



Zoning Board of Appeals

1/29/2019 2:07:54 PM CITY CLERK **Agenda**

February 14, 2019– 6:00 PM

**New Bedford City Hall, Room 314
133 William Street New Bedford, MA**

MEETING CALLED TO ORDER

APPROVAL OF MINUTES

- January 17, 2019 meeting minutes

SCHEDULED HEARINGS

- #4360** Notice is given of a public hearing on the petition of: **John T. Ricciuti, Trustee of Ricciuti Realty Trust, C/O Holland & Knight LLP, Attorney Nadya Makenko Esquire** (10 Saint James Avenue, Boston, MA 02116) and **Yearly Grind II Realty, LLC** (PO Box 51147, New Bedford, MA 02745) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2200 (use regulations), 2210 (general), 2230 (table of principle use regulations-Appendix A, commercial - #23 restaurant, fast food) and 5300-5330 & 5360-5390 (special permit); relative to property located at **970 Ashley Boulevard**, Assessors' map 127D lot 89 & 98 in a Mixed Used Business & Residential B [RB] zoned districts. The petitioner proposes to construct a Dunkin' Restaurant with a drive through window per plans filed.
- #4361** Notice is given of a public hearing on the petition of: **John T. Ricciuti, Trustee of Ricciuti Realty Trust, C/O Holland & Knight LLP, Attorney Nadya Makenko Esquire** (10 Saint James Avenue, Boston, MA 02116) and **Yearly Grind II Realty, LLC** (PO Box 51147, New Bedford, MA 02745) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3110 (applicability), 3140 (location and layout of parking and loading facilities), 3149 (special permit for commercial parking in residential districts) and 5300-5330 & 5360-5390 (special permit); relative to property located at **970 Ashley Boulevard**, Assessors' map 127D lot 89 & 98 in a Mixed Used Business & Residential B [RB] zoned districts. The petitioner proposes to construct a Dunkin' Restaurant with a drive through window per plans filed.
- #4362** Notice is given of a public hearing on the petition of: **Belleville LLC**, (133 Faunce Corner, N. Dartmouth, MA 02747) and **Koldys & Kelleher, P.C.**, (449A Faunce Corner Road, N. Dartmouth, MA 02747) and **John & Carol Souza, Kevin & Darlene Mendoza** (42 Brown Street, Fairhaven, MA 02719) for an **Administrative Appeal** under Chapter 9, Comprehensive Zoning Sections 5220 (powers) and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15); relative to property located at **101 Belleville Avenue**, Assessors' map 85 lot 300 in an Industrial A [IA] zoned district. The petitioners are proposing to appeal the Planning Board's (December 24, 2018) decision approving the Site Plan for a proposed Dunkin' Restaurant at 101 Belleville Avenue per plans filed.

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#4363 Notice is given of a public hearing on the petition of: **Lee Miguel, D/B/A Miguel's Electric** (3 North Street Fairhaven, MA 02719) and **SITEC, Inc.** (449 Faunce Corner Road, Dartmouth, MA 02747) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 2200 (use regulations), 2210 (general), 2230 (table of principle use regulations-Appendix A, commercial - #23 restaurant, fast food) and 5300-5330 & 5360-5390 (special permit); relative to property located at **1353 Purchase Street**, Assessors' map 66 lot 11 in an Mixed Use Business [MUB] zoned district. The petitioner proposes to convert the building into a fast food pizza restaurant per plans filed.

#4364 Notice is given of a public hearing on the petition of: **Lee Miguel, D/B/A Miguel's Electric** (3 North Street Fairhaven, MA 02719) and **SITEC, Inc.** (449 Faunce Corner Road, Dartmouth, MA 02747) for a **Variance** under Chapter 9, Comprehensive Zoning Sections 3000 (general regulations), 3100 (parking and loading), 3110 (applicability) and 3130 (table of parking and loading requirements, Appendix C- fast food drive-in, carry out restaurants); relative to property located at **1353 Purchase Street**, Assessors' map 66 lot 11 in an Mixed Use Business [MUB] zoned district. The petitioner proposes to convert the building into a fast food pizza restaurant per plans filed.

OTHER BUSINESS

- Next Scheduled Meeting will be held on Thursday, March 21, 2019

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact **Angela Goncalves at 508-979-1488 (Angela.Goncalves@newbedford-ma.gov) or Mass Relay 711**. Requests should be made as soon as possible but at least **48 hours** prior to the scheduled meeting.

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