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PLANNING BOARD

STAFF REPORT

REPORT DATE
March 30, 2022

MEETING DATE
April 13, 2022

Case #22-16: Site Plan Review
89 N Water Street
Map: 53 Lot: 102

**Owner/
Applicant:** Anna Matveeva, Trustee
of the 89 North Water
Street Trust
89 N Water Street
New Bedford, MA 02740

Zoning District: Industrial A (IA) in the
Downtown Business
Overlay District (DBOD)
within the Bedford
Landing National Register
Historic District

Site Area: 13,081± square feet

Overview: Conversion of the existing
building to residential use
and associated site
improvements.



Proposed condominium housing in the Local Historic District.
Looking south from across Elm Street.

Existing Conditions

The project site is a brick warehouse that has retained much of its original character, including most of the 16 and 24 pane windows and original doors on upper levels. The building is currently vacant and most recently housed DNB Burgers Restaurant on the first floor.

The site has 131± feet of frontage on Elm Street. The site has 99± feet of frontage on N Water Street, and 99± feet of frontage on Bethel Street.

A parking lot and a bank drive-thru pergola are on the site abutting to the east. The signaled intersection of Elm Street and Route 18 is a block from the site. Pier 3 is further east, separated by Route 18 and McArthur Drive. The historic warehouse building that abuts south currently houses the New Bedford Fishing Heritage Center and service-based businesses. A bank and the Standard Times building with associated parking lot and drive-thru lanes abut to the north. A parking lot for the Livery Building abuts directly west across Bethel Street. The Livery Building houses several service-oriented businesses. The Elm Street parking garage is further northwest.

The project site falls within the city's Opportunity Zone. Goals of the Opportunity Zone include promoting the adaptive reuse of historic assets and expansion of development efforts in creating market rate housing.

The project site and the surrounding neighborhood are within the Bedford Landing-Waterfront Historic District, also known as the New Bedford National Register Historic District, which shares its boundaries with the New Bedford Whaling National Historical Park. The applicant met with the New Bedford Historical Commission in February 2021 to informally review the project and to receive feedback and comments. The project will have an upcoming formal review by the New Bedford Historical Commission seeking a Certificate of Appropriateness.

Related Permitting

- Zoning Board of Appeals – Special Permit for parking reduction granted March 18, 2021 and request for a one-year extension granted March 17, 2022
- Historical Commission – Certificate of Appropriateness
- Traffic Commission – closing curb cut and adjustment

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 a commercial use building into condominium housing with fourteen (14) one-bedroom units and four (4) two-bedroom units. The applicant proposes improvements to the parking lot on North Water Street and handicap parking on Bethel Street. Additional site improvements include closing a curb cut on Elm Street to provide additional parking spaces. Improvements to the public right of way include relocation of a crosswalk and adding bluestone pavers along sidewalks and extending cobblestone pavers on N Water Street. The applicant and the applicant's engineer consulted with DPI and NBHC staff to determine the appropriate public realm changes to conform with the historic district's material aesthetics.

Staff Review

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

Parking	- As approved by the ZBA, the applicant proposes sixteen (16) parking spaces in the N Water Street parking lot and 1 handicap parking space on Bethel Street. No loading space is proposed. - No bicycle parking is proposed. The Board may wish to discuss bicycle parking with the applicant.
Landscaping & Site Features	- Plans indicate that existing landscaping within the public way along the north edge of the parking lot is to remain and additional shrubs to be added along the proposed closed curb cut. The applicant has stated they would improve and maintain the landscaping. The Board may wish to condition that the applicant enter into a maintenance agreement with the Department of Public Infrastructure. - Fencing is proposed north of the parking area behind the shrub row. Based on earlier feedback from the Historical Commission. Staff note HC review is pending. No screening is proposed along the east edge of the parking lot on N Water Street. The Board may wish to discuss fencing/screening and parking as described above with the applicant. - A grass strip is proposed between the building and the southern edge of the parking lot. - Wheel stops are proposed at the south parking spaces.
Circulation	- The applicant proposes closing the curb cut on Elm Street and continuing the sidewalk along Elm Street. Materials for sidewalk and curbing will match existing elements in the Local Historic District. - Plans indicate modification of the existing curb cut on N Water Street to provide two-way vehicle access. - Modification of the N Water Street curb cut will require altering the sidewalk and relocating an existing crosswalk further north to the corner of Elm Street and N Water Street. Materials for the proposed alterations to the sidewalk, curbing, and street will match existing elements in the Local Historic District. - The existing handicap space on Bethel Street at the southwest corner of the project site is to be restriped. - An existing concrete landing at the southwest corner of the parking lot and a concrete ramp on the west side of the parking lot will remain and provide access to the adjacent entrances.
Traffic/Transit	According to the applicant's narrative, the proposed project is not expected to significantly impact traffic around the site. The project proposes to eliminate vehicle access on Elm Street and modify the curb cut on North Water Street as the single vehicle access point.

	The project site is situated between the SRTA terminal to the southwest and future South Coast Rail Station to the northeast.
Stormwater	- The applicant is not proposing any stormwater management on site and has provided a stormwater management report estimating a positive impact to runoff as a result of the reduction of impervious surface. The Board may wish to discuss the stormwater report with the applicant. - Catch basins exist at the east and west corners of Elm Street and N Water Street. The site plans are unclear as to whether these basins will remain intact. The Board may wish to clarify the plans for the catch basins in the public right-of-way with the applicant. - A stormwater drain exists on the east side of N Water Street south of the Candleworks Ventures parking lot curb cut. Planning staff defers to the Department of Public Infrastructure regarding compliance with the City's Stormwater Rules and Regulations.
Snow Storage	A snow storage plan is not indicated. The Board may wish to discuss snow storage and removal with the applicant.
Waste Receptacles	Existing stockade fence screening the trash area on Bethel Street is to remain. As the only proposed handicapped parking space is adjacent to this area, the Board may wish to discuss if this plan impacts handicapped accessibility.
Utilities and Mechanical Systems	- Proposed fire service, existing sewer service, existing electrical service, and existing water shut-off & service are located on N Water Street adjacent to the building. - Electrical service to the building on N Water Street is painted with a small, artistic mural. - The water main and gas main are located on Elm Street near the northeast corner of the project site. - Sewer interceptor is located at the intersection of Elm Street and N Water Street. - A fire hydrant exists on the south side of Elm Street to the north of the parking lot. - HVAC/mechanical and elevator overrun are located on the roof and will be minimally visible from the road.
Lighting	Existing wall-mounted lighting over the parking lot on the east-facing side of the building is to remain.
Demolition and Erosion Control	- Plans indicate an existing fence in the parking area on Bethel Street is to be removed. - Existing exterior stairs on east facade within parking lot are to be removed. Existing handicap space and striping in the North Water Street is to be removed. - The existing driveway opening pavement on Elm Street is to be removed. Plans indicate removal of existing cobblestone driveway on Elm Street, to be replaced with blue stone to match existing sidewalk grades. The existing cobblestone on Elm Street is to be removed and replaced to match grade at the top of granite curbing and in front of the bluestone sidewalk. - The bullnose granite openings at the parking lot entrance on N Water Street are to be removed. Existing bluestone wheelchair ramps at the N Water Street parking lot entrance are to be removed and replaced with bluestone to match sidewalk grades. Cobblestone in front of the driveway is to be removed and replaced with the same to match existing grade. - The existing concrete block crosswalk on N Water Street is to be removed and relocated north at intersection with Elm Street. Existing asphalt pavement south of the proposed

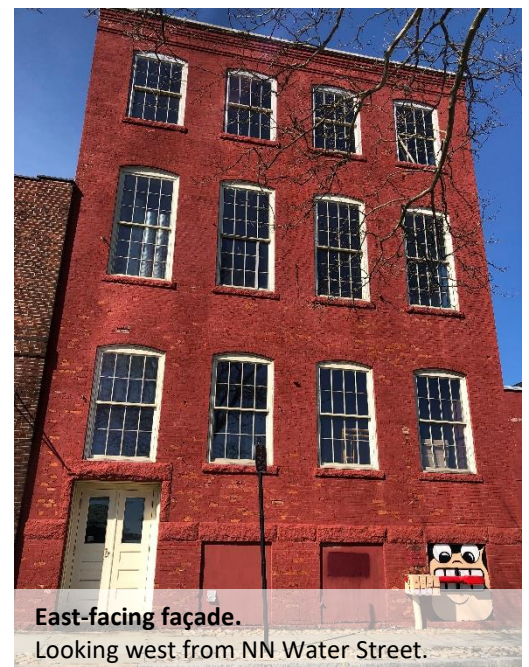
	crosswalk location is to be removed and replaced with cobblestone. Sections of the blue stone and cobblestone sidewalk at the corner of the south side of Elm Street and west side of N Water Street are to be removed to accommodate the crosswalk landings. • The grass area at the southeast corner of Elm Street and N Water Street is to be removed and paved with brick to match existing along that segment of Elm Street. • Siltsacks are to be installed on all catch basins.
Architectural	• The applicant indicates windows are to be restored and with new openings to match the existing and original-style wood doors are to be installed. • Removed and/or relocated openings will be infilled with brick and the building will be painted to match the existing. • The center staircase in the parking lot along the east façade is to be removed. • The accessible entrance to the building is to be relocated to the west façade of the building in the handicap parking area.
Master Plan	• The proposal promotes a mixed-use environment in Downtown New Bedford, furthers goals to create walkable village-like neighborhoods throughout the city, and encourages development that provides for households of all income levels.

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





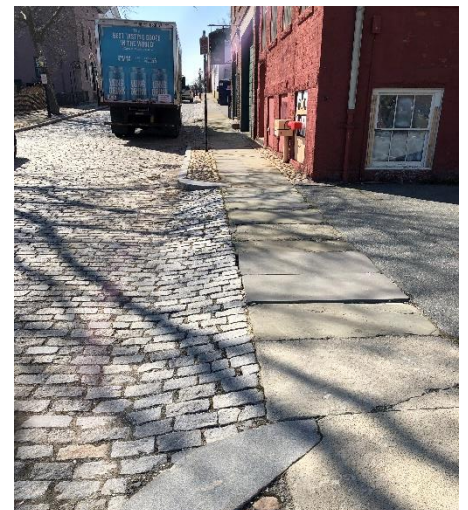
East-facing façade stairs to be removed, lighting to remain.
Looking west from parking lot.



Parking lot entry to be closed and additional spaces striped.
Looking north from parking lot.



Relocate crosswalk to corner, repave area to match historic.
Looking northwest from Candleworks Ventures parking lot.



Rehabilitate parking lot entry.
Looking south from N Water Street.



Proposed location for bluestone crosswalk.
Looking west from N Water Street.



Accessible parking & trash screening
Looking east from Bethel Street.

Materials for Consideration

The engineered plan submission is shown as “SITE PLAN – 89 North Water Street, New Bedford” most recent revisions dated 2/10/22, and prepared by Farland of Dartmouth, MA. The plans are stamped by John Marchand, PE. The plan set consists of the following sheets:

- Cover Sheet
- Sheet 2 NOTES & LEGEND
- Sheet 3 EXISTING CONDITIONS
- Sheet 4 DEMOLITION
- Sheet 5 LAYOUT
- Sheet 6 UTILITIES
- Sheet 7 LIGHTING & LANDSCAPING
- Sheet 8 DETAILS
- Sheet 9 DETAILS

The architectural plan submission is shown as “Proposed Concept Plan” dated 1/25/22, and prepared by BC + BB Partners of Boston, MA. The plan set consists of the following sheets:

- Sheet A-1 SITE PLAN
- Sheet A-2 EXISTING PARKING PLAN
- Sheet A-3 PARKING LOT PLAN
- Sheet A-4 BASEMENT PLAN
- Sheet A-5 FIRST FLOOR PLAN
- Sheet A-6 SECOND FLOOR PLAN
- Sheet A-7 THIRD FLOOR PLAN
- Sheet A-8 ROOF PLAN
- Sheet A-9 BUILDING SECTION A & B
- Sheet A-10 BUILDING SECTION C & D
- Sheet A-11 ELEVATION E1, E2
- Sheet A-12 ELEVATION E3, E4
- Sheet A-13 AREA BY FLOOR
- Sheet A-14 EXISTING ELEVATION E1, E2
- Sheet A-15 EXISTING ELEVATION E3, E4

In addition to the submitted materials, the application has submitted waiver requests for the Board’s consideration as follows:

- Topography & Drainage – There currently exists a structure and pavement on the site. No excavation of the site is being proposed. Topography and drainage on site will not be altered. The applicant is coordinating with the Department of Public Infrastructure. Therefore, staff recommend granting the waiver request.

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 **specific conditions** be applied to this decision:

1. The applicant shall coordinate with the Department of Public Infrastructure to resolve all comments in their forthcoming memorandum.
2. The applicant shall coordinate with the Department of Public Infrastructure on a maintenance agreement for the landscaping in the right of way.
3. The applicant shall adhere to the conditions of the Certificate of Appropriateness issued by the Historical Commission.
4. The applicant shall adhere to the conditions set forth by the Zoning Board of Appeals in the decision for a Special Permit dated March 18, 2021.

That the following **general conditions** also be applied to the decision:

5. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
6. Plant materials shall be maintained in a healthful condition. Dead limbs, refuse and debris shall be promptly removed. Ground cover materials shall be maintained so as to control weed growth. Dead plantings shall be replaced with new live plantings at the earliest appropriate season.
7. 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.
8. 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.
9. 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.
10. 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.
11. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.
12. 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.
13. 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.
14. 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-2022/>

Staff Report prepared by: Rachel Mulroy Staff Planner

Reviewed by: Jennifer Carloni, City Planner



89 N Water Street Map: 53 Lot: 102

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