recorded at the Registry of Deeds.
6. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.

7. The applicant shall present any proposed modification from the approved plans for consideration to the Director of City Planning for determination as to whether the modified plan must return before this Board for further review.
8. The rights authorized by the granted approval must be exercised by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date the decision was granted, or they will lapse.
9. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Materials Provided by the Applicant are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2021/>

Staff Report prepared by: Rachel Mulroy, Staff Planner

Reviewed by: Jennifer Carloni, City Planner



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NOTE: Property line is approximate; for discussion purposes, only. Aerial image is oriented north.