



Planning Board

March 8, 2017– 6:00 PM –MINUTES
New Bedford Public Library – 3rd Floor, 613 Pleasant Street

PRESENT: Colleen Dawicki, *Chairperson*
Kathryn Duff, *Vice Chair*
Arthur Glassman
Peter Cruz
George Smith

ABSENT: Alex Kalife

STAFF: Jennifer Clarke, *Acting City Planner*
Constance Brawders

CITY CLERK
2017 APR 13 P 3:37
CITY CLERKS OFFICE
NEW BEDFORD, MA

CALL TO ORDER

Chairperson Dawicki called the meeting to order at 6:05 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as listed above.

MINUTES REVIEW AND APPROVAL

A motion was made (KD) and seconded (AG) to approve the February 8, 2017 meeting minutes. Motion passed unopposed.

PUBLIC HEARINGS

A motion was made (KD) and seconded (AG) to take Agenda Item #9 out of order. Motion passed unopposed.

ITEM 1 Case 04-16 – Extension of Site Plan Approval requested by applicant for a one-year extension of Site Plan approval for Case 04-16 - Renovations to YWCA Southeastern MA for the purpose of completing capital funding of the project. Applicant's Agent: Atty. Marc Deshaies, 115 Orchard Street, New Bedford, MA 02740.

Att. Marc Deshaies of New Bedford explained that they appeared before the board in February 2016 where site plan approval was granted. A redesign prevented plans from being submitted for the grant funding deadline. He stated plans are 85% complete and expect to receive the grant, with construction starting in September. He stated they had requested the same extension from the ZBA, and asked the same one year extension from the Planning Board.

Mr. Glassman confirmed that there were no changes to that which the board had already approved. A motion was made (GS) and seconded (AG) to receive and place on file the letter in the file. Motion passed unopposed.

A motion was made (KD) and seconded (AG) to approve the request for a one year extension of site plan approval for Case #04-16 for the Southeastern Massachusetts YWCA renovations.
Motion passed unopposed.

A motion was made (KD) and seconded (AG) to take Agenda Item #10 out of order.
Motion passed unopposed.

ITEM 2 - Agenda Item #10 - Whaler's Woods Estates: Request by applicant, Long Built Homes, Inc., for a reduction of cash surety. Applicant's agent: Atty. Lee Castignetti, Jr., Long Built Homes, Inc., 158 Charles McCombs Boulevard., New Bedford, MA 02745.

Att. Lee Castignetti stated a request for reduction had been submitted with just a couple of items still uncompleted. He referenced a DPI letter regarding the reduction which, though less than their request, was acceptable to the petitioner.

Ms. Clarke confirmed the difference in the reduction numbers, and stated that with no notary present, if the board approves the request, the attorney would need to come in to sign documents.

Chairperson Dawicki clarified that the DPI letter dated 2/27/17, requesting \$132,000 from the current \$220,000.

There being no questions, a motion was made (KD) and seconded (AG) to accept the DPI recommendation to reduce the surety amount to be held from \$220,000 to \$132,000 for the Whalers Wood Estate in New Bedford.
Motion passed unopposed.

At Chairperson Dawicki's request, a motion was made (KD) and seconded (AG) to take Case #7-17 out of order.
Motion passed unopposed.

ITEM 3 – Case 07-17 - Northside Farms Subdivision request by applicant for Modification of Subdivision Plan approval, from 35 to 15 lots, on a 12+/- acre site east of Acushnet Avenue, south of Phillips Road and north of Victoria Street (Map 130D, Lots 117, 379-387, 392-419) located in the Residence A (RA) zoning district. Applicant: New Bedford Cousins, LLC, P.O. Box 36, Scituate, MA 02066.

Chairperson Dawicki stated that the board had received a letter dated March 2, 2017 requesting a continuance.
Chairperson Dawicki read the letter into the record.

A motion was made (GS) and seconded (KD) to continue the matter to the April 12, 2017 meeting.
Motion passed unopposed.

At Chairperson Dawicki's request, a motion was made (KD) and seconded (AG) to take Case #2-17 out of order.
Motion passed unopposed.

ITEM 4 – Case 2-17 - Xcel Brazilian Jiu Jitsu - Request by applicant for Site Plan approval for new construction of a 5,200 SF gym located at the NW corner of Church and Chaffee Streets on a 27,871 SF site in the Industrial A (IA) zoning district. Applicant: Marcio Silva, Marion, MA.

Alan Heureux, civil engineer with Boucher and Heureux, Westport, MA, stated the proposed building will be located on what is now a vacant lot. He referenced the layout, grading utilities and landscaping plans dated 1/23/17. He added that they had responded positively to all DPI minor comments. He presented the board with copies of a letter to Commissioner of Department of Public Infrastructure Zeb Arruda and the revised plan. He stated the plans essentially didn't change.

A motion was made (KD) and seconded (AG) to receive and place on file the items submitted.
Motion passed unopposed.

Mr. Heureux displayed the proposed gymnasium's layout and landscape plan and explained the locations of the entrance, travel aisles, and handicap spaces. He stated there are 30 total parking spaces, with the zoning requirement being 26 spaces. He stated the revised plan contains more landscaping, and he detailed the addition of trees and shrubs. He covered the storm water management design, stating that surrounding streets are unaffected by the project. He stated the site will be covered by connection to municipal water and sewer. He stated they had also submitted a drainage/storm water analysis report dated January 2017, which DPI had no problem with.

Mr. Heureux then reviewed DPI comments such as permit requirements and applications, pre-construction meeting, and curb returns, sewer clean out, pavement, et cetera. He then invited questions.

With regard to parking, circulation and site access, Mr. Smith inquired about signage, which Mr. Heureux stated was currently proposed to be only on the building.
In response to an inquiry by Board Member Duff, Mr. Heureux stated the signs were not backlit.

With regard to landscaping, Ms. Duff confirmed that inner curbing would be granite at Church Street and up Chaffee Street. Mr. Heureux stated that DPI requirements were for a 4.5' sidewalk down Church Street and a 3' utility strip. He stated there is granite curb, but no sidewalk, on Chaffee Street. He stated almost the entire site contains concrete curb, and illustrated the locations of Cape Cod berm. He described the wrapping sidewalk and a rear door, loading space and snow storage.

In response to Board Member Cruz, Mr. Heureux stated there was no dumpster shown, as he shares his parents' dumpster next door.

With regard to lighting, Ms. Duff confirmed that the building lights merely light the parking area. Mr. Heureux stated he had concerns about the lighting times in the staff notes with regard to security. Mr. Heureux could only show utility poles, in response to Ms. Duff's inquiry regarding location of street light poles.

Marcio Silva, owner, stated they do not open until 11:00a.m. and close at 9:00 p.m. to 10:00 p.m. and he will have lights shut an hour after.

Chairperson Dawicki confirmed that at this time there was no proposed ground sign. Mr. Silva stated the ground sign currently on the property is not theirs and will be removed.

There were no questions regarding storm water/drainage.

A motion was made (KD) and seconded (AG) to open the public hearing. Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor.

In response to Chairperson Dawicki's invitation to speak or be recorded in opposition, Elizabeth Ortiz, 999 Church Street, stated she was concerned about the water. She stated she is concerned about runoff to the north side, as she has current problems which DPI is trying to correct. She stated she is also concerned about the back opening, which will be on the side of her house, where people can smoke or get fresh air. She asked if there would be fencing so her property will not be affected. She was content with the operating hours.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in opposition.

Mr. Heureux stated that all runoff will be captured and there should be no additional runoff. He stated that DPI stated the problem is from a development up the hill.

With regard to the rear overhead door, he stated mats will be coming in and out, and he does not believe it is for smoking. Mr. Silva stated the door will mainly be closed. He stated he does not have one smoking customer who will be going outside to smoke. He stated the door will not be open in the evening and he does not see putting up a fence with the proposed tree line. He stated he takes pride in the property.

Mr. Smith inquired as to any requirement for screening. Ms. Clarke confirmed the requirement, but noted a vegetative screen could suffice.

A motion was made (GS) and seconded (KD) to close the public hearing. Motion passed unopposed.

In response to the board, Mr. Heureux stated the 50' wide paper street is a wooded area, in addition to the 25' setback to the building.

In response to Board Member Duff's inquiry as to roof material, John Folino, Cape Building Systems, stated the material was silver metal and he explained the roof pitch.

In response to Mr. Smith, Mr. Folino stated the lighting would be LED cutoff wall packs which will not bother the neighbors.

Mr. Glassman expressed he felt this was a nice addition to the street.

After a review of conditions, a motion was made (KD) and seconded (AG) to approve the site plan entitled Xcel Brazilian Jiu Jitsu, dated 1/23/17 as filed by the applicant, for the site located at the NW corner of Church and Chaffee Streets in New Bedford, Map 130G-1, Lots 22, 41-44, with the following conditions:

- That the lighting on the building be turned on one hour before opening and go off one hour after closing;
- That the applicant agree to remove the existing sign on the property;
- That the applicant agree to modify and update the drawings according to staff comments, including submitting a construction schedule;
- That the project shall be undertaken according to the updated plans submitted this evening, with the applicant with adherence to all notes on the plans as reviewed by the Planning Board on this date, as modified by the conditions of this decision;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI dated February 21, 2017, and that the Planning board incorporates a DPI memo as part of the conditions and the letter by Boucher and Heureux to the DPI addressing DPI concerns as submitted this evening;

- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents;
- That the applicant shall submit final plan revisions to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and that these same plans are submitted to the Department of Inspectional Services;
- That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward signed by the Office of the City Clerk for the Planning Division case file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That the rights authorized by the granted site plan approval must be exercised by issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

This motion to approve with conditions is for site plan approval for the construction of a 5,200 +/-SF gymnasium located at the NW corner of Church and Chaffee Streets in the Industrial A (IA) zoning district New Bedford, MA.

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5400. As a result of such consideration, the board moves approval on the subject application with the conditions so noted.

Motion passed 5-0.

At Chairperson Dawicki's request, a motion was made (PC) and seconded (KD) to take Case #3-17 out of order. Motion passed unopposed.

ITEM 5 – Case 03-17 - Apartments on the Cove – Request by applicant for Site Plan approval for adaptive reuse from a 290,191+/- SF mill building to 195 residential apartments on a 4.2+/- acre site located at 89-93 West Rodney French Blvd (Map 15, Lot 151) in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD).

ITEM 6 - Case 04-17 - Apartments on the Cove – Request by applicant for Special Permit for parking reduction on a 4.2+/- acre site located at 89-93 West Rodney French Blvd (Map 15, Lot 151) in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD).

Steve Gioiosa, SITEC Engineering for Erika Realty, stated they are seeking to convert the existing Kilburn Mill Complex, present since the turn of the century. He offered an aerial photograph of the property location. He displayed and explained the existing site conditions. He noted the series of buildings on the property, as well as the cobblestone paved area currently utilized for bus storage, and a fuel storage tank. He noted the recently constructed walkway on the hurricane barrier. He stated the site is some 95% impervious, with a small amount of green space.

Mr. Gioiosa stated the applicant is seeking to re-purpose and upgrade the property by, first, demolishing some of the old wood framed structures which are not in character with the original historical nature of the site and added to the original mill complex. He stated they will utilize the existing Rodney French Blvd. curb cut, and described the same on the display.

He stated the proposal will create 195 apartments within the complex on this 4.2 acre site. He stated the fuel storage facility will be eliminated, as will loading docks, and significant landscaping will be

added to the property, to create efficient on-site parking and much improved green space from 4% to 18%. He again explained proposed changes and their locations on the display, such as installation of pedestrian walkways et cetera.

Mr. Gioiosa then explained the plan for a garage parking area on the lower building level, which will provide some 104 parking spaces with two entry points in the garage. He stated they will maintain structural integrity and are working with the building column lines. He stated they will maintain some paved areas and create a designated loading area as required, and two dumpster pad locations. He noted several areas for ADA compliant spaces; three within the garage and four outside.

Mr. Gioiosa covered the extensive landscaping plan on-site and beyond site limits on adjoining street scapes, such as planting and sidewalks. He noted the LED parking area lighting, with pedestal lighting along the walkway.

He stated this older industrial site has been a mixed use building with an antiquated drainage system. He then went over the storm water improvements, to include reduction of impervious surface, grading, and additional drainage plans with catch basins, flow mitigation controls, recharge, et cetera.

Mr. Gioiosa then addressed the on-site parking reduction request. He stated that code requires 2 spaces per unit. They are providing 238 on-site total spaces, requiring a parking reduction of 152 non-ADA compliant spaces. He noted the controlled parking access with this proposal, as well as a plan to do off-site restriping for delineated additional non-exclusive public parking. He invited questions.

Mr. Smith inquired as to unit breakdowns not present on the submitted plans. Barry Ganek, Ganek Architects, Carlisle, MA, stated the small former administrative building is currently slated for 6 two-bedroom units. He stated the 195 units will have a mix of 1-2 bedrooms. He offered current drawings for the building.

A motion was made (KD) and seconded (AG) to receive and place on file the updated drawings. Motion passed unopposed.

Ms. Dawicki noted the updated site layout shows 28 one-bedroom, 155 two-bedroom, and 12-three bedroom units. Mr. Ganek stated the three-bedroom units are planned for the former boiler room section.

Board Member Duff confirmed that a building shown was outside the property line.

With regard to parking, Ms. Duff complimented the applicant on his use of the building for parking. She inquired as to whether the current bus parking area is granite block. Mr. Gioiosa stated there was a mix of surfaces. He stated they planned on resurfacing the entire complex with bituminous material but will defer to the board on any preservation of the more historic nature. Ms. Duff suggested a reuse of such materials on the site, noting parking has been kept away from the front entrance.

Mr. Smith confirmed the docks would be removed and the building would have new residential elevators installed, as well as a sprinkler system.

In response to Chairperson Dawicki's inquiry on snow storage, Mr. Gioiosa indicated the areas so designated.

In response to Mr. Smith, Mr. Gioiosa confirmed parking spaces to be 9' wide, 20' long, per city code.

Ms. Duff suggested a compact car area, which Mr. Gioiosa stated might work out to an additional 6 spaces, if that is what the board desired.

Chairperson Dawicki covered staff comments which are outstanding.

With regard to property access, Ms. Duff noted she saw no on-site recreation. Mr. Gioiosa referenced the courtyard area, and noted the nearby walking path, park and beach.

Board Member Cruz inquired as to advance warning for pedestrians when exiting the underground parking. Mr. Gioiosa agreed to develop the same. Board Member Cruz inquired as to the material of the building columns and them being struck by vehicles. Mr. Ganek stated they were concrete, and Mr. Gioiosa expected vehicles would be traveling at crawl speeds, but designed the maneuvering space accordingly.

With regard to landscaping and lighting, Board Member Duff inquired as to light locations. Mr. Gioiosa displayed and described the same.

Board Member Cruz inquired as to the sidewalk connections. Mr. Gioiosa stated that according to DPI, sidewalks heading south had recently been done, and the project will take care of the loop connection to the walking path. He stated the applicant had no plans regarding the neighboring property.

In response to Chairperson Dawicki, Mr. Gioiosa stated they had gone with standard LED lighting, but they were willing to consider something more period style. Board Member Duff agreed that the lighting should be more period style.

In response to Mr. Smith, Mr. Ganek stated the outer building masonry would be cleaned up according to standards dictated by Historic Tax Credit guidelines, which the applicant is applying for. He stated that newly installed windows will mimic the originals as much as possible.

Mr. Gioiosa confirmed for Chairperson Dawicki that no signage was being proposed at present.

With regard to drainage/storm water Mr. Gioiosa stated the applicant had no problem with DPI comments as outlined.

A motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Councilor Joseph Lopes, councilor for the ward, referenced the money invested in the hurricane dike, which officials hoped would lead to the repurposing of the mills. He noted the life this type of project brings to neglected buildings and surrounding neighborhoods, especially this difficult neighborhood that has been lacking for generations. He noted the future investment at Hazelwood Park and the money spent on the new school in this area. He stated this project falls into a revitalization of the neighborhood and community. He encouraged the board to vote favorably.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Derek Santos, New Bedford Economic Development Council, stated the project was exciting. He echoed Councilor Lopes' comments and referred to residential projects driving economic development. He commended the applicant for working with the Waterfront Historic Area League on tax credits, which he felt make these projects happen. He stated he expects the project would lead to future growth in the south end, and was appreciative of the maximizing of green space and open space where there was almost none. He, too, encouraged the board to vote favorably.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (GS) to close the public hearing.
Motion passed unopposed.

Chairperson Dawicki confirmed with Mr. Gioiosa that reduced parking space dimensions would yield six more parking spaces. Board Member Duff and Glassman expressed support of the reduction.

Board Member Duff confirmed that the granite curbing along West Rodney French Blvd. would be restored, and concrete curbing will be used for the inner site portions. Board Member Duff reiterated the use of the Belgian Block.

Board Member Cruz inquired about extending granite curbing into the site drive. Mr. Gioiosa agreed.

Chairperson Dawicki confirmed that the gate to the office building would be maintained.

After reviewing conditions to include, a motion was made (KD) and seconded (AG) that the planning board approve the site plan entitled Apartments on the Cove, 89-93 West Rodney French Blvd, New Bedford, Massachusetts dated January 29, 2017 in Case #03-17, (Map 15, Lot 151) with the following conditions:

- That the applicant reuse the Belgian Block, currently on the south portion of the project, as paving at the vehicular entrance off of West Rodney French Blvd., and to coordinate with planning staff and/or board members;
- That the applicant revise the south side parking to accommodate compact vehicles, with an 8' wide striping and to submit a revised parking plan to planning staff, noting the waiver to the city requirement of 9' width;
- That the applicant agree to revise lighting to use more period historic fixtures, and coordinate with planning staff regarding the fixtures;
- That the applicant agree to accommodate all staff comments in their review of the project;
- That the applicant agree to add warning signage at the north garage parking exit onto Grit Street, as cars are egressing out of that parking area;
- That the applicant agree to continue the granite curbing off West Rodney French Blvd. into the site in the area, also to receive some of the reclaimed Belgian Block for paving, up to the first planting island;
- That the project shall be undertaken according to the plans submitted with the application, with adherence to all notes on the plans as reviewed by the Planning Board on this date, as modified by the conditions of this decision, including the plan submitted to the planning Board this evening;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI dated March 3, 2107, and that the Planning board incorporates the DPI memo as part of the conditions;

- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents;
- That the applicant shall submit final plan revisions to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward signed by the Office of the City Clerk for the Planning Division case file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That the rights authorized by the granted site plan approval must be exercised by the issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

This motion to approve with conditions is for site plan approval for the adaptive reuse of a 290,191+/- SF mill building to 195 residential apartments on a 4.2+/- acre site located at 89-93 West Rodney French Blvd in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD).

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5400. As a result of such consideration, the board moves approval on the subject application with the conditions so noted.

Motion passed 5-0.

A motion was made (KD) and seconded (AG) that the planning board approve a special permit associated with the site plan entitled Apartments on the Cove, 89-93 West Rodney French Blvd, New Bedford, Massachusetts dated January 29, 2017 in Case #04-17, (Map 15, Lot 151):

- That the project shall be undertaken according to the plans submitted with the application, with adherence to all notes on the plans as reviewed by the Planning Board on this date, as modified by the conditions of this decision;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI dated March 3, 2107, and that the Planning Board incorporates the DPI memo as part of the conditions;
- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents;
- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents;
- The applicant shall submit one final plan revision to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward signed by the Office of the City Clerk for the Planning Division case file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That the rights authorized by the granted special permit must be exercised by the issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

This motion to approve with conditions is for a special permit for a parking reduction from 390 to 244 spaces on a 4.2+/- acre site located at 89-93 West Rodney French Blvd (Map 15, Lot 151) in the Industrial B (IB) zoning district and West Rodney French Mill Overlay District (WRFMOD).

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5300, relative to the granting of special permits, because the board found that the benefit to the city and the neighborhood outweighs the adverse effects of the proposed use, and because the board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5300, general regulations, 3100 parking and loading, 3110 applicability, 3120 §5300-5390 special permit for parking reduction and 3130 table of parking and loading requirements. As a result of such consideration, the board moves approval on the subject application with the conditions so noted.

Motion passed 5-0.

ITEM 7 – Cases 01-17 - 100 Duchaine Blvd - Request by applicant for Site Plan approval for new construction of a 28,000+/- SF food packaging and distribution warehouse and office building located in New Bedford Business Park at 100 Duchaine Blvd on a 7.26 +/- acre site in the Industrial C (IC), Residence A (RA), and Mixed-Use Business (MUB) zoning districts.

Christian Farland, Principle Engineer and President of Farland Corp, introduced Matthew White, project manager, as well as the applicant Eric DaCosta. He then offered the presentation and elevation plans.

A motion was made (KD) and seconded (GS) to receive and place the same on file.

Motion passed unopposed.

Mr. Farland described the property location, adjacent to the Eversource Property in the Industrial Park. He stated the property was purchased and few years back and the building renovated. He stated an ANR Plan, which is currently in land court, was filed to subdivide approximately 7.26 acres of land to be used for their new building.

Mr. Farland stated the majority of the site encompasses a bituminous parking lot and the foundation of the former Polaroid Building. He noted the site has a storm water drainage system which will receive improvements, a fire protection and domestic water protection lines, utilities, et cetera.

Mr. Farland covered the presentation plan submitted, describing the site areas and noting they had filed a notice of intent with the Conservation Commission.

He stated the proposal is for a 28,000 SF metal building, containing 22,000 SF of cooler space. He further described the site plans, including storage space for trailers. He explained the importance of the cooler space for the company.

Mr. Farland elaborated on the storm water system. He stated the parking on the site is in excess of the city requirements, and the zoning requirements regarding green space have been met. He stated they is no proposed use within the residential zone. He noted the 6'x4' dumpster location and noted that the ring road is a private roadway without public access.

Mr. Farland covered the minimal landscaping plans for the generally treed site. He then discussed the lighting plan, which will upgrade the existing lighting. He stated there is an existing sign that is likely to be utilized for

the existing facility. He stated they had submitted elevations. He then invited questions.

Chairperson Dawicki confirmed that the applicant had received DPI comments and had no issues with the same.

Mr. Smith confirmed that there was no proposed connection with Phillips Road. In response to Mr. Smith, Mr. Farland pointed out the two parking lots, one presently containing trailers.

Board Member Duff inquired as to the location of the mixed use business zone on the site. Mr. Farland indicated a small area that he believed might be so designated, but stated the whole proposed site is industrial.

Mr. Smith confirmed that there would be pack lights on the building. Board Member Duff confirmed pole lighting in the middle and outer edge.

In response to Board Member Duff, Mr. Eric DaCosta stated his neighboring current location has the same LED lighting both in the parking lots and the building, and they all turn on at dusk and shut off at dawn. In response to Board Member Duff, Mr. Farland stated there was no active road lighting at present. In response to Board Member Duff, Mr. DaCosta explained there are trucks coming in and out at night, and he expects that Eversource, once completed, will bring a similar volume of night traffic. Mr. DaCosta stated he has been the single operation in the area for two years, and the area was vacant for eight years.

Mr. Smith inquired as to any recommendation from the Industrial Foundation. Ms. Dawicki stated they were present and expected to speak.

With regard to landscaping, there were no concerns expressed.

With regard to storm water/drainage, there were no concerns expressed.

Chairperson Dawicki confirmed with Mr. Farland that there were no problems with the staff comments.

A motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Derek Santos, on behalf of the Greater New Bedford Industrial Foundation, expressed excitement regarding the expanded presence of NWD Trucking at the vacant campus, and also bringing in additional expansion, which is important to New Bedford's economic strength. He stated they had worked with the applicant regarding the subdivision of land and site details. He stated the Foundation was reviewing the building elevations and would look to the Planning Board for guidance, but he sees no issue with the building design. He stated they had not reviewed any additional signage. He invited questions.

In response to Mr. Smith's question on sufficient green space, Mr. Santos stated this existing campus. He stated there is very little modification planned, but instead improvements.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor.
There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.

Motion passed unopposed.

After conditions of approval and other comments were reviewed by the board, a motion was made (KD) and seconded (AG) that the planning board approve the site plan entitled Site Plan 100 dated 1/15/17 and prepared by Farland Corp in Case #01-17 for the site located at 100 Duchaine Blvd (Map 134, Lots 7 and 8) under land court Case #36318 with the following conditions:

- That the applicant accommodate all of the staff comments;
- That the applicant understand and maintain all existing buffers around the property, in particular the wooded buffers;
- That the project shall be undertaken according to the plan submitted with the application, including those submitted this evening, with adherence to all notes on the plans as reviewed by the Planning Board on this date, as modified by the conditions of this decision;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI dated 2/23/17 and 1/30/17, and that the Planning Board incorporate the DPI memo as part of the conditions;
- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on a final plan set and/or case documents;
- The applicant shall submit one final plan revision to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the Office of the City Clerk for the Planning Division case file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That the rights authorized by the granted site plan approval must be exercised by the issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse;
- That the applicant understand that project must receive full approval from the Conservation Commission.

This motion to approve with conditions is for a site plan approval for new construction of a 28,000+/- SF food packaging and distribution warehouse and office building located in New Bedford Business Park at 100 Duchaine Blvd on a 7.26 +/- acre site in the Industrial C (IC), Residence A (RA), and Mixed-Use Business (MUB) zoning districts.

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5400. As a result of such consideration, the board moves approval on the subject application with the conditions so noted.

Motion passed 5-0.

ITEM 8 – Case 05-17 - Bristol County Savings Bank – Request by applicant for Site Plan approval for a drive-thru Interactive Teller Machine (ITM) on a site at 72 North Water Street in the Mixed Use Business (MUB) zoning district, Bedford Landing Historic District, Downtown Business Overlay District (DBOD) and Central Business District (CBD).

ITEM 9 – Case 06-17 - Request by applicant for Special Permit for Parking Reduction on a 45,813+/- SF site at 72 North Water Street (Map 53, Lots 68, 291 & 295) located in the Mixed Use Business (MUB) zoning district,

Bedford Landing Historic District, Downtown Business Overlay District (DBOD) and Central Business District (CBD).

Board Member Duff recused herself from the case and left the hearing, noting that she has a business relationship with the applicant.

Chairperson Dawicki confirmed for the applicant that, in Board Member Duff's absence, the applicant will require 4 affirmative votes.

Steve Gioiosa, of SITEC, stated that the applicant is looking to occupy a portion of the Candleworks Building. He displayed an aerial photograph and described the locations shown. He stated this mixed use commercial site has a parking facility on the property's north side.

Mr. Gioiosa introduced Don Smyth, Vice President of Bristol County Savings Bank. Mr. Gioiosa then displayed the overall plan and pointed out locations, noting that there are no proposed modifications proposed for any building footprint change. He described the building interior and location of the proposed project. He stated the bank is looking to create a free-standing ITM teller canopy area. He stated that would require modifications to the southeast corner of the site, which would bring it into current zoning compliance regarding dimensional requirements. He then covered modifications to driveway access, right of way construction materials, sidewalk continuations for a pedestrian link, a stacking area for the drive-thru to eliminate any negative traffic flow impact to the parking facility, and the creation of two lanes for the canopy area and parking repositioning, with striping and curbing to the east of the building. He noted there would be grading changes in the site topography, and explained how the applicant will improve on the existing drainage system and provide additional on-site mitigation. He stated they will maintain the natural drainage flow.

Mr. Gioiosa described the landscape drawing. He noted that after consulting with staff they would make some revisions to the landscape plan, and he handed out the same.

A motion was made (GS) and seconded (PC) to receive and place the same on file.
Motion passed unopposed.

Mr. Gioiosa highlighted changes from the original landscape proposal to the revised plan, to include the bolstering of shrubs and trees on the bank's portion of the property. Moving onto architectural plans, Mr. Gioiosa explained that the canopy was designed with consultation of the Historical Commission, in keeping with the period of the area, blending into the Historic District. He delineated materials and features to be used, to include period lighting used in the district.

Mr. Gioiosa explained the proposed minor building signage as submitted, as well as signage in the outdoor seating area, again after consultation with the Historic Commission. He described signage on the canopy, as well as period lighting. Apart from security lighting under the ITM canopy, there are no parking lot lighting changes proposed.

Mr. Gioiosa discussed the requested relief on parking regulations. He noted the limited hours of the bank within this mixed use building, stating that bank peak hours are not the same as the restaurant peak period, illustrating the non-competing uses. He stated the request is to reduce the required 70 spaces down to 63. He also noted the walking distance proximity to the Elm Street Garage and stated that ADA compliant spots will be maintained.

Mr. Glassman commended the presentation and inquired as to landscaping plans in comparison to the robust Bay Coast landscaping. He wondered if there would in essence be landscaped book ends created. Mr. Gioiosa indicated in the affirmative, stating they had used the same landscape architect which will dress up the corner and provide screening which will address headlight interference with Route 18 south traveling vehicles.

Mr. Smith inquired as to some of the signage. Mrs. Clarke explained that that would be the zoning officer's determination.

Board Member Cruz confirmed that all restriped spaces will meet the 9'x20' city standards. The applicant confirmed and added there will be minimum 22' access aisles upon completion.

Chairperson Dawicki confirmed that the applicant had no problem with DPI and/or staff comments.

A motion was made (AG) and seconded (GS) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Derek Santos, on behalf of the Greater New Bedford Industrial Foundation, expressed excitement on behalf of the project. He encouraged the board to grant both the site plan and special permit.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (AG) and seconded (GS) to open the public hearing.
Motion passed unopposed.

Mr. Glassman stated the proposal was pretty basic.
Mr. Smith stated his only concern was the little building and that was answered.

After a brief discussion on conditions to include, a motion was made (AG) and seconded (PC) that the planning board approve site plan entitled Bristol County Savings Bank, 72 North Water Street, New Bedford (Map 53, Lot 68 and 295) dated 2/7/17 and prepared by SITEC in Case #05-17, with the following conditions:

- That all final lighting details associated with drive-thru be reviewed and approved by the city planner and New Bedford Historic Commission;
- That the final landscaping plan reflecting plant material as installed be provided to the city planner for review and approval prior to signing off on the certificate of occupancy;
- That the applicant will work with the city planner in its resubmittal of any documents for which typos and minor corrections are warranted;
- That the applicant abide by all DPI comments as presented in the memo dated 2/23/17;
- That the project shall be undertaken according to the plan submitted with the application, with adherence to all notes on plans as reviewed by the planning board on this date, as modified by the conditions of this decision;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI dated 2/23/17, and that the Planning Board incorporate the DPI memo as part of the conditions;
- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be

- completed and presented on a final plan set and/or case documents;
- The applicant shall submit one final plan revision to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
 - That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the Office of the City Clerk for the Planning Division case file folder;
 - That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
 - That the rights authorized by the granted site plan approval must be exercised by the issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

This motion to approve with conditions is for site plan approval for a drive-thru Interactive Teller Machine (ITM) on a 45,813 SF site at 72 North Water Street in the Mixed Use Business (MUB) zoning district, Bedford Landing Historic District, Downtown Business Overlay District (DBOD) and Central Business District (CBD).

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5400. As a result of such consideration, the board moves approval on the subject application with the conditions so noted.

Motion passed 4-0.

A motion was made (AG) and seconded (GS) that the planning board approve a special permit associated with the site plan entitled Bristol County Savings Bank, 72 North Water Street, New Bedford (Map 53, Lot 68 and 295) dated 2/7/17 and prepared by SITEC in Case #06-17, with the following conditions:

- The request, as granted, allows reduction to 63 spaces where 70 are required on the subject site with the condition that no other parking for uses unrelated to those within the Candleworks Building be permitted on the site;
- That the project shall be undertaken according to the plan submitted with the application, with adherence to all notes on plans as reviewed by the planning board on this date, as modified by the conditions of this decision;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI dated 2/23/17, and that the Planning Board incorporate the DPI memo as part of the conditions;
- That the applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on a final plan set and/or case documents;
- The applicant shall submit one final plan revision to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the Office of the City Clerk for the Planning Division case file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That the rights authorized by the granted special permit approval must be exercised by the issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

This motion to approve with conditions is for special permit for parking reduction from 70 to 63 spaces on a 45,813 SF site at 72 North Water Street in the Mixed Use Business (MUB) zoning district, Bedford Landing Historic District, Downtown Business Overlay District (DBOD) and Central Business District (CBD).

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9 Section 5300, because the board found that the benefit to the city and the neighborhood outweighs the adverse effects of the proposed use, and because the board found that the proposal conforms with the standards for special permits in Chapter 9 Section 5321-5326. This request was also found to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9, General Regulations 3100, 3110, 3120, 5300-5900 and 3100. As a result of such consideration, the board moves approval on the subject application with the terms and conditions so noted.

Motion passed 4-0

Board Member Duff rejoined the meeting.

ITEM 10 – Case #8-17 - Southeastern New England Dental Group – Request by applicant for Site Plan approval for construction of a 2,118+/- SF addition to an existing 1,322+/- SF structure on a 25, 424+/- SF site at 899 Pleasant and ES Foster Streets (Maps 58, Lots 300-302, 304 & 499) located in the Mixed Use Business (MUB) zoning district.

Mike Josefek, Architectural Consulting Group, introduced the owner Dr. Mofta El-ghadi. Mr. Josefek submitted updated documents including the engineering and storm water report, and drainage plans.

A motion was made (GS) and seconded (PC) to receive and place on file.
Motion passed unopposed.

Mr. Josefek stated he had been before the city at prior meetings. He referenced the site located at the corner of Pleasant and Purchase, adjoining Hillman Street with an 1850 structure. He stated he had worked on several historic restoration projects. He stated the original plan was to take down the building. The plan eventually changed to saving and restoring the building, as well as an addition, that will benefit the neighborhood.

Mr. Josefek stated they will work on the Hillman Street pitch point in consultation with DPI to make a 90° intersection. He stated the site contains an old garage, which was apparently an old barn that Historical Preservation Planner Ann Louro wishes to save. The original idea was to move the barn to another area. Due to the lack of sufficient parking, the plan is to remove the garage structure in order to provide the required parking.

Mr. Josefek stated the site plan contains drainage plans and there will be less water moving offsite than there is currently. He stated curb cuts will be reduced from four to two, and stated the applicant will follow DPI requirements regarding the same. He stated the granite curb sidewalks will be maintained and will blend in at the entrance. He stated onsite pavement will be Cape Cod berm at the landscape areas. He discussed the landscape plan. He noted there will be handicap parking. He stated the parking requirement is based on the size of the building, but not the use. He stated the practice, which operates Monday thru Thursday until 5:30 or 6:00 p.m., sees about 20 patients per day with 8 employees.

Mr. Josefek discussed lighting and demolition/repavement plans. He then discussed erosion control, including

waddles versus hay bales, which will be less than the present. He stated the new structure will not replicate the old historic features, but will keep the flavor of the symmetry. He discussed the materials, to include restoration or maintenance of the older building siding.

Mr. Josefek covered the lighting plan, including site bollards and preventing offsite light. He stated the lights can be dimmed in the evening so as not to be a neighborhood nuisance.

Chairperson Dawicki interrupted the presentation because closing time for the library had arrived and suggested a continuance to the April 12, 2017 meeting. She encouraged abutters present to address any issues with the applicant.

At the request of the applicant, a motion was made (KD) and (AG) seconded to continue the case to the April 12, 2017.

Motion passed unopposed.

5. NEW BUSINESS:

Ms. Clarke stated items had been received in the planning office from abutting communities which are available for public review. She reminded all board members and staff that Massachusetts Code of Ethics Exam is due.

6. ADJOURNMENT:

A motion was made (KD) and (GS) seconded to adjourn at 9:00 p.m.

Motion passed unopposed.

NEXT PLANNING BOARD MEETING
IS SCHEDULED FOR APRIL 12, 2017