



City of New Bedford

PLANNING BOARD

133 William St, Room 303, New Bedford, Massachusetts 02740
Telephone: (508) 979.1488 Facsimile: (508) 979.1576

PRESENT: Kathryn Duff, *Acting Chairperson*
Arthur Glassman
Peter Cruz
Alex Kalife
George Smith

ABSENT: Colleen Dawicki

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

CALL TO ORDER

Acting Chairperson Duff called the meeting to order at 6:14 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

A motion was made (AG) and seconded (PC) to approve the August 9, 2017 meeting minutes.
Motion passed unopposed.

PUBLIC HEARINGS

ITEM 1 - Case #28-17: Commercial Nail Salon – Request by applicant for Site Plan approval for a commercial nail salon located at 801 Mt. Pleasant Street (Map 123A, Lots 79 & 80) on a 6792 +/- SF site in the Mixed Use Business (MUB) zoning district. Applicants: Ming-Tong Nguyen & Cuc-Thi Tran, 11 John Alden Court, Dartmouth, MA 02747.

ITEM 2 - Case 29-17: Commercial Nail Salon - Request by applicant for Special Permit for Parking Reduction for a commercial nail salon located at 801 Mt. Pleasant Street (Map 123A, Lots 79 & 80) on a 6792 +/- SF site in the Mixed Use Business (MUB) zoning district. Applicants: Ming-Tong Nguyen & Cuc-Thi Tran, 11 John Alden Court, Dartmouth, MA 02747.

Steve Gioiosa of SITEC Engineering pointed out on the plan the 6,700 s/f parcel between Downey and Haskell Streets, which is the subject of the hearing and provided orientation details. He stated the applicant seeks to construct a single-story wood frame nail salon. He stated there is currently a single-family home and shed located on the property, with an old substandard septic system. He stated the applicant seeks to demolish the existing structures, remove the old septic system, and connect the new project to municipal water and sewer. He added that the applicant has also purchased the property separating them from Downey Street.

*Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at:
<http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>*

CITY CLERK
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CITY CLERK'S OFFICE
NEW BEDFORD, MA

Mr. Gioiosa displayed plans and orientation for the proposed 1,700 s/f building. He noted the single curb cut for entry and explained the parking and circulation. He noted ADA spaces, sidewalk, and screened trash pad, with good neighbor buffering.

Mr. Gioiosa went over the grading plan, including the sewer connection reviewed by DPI. He expressed agreement with DPI and planning staff comments. He explained water service and the new on-site drainage system, along with the features of the planned, deep sump catch basin.

Mr. Gioiosa explained the landscaping and lighting plans. He stated the zoning ordinance requires nine on-site parking spaces. He stated the applicant has seven spaces. He stated the applicants will have an adjacent residence where the owners can park.

Mr. Gioiosa explained the planned architecture of the building, to include vinyl siding in muted tones and a pitched roof. He reviewed the building plans, floor plans, and noted there is no request for a pylon [GROUND] sign.

Board Member Glassman confirmed that the corner house would not be torn down.

In response to Board Member Duff, Mr. Gioiosa again explained the building elevation orientations of the proposed building/property. He also acknowledged that he felt vinyl siding appropriate with the area buildings.

In response to Board Member Smith, Mr. Gioiosa confirmed the creation of a recorded easement to be included for the sewer. Mr. Gioiosa addressed Board Member Smith's lighting and employee parking questions.

In response to Board Member Cruz, Mr. Gioiosa explained that there would be very short deliveries by Fed-Ex and UPS.

In response to Board Member Duff, Mr. Gioiosa explained the decommissioning and excavation of the existing septic system. He stated the work will be documented in the as-built plans.

In response to an inquiry by Board Member Duff, Mr. Gioiosa stated the applicant is seeking a lighted sign on the building, but not a ground or pylon sign.

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

In response to Acting Chairperson Duff's invitation to speak or be recorded in favor, [Realtor] Dee Martin of 21 Estelle Avenue, East Freetown, stated she has been a client of the buyers for 11 years, and they are devoted, hard workers. She was hopeful this proposal would be approved.

In response to Acting Chairperson Duff's invitation to speak or be recorded in opposition, Robert Andrade of 220 Haskell Street, an abutter, stated he had questions. He stated he was concerned about how the water run-off would affect his property. He also inquired if the driveway would be a single or double-car driveway exiting onto Mt. Pleasant Street. He inquired whether the septic tanks would be filled or taken out.

Acting Chairperson Duff indicated that Mr. Gioiosa stated they would be removed, along with the surrounding soil.

Mr. Andrade stated he was on the fence [in support or disfavor of the commercial project]. He stated the area, for the 78 years he had lived there, had always been residential.

Acting Chairperson Duff invited Mr. Gioiosa to address Mr. Andrade's questions.

Mr. Gioiosa stated currently there is a low point where water drains. He stated they have designed the drainage system, with that concern in mind, and pitched it to the front of the property. He added the system will be routinely inspected. Mr. Gioiosa noted that the removal of trees had also been taken into account. He stated the driveway will be a two-way driveway with the city width requirements met.

Acting Chairperson Duff noted an existing stockade fence separating the parking lot from Mr. Andrade's property.

Acting Chairperson Duff inquired as to fume exhausts that could affect the neighborhood. Mr. Pereira stated they are putting in a regular air handler system for heating and air conditioning. Mr. Pereira stated he did just basic building design and the contractor will have to address ventilation. Acting Chairperson Duff stated he preference that any exhaust from the building not be toward the residences.

There being no response to Acting Chairperson Duff's invitation to further speak [or be recorded] in favor or opposition, a motion was made (AG) and seconded (PC) to close the public hearing. Motion passed unopposed.

After brief board discussion, including the tightness of the building on site, as well as the lighted sign, a motion was made (AG) and seconded (PC) to approve the request by applicant for a Special Permit for parking reduction for a commercial nail salon located at 801 Mt. Pleasant Street (Map 123A, Lots 79 & 80) with plans prepared by SITEC Engineering and proposed building at 801 Mt. Pleasant Street with plans prepared by Comprehensive Design Services with the following general conditions:

- The project shall be undertaken according to the plans 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 the Department of Public Infrastructure dated 9/5/17, and the Planning Board incorporates the DPI memo as part of these conditions as Attachment 1;
- 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 bearing the certification of the New Bedford 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 approval of the special permit 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.

The motion to approve, with conditions, a Special Permit for parking reduction from 9 to 7 spaces on a 6,792 s/f site in a mixed-use business (MUB) zoning district at 801 Mt. Pleasant Street, found to be in accordance by the Planning Board with the City of New Bedford Code of Ordinances Chapter 9, Section 5300-5390 relative to granting of special permits, was moved because the board found that the benefit to the city and the neighborhood outweigh the adverse effects of the proposed use, and because the board found that the proposal conforms with the standards for Special Permit in Chapter 9, Section 5321-5326.

This request was also found to be in accordance with the City of New Bedford's Code of Ordinances Chapters 9, Section 3000, 3100, 3110, 3120, 5300-5390, and 3130 Appendix C. Motion passed unopposed.

ROLL CALL VOTE (requested by Board Member Smith)

Acting Chairperson Duff – Yes

Board Member Smith – Yes

Board Member Kalife- Yes

Board Member Cruz – Yes

Board Member Glassman - Yes

Motion passed 5-0

With regard to Case #29-17, a motion was made (AG) and seconded (PC) that the Planning Board approve the site plan entitled, Proposed Nail Salon at 801 Mt. Pleasant Street, New Bedford, MA, dated 6/30/17, prepared by SITEC Engineering and filed by the applicant for the site located at 801 Mt. Pleasant Street (Map 123A, Lots 79-80), and plan entitled Proposed New Building at 801 Mt. Pleasant Street, New Bedford, MA, dated 8/2/17, prepared by Comprehensive Design Services, with the following conditions:

Specific Conditions:

- Subject to DPI and staff comments;
- That the lit sign gets turned on not earlier than one hour before and not later than one hour after closing;
- That the applicant provide evidence that septic service has been discontinued and the system has been properly removed;
- Applicant shall obtain written proposal from the Traffic Commission for driveway modification and provide for planning division files as soon as approval has been received;
- Site Layout Plan Sheet #4 shall be modified to read, "Any minor modification as determined by the city planner and city engineer to the information shown on the approved site plans shall be submitted to the city planner and city engineer as a minor plan revision for approval prior to work being performed.";
- Screening materials to visually obscure the trash enclosure shall be reviewed and approved by the planning board or city planner;
- Prior to final approval, snow storage area shall be added to the site layout, landscape, and lighting plan sheets;
- Height of stockade fence shall be noted on the plan. Height shall be at least 6' but no greater than 10' as per Section 3333;
- Additional trees and shrubs shall be added along stockade fence line as per Section 3332;
- Note on planting schedule shall be revised to reflect tree diameter of October Glory Red Maple to be a minimum of 3" at a point 3' from ground level;
- Site distances shall be revised at entrances on landscape and lighting plan sheet;
- Change references from hay to straw wherever applicable on storm water management report;
- Clarification as to color specification of the type of construction materials to be used for the exterior finish shall be specified on revised architectural elevation drawings;

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- Sign plan specifications and sign schedule shall be provided to, and approved by the Planning Board, designee or city planner;
- Lighting locations shall be shown on building elevation drawings;
- All existing and proposed exterior materials, treatments and colors, including roofing, roof eaves, eave brackets, siding and doors, trim sills, windows, fences and railings for the exterior expansion shall be reviewed and approved by the Planning Board designee or city planner before construction commences;
- Applicant shall provide details of proposed new exterior elements;
- Plans shall show any exterior mechanical duct work and/or utility boxes;
- Applicant has not provided a DIS for the proposed development;
- Applicant has not provided a traffic study;
- Application for ground sign review has not been included in this review. Any such ground sign will necessitate that the applicant return to the planning board for submittal and review.

General Conditions:

- The project shall be undertaken according to the plans submitted in 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure dated 9/5/17, and the Planning Board incorporates the DPI memo as part of these conditions;
- The Applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the plan set and/or case documents;
- That the applicant shall submit final plan revisions to the Planning Board in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure these same plans are properly submitted to the Department of Inspectional Services;
- Applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
- 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.

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

ROLL CALL VOTE (requested by Board Member Smith)

Acting Chairperson Duff – Yes

Board Member Smith – Yes

Board Member Kalife- Yes

Board Member Cruz – Yes

Board Member Glassman - Yes

Motion passed 5-0

ITEM 3- Case #30-17: Request by applicant for a Special Permit for parking space reduction located at 2112 Acushnet Avenue (Map 119, Lot 13) on a .501 acres site in the Mixed Use Business (MUB) zoning district. Applicant: CMAC Realty, LLC, 83 Chershire Avenue, Acushnet, MA 02743.

Armando Pereira, Comprehensive Design Build Services, provided an easement agreement made between the CVS Building owners, the applicant, and the city of New Bedford.

A motion was made (PC) and seconded (AG) to receive the same. [The Board declined to comment on the document received into the record because it had not been reviewed by the Office of the City of New Bedford Solicitor prior to the evening's meeting.]

Motion passed unopposed.

Mr. Pereira stated the building has 6,262 s/f of lot coverage. He explained the building history, along with former and present uses of the building. He explained that the residential units within the building were never approved, [and have now been cited under the Zoning code for violation]. He stated the applicant seeks to bring the entire building into compliance.

Mr. Pereira stated that 56 parking spots are required, and currently there are 33 existing on site. He drew the board's attention to Page 2 of the easement agreement provided this evening, which will provide 3 spaces and may change the amount of spaces in the requested relief.

Mr. Pereira drew the board's attention to the conceptual site plan in color and explained the 3 parking spots associated with the easement. He noted he has lived in the area and has never seen a parking issue.

He noted staff comments indicating disrupted asphalt, which he noted is the result of a previous error in drain line connection. He added a sprinkler system will also be added to the building, resulting in further disruption.

He stated the current building utilization is mainly on the first level.

Acting Chairperson Duff inquired as to any planned site upgrades. Mr. Pereira stated this is a sea of asphalt, but explained some existing potting areas. He further stated it would be a hardship to include landscaping in the parking area, and as such, there are no plans for additional landscaping.

With regard to parking, Mr. Pereira noted that the back building was formerly the Registry of Motor Vehicles with associated parking.

In response to Board Member Smith, Mr. Pereira explained that 32 spaces are needed for the business area, the lower front level; in addition, 20 spots are needed for the assembly use, the prior billiards [business use] and barber shop. He stated the dwelling units will require an additional 4 spaces, for a total of 56 required spaces. Ms. Clarke further clarified the required parking spot number and the shortage.

Board Member Cruz asked if the proposed easement affects the original right of way easement. Mr. Pereira could not address the matter, as the easement before the board was drawn up by the CVS property owners. Board Member Cruz noted the conceptual plan notes a 26' access easement, with today's right of way easement shows 30' in width.

Acting Chairperson Duff noted the document provided this evening would require review by the City Solicitor and, therefore, cannot be considered by the Planning Board. She stated the requested relief must remain at 23 spaces and that is what the board will act on.

Mr. Pereira stated the easement shown on the conceptual plan has nothing to do with the subject property.

Board Member Glassman shared some previous knowledge on the property and his understanding is the only reason for coming before the board is to legitimize the apartments that have always been there. He agreed that he too had never noticed a parking problem.

Board Member Cruz noted his concern was that the proposed parking and raised islands are in an easement on a recorded plan, but the applicant is providing a new draft easement. Mr. Pereira explained the conceptual plan of Hunt Real Estate is part of the building department's rejection packet.

Mr. Pereira, in response to Acting Chairperson Duff, with regard to car stops and the cleaning of the lot, et cetera, expressed no objection, but again noted the work [that disturbed the asphalt pavement].

A motion was made (AG) and seconded (PC) to open the public hearing.

Motion passed unopposed.

There being no response to Acting Chairperson Duff's invitation to speak [or be recorded] in favor or opposition, a motion was made (AG) and seconded (GS) to close the public hearing.

Motion passed unopposed.

There being no further board comments or questions, a motion was made (AG) and seconded (PC) to approve the Special Permit for Parking Reduction located at 2112 Acushnet Avenue (Map 119, Lot 13) prepared by Comprehensive Design Services with the following conditions:

Specific Conditions:

- That the applicant shall correct typos for side yard setbacks and zoning matrix on revised plans;
- That car stops be reset for safety reasons;
- To mitigate urban heat island effect, existing landscape plantings should be properly maintained and cared for;
- Areas of pavement on the site where subsidence has occurred should be repaired for safety reasons.

General conditions:

- The project shall be undertaken according to the plans submitted in 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure dated 9/6/17, and the Planning Board incorporates the DPI memo as part of these conditions;
- The Applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the 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 these same plans are

- properly submitted to the Department of Inspectional Services;
- Applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
 - 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;
 - The rights authorized by the granted special permit 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.

Regarding the motion to approve the Special Permit for Parking Reduction is from 56 to 33 spaces on a .501 acre lot in the mixed use business zoning district at 2112 Acushnet Avenue, the Planning Board found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 9, Section 5310-5330 and 5360-5390, 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 found that the proposal conforms with the standard of Special Permits in Chapter 9, Section 5321-5326. This request was also found to be in accordance with Chapter 9, 3100, 3120, 3130 Appendix C. As a result of its consideration, the board moved approval on the subject application with the conditions [above] so noted.

ROLL CALL VOTE

Acting Chairperson Duff – Yes
Board Member Cruz – Yes

Board Member Smith – Yes
Board Member Glassman - Yes

Board Member Kalife- Yes

Motion passed 5-0

ITEM 4: Case #31-17: Request by applicant for Site Plan approval for a seafood warehouse and distribution facility located in New Bedford Business Park at 61 John Vertente Boulevard (Map 133, Lot 47) on a 16.4 +/- acre site in the Industrial C (IC) zoning district. Applicant: SMRE 100, LLC, 255 State Street, 7th fl, Boston, MA 02109.

Christian Farland, President, Farland Corp, representing SMRE, stated the applicant sought approval for renovations to the existing industrial building within the industrial park, along with site improvements. He stated the current site is a vacant building with vegetative wetlands within 100', and as such, they have filed with the Conservation Commission.

Mr. Farland stated the proposal includes the installation of 16 loading dock areas for the tenant, necessitating some renovations to the building exterior and interior. In addition, the proposal includes 47 tractor trailer spaces, which will be a gravel [surface] area. He stated the proposed use is allowed by right.

Mr. Farland stated the existing drainage system will be brought up to DEP standards, which will be an improvement to what currently exists, and the plan will be reviewed by the Conservation Commission agent as well. He stated existing utilities are expected to remain the same, but there will be a relocation of the fire protection line in front of the building due to a cut in grade. He noted the property has a green buffer along the entire property, and as such, the applicant is not proposing additional landscaping. He stated both trash removal and building site lighting will remain the same.

Mr. Farland agreed with the DPI comments. He informed the board they had contacted the Greater New Bedford Industrial Park Board to keep them informed of projects within the park.

Mr. Farland stated he has worked extensively with the applicant both as an engineer and resident of the city. He stated he is impressed with their commitment to New Bedford and its revitalization. He stated the project will create [approximately] 50 jobs.

Board Member Cruz inquired as to drainage at the loading area. Mr. Farland stated grading will now have the water drain [toward] two catch basins and will be treated before going out.

In response to Acting Chairperson Duff, Mr. Farland explained the parking plan [which precludes employee and guest parking from the front loading dock area]. He acknowledged some foundation work for the frost wall, but the building footprint will remain the same.

In response to Acting Chairperson Duff, Mr. Farland stated the site improvement associated with the project at this time is drainage.

Farland pointed out the proposed ADA parking spaces.

In response to Board Member Smith, Mr. Farland stated the NWD Trucking, whose primary business is seafood shipping, is relocating to this site.

With regard to staff recommendations regarding traffic congestion, Acting Chairperson Duff inquired as to the company's willingness to begin the first shift outside of the 6:50-7:10 a.m. window, and end outside of the 2:50-3:10 p.m. window. Mr. Farland explained that this is a twenty-four hour operation and suggested the applicant could discuss any limitation of hours with the Greater New Bedford Industrial Board per their regulations.

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

In response to Acting Chairperson Duff's invitation to speak or be recorded in favor, Derek Santos, New Bedford Economic Development Council, stated there is a Memorandum of Understanding between EDC and the Greater New Bedford Industrial foundation for management of the daily operations. He stated EDC and GNBIF have been working with Mr. Farland and the owner on this proposal. He stated they are simply modifying the existing loading docks. Mr. Santos stated the project as submitted [meets the GNBIF regulations, and the Foundation supports the proposal]. He noted the company operates in the business park and is simply [relocating] within the park. He noted the previous building occupant had four times the [number of] employees and represents a substantial reduction in vehicle traffic. He confirmed that no work hour modification was necessary.

There was no response to Acting Chairperson Duff's invitation to speak or be recorded in opposition.
A motion was made (AG) and seconded (GS) to close the public hearing.
Motion passed unopposed.

After brief board discussion, a motion was made (AG) and seconded (GS) to approve the Site Plan entitled, Site Plan for 61 John Vertente Boulevard, prepared for Parallel Products of New England, [dated August 10, 2017 by Farland Corp., filed by the applicant in Case #31-17 for SMRE 100, LLC] for the site located at 61 John Vertente Boulevard, New Bedford, with the following conditions:

Specific conditions:

- Inconsistencies shall be corrected between plan sheets to include architectural renderings, project summary, and application form for number of parking spaces and loading docks.

- Correct owner of record information shall reflect the deed book and page number as Book 8931, Page 199; Book 1769, Page 1060; and Book 7665, Page 48;
- The zoning matrix for the cover plan sheet shall be amended to note that Greater New Bedford Industrial Foundation regulations with building coverage for the first floor square footage shall not exceed 40% of the total area premises, as per [Item 1] Greater New Bedford Industrial Foundation regulations;
- Zoning Matrix on the Cover plan sheet shall be amended to note the Greater New Bedford Industrial Foundation Regulations for lot coverage to include all uses on a lot which include, but are not limited to, buildings, driveways, parking areas and permeable surfaces, etc., shall not cover more than 65% of the total area of the premises, [as per Item 2 of the GNBIF regulations];
- The Zoning Matrix on the Cover plan sheet shall be amended to note the GNBIF Regulations for setbacks, which are 50 feet from any street or lot line [as per Item 7 of the GNBIF Regulations].
- Add Waivers citing **§5455** under **on Cover plan sheet**.
- As per 5471, the applicant shall minimize: the volume of cut and fill, the number of removed trees 6 inch caliper or larger, the area of wetland vegetation displaced, the extent of storm water flow increase from the site, soil erosion, and the threat of air and water pollution;
- General Construction Note #11, as per 5471, shall be amended to read the applicant shall minimize the number of removed trees 6-inch caliper or larger;
- General Construction note #19 shall be amended to read “and City Planner”;
- Revised hay bales to read straw bales/ straw in erosion and sediment control on Note #21 on Plan Sheet 7 of 9. Change hay bales/hay to straw bales/straw wherever applicable in plans and reports;
- All requirement of the City of New Bedford Conservation Commission, including the Order of Conditions, shall be honored and completed as a condition of project approval;
- Stipulations that the use be for storage only, set by New Bedford Health Department, shall be honored by the applicant that the use be for storage, and not used as retail establishment;
- Identify and note snow storage areas on plans;
- Applicant shall provide the city planner with construction schedule and cost estimate as required under 5452;
- Any waiver from landscape plan submittal shall be with written approval from the Greater New Bedford Industrial Foundation;
- Cut sheets for all lighting fixtures shall be provided for review and approval by the Planning Board or its designated agent;
- Show all structural building elevations [front, sides, and rear façade] that will be affected by the proposed project;
- For additions/alterations, label existing and new construction, as well as items to be removed;
- Identify all existing and proposed exterior materials, treatments, and colors, including building and hardscape elements;
- Show details of proposed new exterior elements;
- Show any exterior mechanical duct work or utility boxes;
- Include dimensions for building heights, wall length and identify existing and proposed floor elevations;

General conditions:

- The project shall be undertaken according to the plans 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure dated 9/11/17, and the Planning Board incorporates the DPI memo as part of these conditions in Attachment 1;

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- 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 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 these same plans are properly submitted to the Department of Inspectional Services;
- Applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
- 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;
- 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.

The Planning Board found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 5400, site plan review. As a result of such consideration, the board moved to approve on the subject application with the conditions so noted.

ROLL CALL VOTE

Acting Chairperson Duff – Yes
Board Member Cruz – Yes

Board Member Smith – Yes
Board Member Glassman - Yes

Board Member Kalife- Yes

Motion passed 5-0

ITEM 5: Case #32-17 - Request by applicant for Site Plan approval for construction of a 15,000+/- SF addition to an existing structure for a recycling facility with solar canopy located in New Bedford Business Park at 100 Duchaine Blvd (Map 134, Lot 5) on a 65.1 +/- acre site in the Industrial C (IC) and Residence A (R-A) zoning districts. Applicant: SMRE 100, LLC, 255 State Street, 7th fl, Boston, MA 02109.

Christian Farland, Farland Corp, represented applicant SMRE, LLC for Site Plan approval for an addition at the northwesterly elevation of the building, along with installation of a solar canopy at the east parking area, and associated site improvements. Mr. Farland stated Parallel Products, having outgrown their current operating space on Shawmut Avenue, will occupy the structure. He pointed out the area to be used for recycling process products, i.e., glass, aluminum and plastic on plans. Mr. Farland explained the storm water improvements planned for the site. He stated the water, sewer, and site utilities remain the same, with the exception of the solar installation. He stated the applicant has also invested in a solar rooftop.

Mr. Farland stated the applicant met with the Greater New Bedford Industrial Foundation and received approval to proceed.

Mr. Farland explained the proposed lighting plans, and noted there is no additional landscaping [proposed]. He stated trash [removal service will be provided by private contract]. He agreed with DPI comments as a condition of approval.

In response to Board Member Glassman, Mr. Farland explained that the building was purchased from NWD Trucking for relocation and expansion [of business].

Mr. Farland discussed the building elevations, colors, and materials. He reviewed the solar canopy plan and roof plan with board members, in addition to the storm water [mitigation plan].

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

In response to Acting Chairperson Duff's invitation to speak or be recorded in favor, Derek Santos, New Bedford Economic Development Council, stated the project plans went before the Executive Committee and the Chairman of the Foundation simultaneously and were reviewed. He stated the project is not visible from Duchaine Boulevard, as it is more than 1,000 feet from the street. He stated the project is in compliance with park regulations. He stated that Parallel Products had already received approval previously to operate at the building now slated for the Eversource project [at an adjacent parcel]. He applauded the use of solar in the canopy and roof.

In response to Acting Chairperson Duff's invitation to speak or be recorded in opposition, Eric Braitmayer [30 Samuel Barnett Boulevard] stood corrected in his misunderstanding of an easement use by Eversource. Mr. Braitmayer next inquired as to noise output. Mr. Farland noted this proposed use will meet all zoning and DEP requirements with regard to sound. He explained that most of the activity will happen in an enclosed area. Mr. Farland displayed for Mr. Braitmayer the location of the site as it compared to the location of Braitmayer's parcel.

In response to Board Member Cruz, there was discussion about future rail expansion.

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

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

In response to Acting Chairperson Duff, Mr. Farland had no objections with the Staff Report.

After brief board discussion, including access and ADA compliance, a motion was made (AG) and seconded (PC) to approve the site plan entitled, Site Plan for 100 Duchaine Blvd, New Bedford, MA, prepared for Parallel Products of New England, dated August 10, 2017, by Farland Corp and filed by the applicant in Case #32-17 for SMRE 100, LLC for the site located at 100 Duchaine Blvd, (Map 134, Lot 5), New Bedford, MA and Architectural Plans for 100 Duchaine Boulevard, New Bedford, Ma dated 07.31.2017 prepared for Parallel by South Coast Architecture, 34 Slocum Farm Drive, Dartmouth, MA 02747 with the following conditions:

- The applicant shall verify map and lot numbers for the two lots that have been created by adjusting lot lines of Map 134, and correct plans as may be needed for accuracy;
- Inconsistencies should be corrected between plan sheets [to include architectural renderings], Project Summary, and application form for number of parking spaces or loading docks;
- Update owner of record to reflect new deed book and page number as Certificate #24201;
- Because warehouse and distribution facilities are uses permitted by right under the zoning district I-C but not permitted under R-A zones, and given that the site is a combination of those two zoning districts, the applicant shall ensure that all such development shall be limited to the area of the project site within the I-C zoning district according to city zoning requirements;
- The Zoning Matrix for the Cover plan sheet shall be amended to note the Greater New Bedford

*Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at:
<http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>*

Industrial Foundation Regulations for building coverage for first floor square footage shall not exceed 40% of the total area of premises [as per Item 1 of the Greater New Bedford Industrial Foundation regulations];

- Zoning Matrix on the Cover plan sheet shall be amended to note the Greater New Bedford Industrial Foundation regulations for lot coverage, to include all uses on a lot which include, but are not limited to, buildings, driveways, parking areas and impermeable surfaces, etc., shall not cover more than 65% of the total area of the premises [as per Item 2 of the GNBIF regulations];
- The Zoning Matrix on the Cover plan sheet shall be amended to note GNBIF Regulations for setbacks, which are 50 feet from any street or line lot [as per Item 7 of the GNBIF regulations];
- Typo in the cover plan sheet shall be corrected to read Section 5455 under Waivers Requested;
- As per Section 5471, the applicant shall minimize: the volume of cut and fill, the number of removed trees, 6-inch caliper or larger, the area of wetland vegetation displaced, the extent of storm water flow increase from the site, soil erosion, and the threat of air and water pollution;
- General Construction Note #9, as per Section 5471, shall be amended to read: the applicant shall minimize the number of removed trees 6' caliper or larger;
- General Construction note #20 shall be amended to read: and City Planner;
- Revise Hay bales/Hay to read Straw bales/Straw in Notes and Legend, plan sheet 2 of 9;
- All requirements and stipulations of the City of New Bedford Conservation Commission, including the Order of Conditions, shall be honored and completed as a condition of project approval;
- Identify and note snow storage area on plans;
- Any waiver from the landscape plan submittal should be written approval from the GNBIF;
- The applicant shall provide the City Planner with a construction schedule and cost estimate as required under §5452.
- Any Waiver from the Landscape Plan submittal should be with written approval from the GNBIF.
- The applicant ensures/maintains a landscaped buffer zone between business park and residential neighborhood along Philips Road;
- Drawing specifications for the solar canopy shall be provided for review by a designated agent of the planning board;
- Cut sheets for all lighting fixtures shall be provided for review and approval by the planning board or its designated agent;
- Show all structural building elevations, front, sides and rear facades that will be affected by the proposed project;
- For additions/alterations label existing and new construction, as well as items to be removed;
- Identify all existing and proposed exterior materials, treatments and colors, including building and hardscape elements;
- Show details of proposed new exterior elements;
- Show any exterior mechanical duct work and/or utility boxes;
- Include dimensions for building height or length, and identify existing proposed floor elevations;
- The applicant resolve any outstanding issues regarding petroleum storage tanks at the site through the City Clerk's office by requesting to have their permit revoked [if storage is no longer present], amended or updated;

General conditions:

- The project shall be undertaken according to the plans 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of

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Public Infrastructure dated 9/11/17, and the Planning Board incorporates the DPI memo as part of these conditions;

- 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 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 these same plans are properly submitted to the Department of Inspectional Services;
- The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
- 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;
- 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.

The Planning Board found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 9, Section 5400, Site Plan Review. As a result of such consideration, the board moved to approve on the subject application with the conditions so noted.

ROLL CALL VOTE

Acting Chairperson Duff – Yes
Board Member Cruz – Yes

Board Member Smith – Yes
Board Member Glassman - Yes

Board Member Kalife- Yes

Motion passed 5-0

OTHER BUSINESS:

Acting Chairperson Duff noted for the record that Board Members [endorsed] the Stoney Brook Farm definitive subdivision plan and the Audrey Rose Farms definitive subdivision plan prior to the start of this meeting.

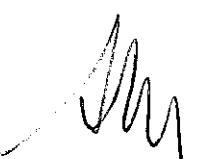
NEW BUSINESS:

Ms. Clarke stated that the usual monthly notices were received from abutting communities, all of which were available for review in the Planning Office. She stated the next planning board meeting will be on October 18, 2017 at 6:00 p.m. in City Hall, Room 314.

Acting Chairperson Duff and Ms. Clarke discussed implementing a curtailed process for declaration of general conditions for case approval, adopting a similar format utilized by the Board in referencing the stipulations by the Department of Public Infrastructure.


ADJOURNMENT:

There being no further business, a motion was made (KD) and seconded (AG) to adjourn at 8:43 p.m. Motion passed unopposed.



Alexander, J. Kalife, Clerk

NEXT PLANNING BOARD MEETING IS SCHEDULED FOR October 18, 2017



Date



City of New Bedford

Planning Board

133 William St, Room 303, New Bedford, Massachusetts 02740
Telephone: (508) 979.1488 Facsimile: (508) 979.1576

PATRICK J. SULLIVAN
DIRECTOR

October 18, 2017 Meeting of the Planning Board

PRESENT: Colleen Dawicki *Chair*
Kathryn Duff, *Vice Chair*
Alex Kalife, *Clerk*
Arthur Glassman
Peter Cruz

ABSENT: None

STAFF: None

CITY CLERK'S OFFICE
NEW BEDFORD, MA
2017 NOV -9 A 10:21
CITY CLERK

1. CALL TO ORDER

Acting Chairperson Duff called the meeting to order at 6:02p.m.

2. ROLL CALL

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

3. APPROVAL OF MINUTES

A motion was made (KD) and seconded (AG) to approve the September 13, 2017 meeting minutes.
Motion passed unopposed.

4. PUBLIC HEARINGS

At Chairperson Dawicki's request, a motion was made (KD) and seconded (AG) to take the agenda out of order, with Case #35-17. Motion passed unopposed.

ITEM 1 - Case #35-17 - Request by applicant for Site Plan approval for the construction of a 44,654+/- SF parking lot located between the ES of Bolton Street (Map 19, Lot 1) and WS of Orchard Street (Map 23, Lot 158) in the Mixed Use Business (MUB) zoning district.

Rich Rheaume, Prime Engineering, noted the proposed 119 space parking is to be located in the area of Howland Place, which is a building full of tenants, creating a need for additional parking. Mr. Rheaume explained the orientations and diagrams, including handicap spaces, sidewalks and curbs, and street trees, grass and shrubs. He then detailed the lighting plans.

In response to Board Member Duff, Mr. Rheaume explained the elevations/grading and drainage

plans, including catch basins and storm ceptors, and the newly extended 24" storm drain tie in. He also explained the parcel is owned by a separate entity than the mill and adjacent parking lot, and a Form A will be submitted.

Mr. Rheume also noted some conversations with Mr. Romanowicz concerning the location of handicap spaces in the new lot. After correspondence with the Boston Board, it was determined that the handicap spaces appropriately belong closest to the building.

Mr. Rheume noted the requested waiver from drainage computations, as the line discharges to the ocean and the pipe is of adequate capacity.

In response to Board Member Duff, Mr. Rheume explained that particulates will be 80% removed by the project storm ceptor. He also explained that snow removal and the very light use of sand.

Chairperson Dawicki noted the DPI storm water comments.

In response to Board Member Cruz's concern regarding the water volume, Mr. Rheume stated the standard as one acre of impervious area handled by one basin and he explained the depth of flow.

In response to Board Member Duff, Mr. Rheume found acceptable her request that the parking lot border on the north and east sides increase form 5' to the optimal 8' for a better buffer and larger trees.

Chairperson Dawicki drew Mr. Rheume's attention to staff comments.

In response to Board Member Cruz, Mr. Rheume went over the lighting plans in more detail, noting the addition of two luminaires to existing poles.

In response to Board Member Cruz, Mr. Rheume noted the fencing on the north and east sides will be a black vinyl coated 6'-8' fence without slats.

With regard to parking and circulation, the board expressed no concerns.

In response to Board Member Cruz, Mr. Rheume discussed the pedestrian walkways.

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 or opposition.

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

After brief board discussion on conditions, to include staff comments, ANR, fencing, and excavation protections, a motion was made (KD) and seconded (AG) to approve the applicant's request for Site Plan approval based on the application and material presented and received by this board, with the following specific conditions:

- Approval is dependent upon an ANR being filed for the lot
- That the project meet the architectural access board requirements relative to handicap parking and circulation within the area;
- That the project follow the DPI comments as received, dated 10/16/17;
- That the trees being planted meet the 3: caliper;
- That the project follow the staff recommendations as noted;
- That the north and east green edges of the proposed parking lot be increased from 5' to 8' wide to allow for a wider green edge;
- That the proposed fencing along the north and east property lines meet and conform to all city regulations relative to height;
- That the plans be updated to reflect the required accessible ADA compliance spaces;
- That the applicant obtains written approval from the Traffic Commission for all work associated with proposed curb cuts as presented, and provide evidence of such approval for planning division files;
- That the applicant provide plants and specs for review and approval by planning board and city planner;
- Any additional ground signs intended, i.e., direction signs, that the plant list be reviewed to indicate all trees within the plan list as being no less than 3" caliper or 36" above grade;
- That the city planner approve a revised landscape plan;
- That all site distances at site entrances shall be verified as acceptable by the Traffic Commissioner and no noted on the plans

General conditions are as follows:

- The project shall be undertaken according to the plans 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 the Department of Public Infrastructure, and that the Planning Board incorporates the DPI memo as part of these conditions;
- 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 bearing the certification of the New Bedford City Clerk for the Planning Division case file folder;
- 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;
- The rights authorized by the granted site plan approval of the special permit 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.

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.

ITEMS 2 and 3 - Case #33-17- 209 Theodore Rice Blvd - Request by applicant for Site Plan Approval for new construction of 4500+/- SF convenience store/gas station with drive thru on a 4.9 +/- acre site located at 209 Theodore Rice Boulevard (Map 136, Lot 322) in the Mixed Use Business (MUB) zoning district. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747.

Case # 34- 17: 209 Theodore Rice Blvd - Request by applicant for New Ground Sign Site Plan Approval located at 209 Theodore Rice Boulevard (Map 136, Lot 322) on a 4.9 +/- acre parcel in the Mixed Use Business (MUB) zoning district. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747.

Steve Gioiosa of SITEC introduced the applicant and petitioner. He displayed the location of the proposed site within the Industrial Park and explained orientations. He noted the re-zoning of the site to MUB and spoke about neighboring areas. Mr. Gioiosa pointed out an unfinished commercial development nearby and displayed the existing site conditions, which include the remnants of a demolished building.

He pointed out the existing curb cut and covered the property grading and existing drainage. He noted the Conservation Commission has approved the project's wetland line, establishing the suitable development area.

Mr. Gioiosa then went over the proposed development and wetland buffer zone, including tank and storage area locations, an additional driveway and curb cut to accommodate delivery vehicles. He noted the Traffic Commission has approved the curb cuts.

Mr. Gioiosa then covered the 27 space site parking, access aisle, visibility and circulation both through the surrounding parking spaces and at the gas pumps. (*space count does not include pump parking*) He noted the applicant owns several such businesses throughout the Commonwealth. He mentioned the potential for a drive-up window and explained the stacking. He noted the screened dumpster pad, which they will plant, per staff comments.

Mr. Gioiosa addressed pedestrian circulation and the decision not to propose sidewalks to Braley Road, but do propose a pedestrian link, a cross-walk and two sidewalk links and ribbon walkways to the bus stop area. He noted the park generally does not have sidewalks. He explained snow storage areas

Mr. Gioiosa then revisited grading and drainage. He noted test pits had been done, after which drainage was designed for water quality/quantity and peak flow mitigation. He then explained the same, including catch basins, run off reduction, TSS and hydrocarbon removal. He noted a separate permit is now before the Conservation Commission. He also addressed erosion control measures on the plan.

Mr. Gioiosa then addressed the landscaping plan, to include buffering preservation and the addition of trees and shrubs within the islands, et cetera. He explained utility plans and lighting. He noted a final lighting plan would be provided, per staff comments.

Mr. Gioiosa then discussed the second matter on for approval, namely, the pylon sign. He explained the sign proposal details and business benefits such as visibility. He noted the applicant needs relief from the zoning board with regard to the sign.

In response to Board Member Glassman, Mr. Gioiosa stated there was no walkway/crosswalk planned from the adjacent buildings such as the registry and lottery, but he was amenable to providing at least a designated crosswalk. He agreed with Board Member Cruz to put signage.

In response to Chairperson Dawicki, Mr. Gioiosa stated no traffic study was conducted as the applicant had met with the Traffic Commission who had favorably reviewed the plans.

In response to Board Member Duff, Mr. Gioiosa showed the location of the trash dumpster which will be screened with shrubbery.

Mickey Higgins stated the detail sheets shows a 6' white PVC fence around the four sides of the trash enclosure.

In response to Board Member Duff, Mr. Gioiosa described the two replication areas, which will be slightly expanded.

In response to Board Member Duff regarding wetland precautions needed in proximity to gas tanks, Mr. Gioiosa explained the current safeguards, such as double walled and monitored tanks, limiting barriers and instantaneous flow shut off.

Board Member Cruz inquired as to pipe flushing on the 36" tube planned tie-ins. Mr. Gioiosa stated an inspection would be done to check on those issues.

Chairperson Dawicki discussed hours of operation, and associated lighting time limits, and canopy roofing.

Mr. Higgins explained the canopy roof is metal decking on the underside and top side with no roofing material. He stated the bottom, top and fascia is white with one illuminated strip.

In response to Board Member Cruz, Mr. Gioiosa stated the proposal is for a wood guardrail. There was discussion on the guardrail tie-in locations.

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, Derick Santos of the Economic Development Council noted they serve as the managing entity for the Industrial Foundation. After review by the executive committee, they are very supportive of the project. One suggestion by the committee was to ask the applicant to extend the brick material along the Theodore Rice walkway. Secondly, the committee asked for a few more trees to better screen the canopy from a neighboring business. He stated there was no problem with the sign, but asked the height codes are kept consistent within the park.

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.

In response to comments, Mr. Gioiosa agreed to the walkway and additional tree requests by Mr. Santos.

In response to Board Member Cruz, Mr. Gioiosa agreed to relocate stopping signage. There was discussion regarding curbing materials.

After a review of conditions, a motion was made (KD) and seconded (AG) to approve the applicant's request for site plan approval regarding Case #33-17 based on the application and materials presented and received by this board, as prepared by SITEC, Inc., with the following conditions:

- That the applicant agree to extend the brick used at the bus stop area on proposed sidewalk from the bus stop to the Theodore Rice Blvd. curb cut;
- That the applicant agree to add two additional trees on the west side of the curb cut coming in off of Theodore Rice Blvd for screening to the adjacent neighbor;
- That the applicant agree to strip a crosswalk across Theodore Rice Blvd to the buildings across the way, specifically the lottery building, and the applicant designate the same with pedestrian crossing signage;
- That the applicant agree to all lighted signs to be turned on no earlier than one hour before opening and turned off no later than one hour after closing, assuming hours of operation are 5:00 a.m. to midnight;
- That the applicant agree to continue the wood guardrail being used at the entrance off Braley Road, continuing the same to the intersection at Theodore Rice Blvd.;
- That the applicant agree to have SITEC inspect the manhole, 36" pipe and existing drainage system the applicant is tying into along Theodore Rice Blvd. for sediment, debris and working condition, and to correct any discovered problems;
- That the applicant agree to relocated the "stop ahead" sign along Braley Road which will be displaced as a result of the new curb cut;
- That the application is pending approval from the Conservation Commission;
- That the applicant's PVC fencing around the trash receptacle is accepted;
- That the applicant provides evidence of approval from the Traffic commission for all work associated with the curb cuts as presented, and provide evidence of such approval for planning division files once such action has been taken;
- That the applicant plans and specs for review and approval by the planning board or city planner for any additional ground signs, i.e., directional signs;
- That all site distances at both site entrances shall be verified as acceptable by the Traffic Commission, and so noted on the plans;
- That the plant list be revised to indicate all trees within the plant list, including red maples and sycamore as being no less than 3" caliper, 36" above grade, and that the city planner approve a revised landscape plan;
- That the building elevation drawings will be provided, and shall include lighting locations and specs as to lighting type, and lighting information relative to the gas station canopy shall also be provided and approved by a member of the planning board prior to the beginning of building construction;
- That the applicant shows any exterior mechanical duct work and/or utility boxes on the final plan set;

- That the gas station canopy structure shall utilize and install white color roofing material. As so noted, it is a metal panel;
- That the project shall be undertaken according to the plans 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 the Department of Public Infrastructure received and placed on file, and that the Planning Board incorporates the DPI memo dated 10/16/17 as part of these conditions;
- 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 bearing the certification of the New Bedford City Clerk for the Planning Division case file folder;
- 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;
- 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.

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.

After brief discussion on sign conditions and ZBA proceedings, a motion was made (KD) and seconded (AG) to approve the applicant's request for site plan approval for a ground sign for Case #34-17 based on the application and materials presented and received by this board, as prepared by SITEC, Inc., with the following conditions:

- That any lighting of the sign be subject to the same conditions as lighting on the site building (that lights be turned on no earlier than one hour before opening and turned off no later than one hour after closing), assuming hours of operation are 5:00 a.m. to midnight;
- That the planning board recommends that the applicant and ZBA work to adjust the sign size to be consistent with the scale of signs throughout the industrial park;
- That the planning board approves all waivers from the site plan review unrelated to the development of a ground sign;
- That the planning board's decision is entirely contingent on the applicant receiving the required relief from the city's zoning board of appeals;
- That the final sign colors and finishes, if any changes are made to the materials submitted and reviewed by the planning board, are to be clearly defined for final review and approval by the city planner;
- That the general conditions as noted in the previous application for site plan review apply to this application as well.

Motion passed 5-0

ITEM 3 = Case #36-14: 480 Rockdale Avenue (former Webster Bank) Request by applicant for Site Plan Approval for a change of owner of a 2,840+/- existing financial institution with drive-thru on a 13,337+/- SF site located at 480 Rockdale Avenue (Map 34, Lot 1) in the Mixed Use Business (MUB) and Residence A (RA) zoning districts. Applicant: Taunton Federal Credit Union, 14 Church Green, Taunton, MA 02780.

Chairperson Dawicki noted that Limited site plan review. Board Member Glassman inquired as to why this matter was before the board, as this is an existing building.

Stephanie Moran, Poyant Signs, stated an ordinance exists where if a drive-thru is closed more than 10 days, you are required to appear before the board in order to reopen the same. She stated that their application for sign permits triggered the building department to recognize the need for them, by code, to appear for site plan review regarding the reopening of the drive-thru.

Ms. Moran stated the previous Webster Bank Property is being taken over by Taunton Federal Credit Union. There will be no changes to the property regarding traffic flow, landscaping or building changes, but for painting. She stated that while the signs will change, there is nothing in the new signage that is out of code, and the applicant will utilize the existing sign pole. She stated the walkup ATM will be eliminated to reduce pedestrian traffic and will be relocated within the drive-thru. She noted there is no change to traffic flow or drive-thru lanes. Both parking space and handicap space counts remain the same, as do curb cuts.

Ms. Moran stated signage will remain the same in the sense that previously lit signs will remain lit, and the same with previously unlit signs.

Chairperson Dawicki clarified that the sign is not before the board, but only the drive-thru. Board Member Glassman stated this should be something staff can approve, rather than appear before the board.

In response to Board Member Duff's observations, Ms. Moran noted the directional are the same size as those now existing. She added there will, in fact, be one less sign on the property, and the pylon sign will actually be shorter and will have no digital component, and the square footage will also be reduced, as is the east facing sign.

Board Member Duff and Ms. Moran discussed the required visibility with regard to handicap spaces.

In response to Board Member Cruz, Ms. Moran agreed to add a "no left turn" sign from within the parking lot to what is an entrance only driveway from Rockdale Ave.

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 or opposition.

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

In response to a concern by Board Member Duff, Ms. Moran agreed to a change on Page 6A that it be reduced so that from grade to the top of sign would be 5'.

After brief board discussion, a motion was made (KD) and seconded (AG) to approve the applicant's request for site plan approval for Case #36-14 based on the application and materials presented and received by this board, as prepared by Poyant Signs with the following conditions:

- That the applicant add a "no left turn" sign internally on the site indicating that visitors are not allowed to turn left exiting onto Rockdale Avenue, as it is one-way traffic;
- That the applicant agree to lower the parking signs as noted on Sheet 6A to a height to the top of the sign of 5' from grade;
- That the applicant provide a cover sheet for project meeting the requirements of the site plan review application standards to the satisfaction of the city planner;
- That the site plan review approval extends only to the change of tenant and reactivation of the drive-thru;
- Any additional future site plan review approval for signage, as may be required by the Zoning Enforcement Officer, will be required to return before the planning board as a new application;
- That with the exception of the cover sheet so noted, the applicant's request for a waiver from Section 5450 as presented is granted;
- And subject to the general conditions so noted on the worksheet.

Motion passed 5-0

ITEM 4 - Case #37-17: Request by applicant for Site Plan Approval for a New Ground Sign for Dunkin Donuts located at 1169 Braley Road (Map 136A, Lot 927) on a 1.64+/- acre parcel in the Mixed Use Business zoning district. Applicant's agent: Poyant Signs, Inc., 125 Samuel Barnett Boulevard, New Bedford, MA 02745.

Stephanie Moran, Poyant Signs, stated the location has not had a ground sign and is now looking to increase visibility, particularly to the Rte. 140 north off-ramp. She stated the building is setback on the property, and the building sign is not visible from the street in all but one direction of travel. She stated the ground sign requested would be located within the southwest portion of their property.

Ms. Moran stated the sign would be illuminated, and the applicant is agreeable to lighting the sign one hour prior to opening and shutting the sign off one hour after closing.

Chairperson Dawicki noted the total square footage proposed is 37 SF with the sign ordinance allowing for 25 SF, thereby requiring a ZBA variance.

In response to Board Member Cruz and Glassman's concerns about the amount of light created by the sign in such a residential neighborhood, Ms. Moran was not certain about the answer. She stated it would be illuminated with internal LEDs and she did not expect it would be different from other building signs. She noted that Dunkin Donut faces are thicker pan formed faces.

Board Member Duff stated she felt the sign, at 17'6" tall, was too large for residential abutters and the scale of the business.

Ms. Moran stated the applicant is requesting a slightly larger square footage and will need to appear before the zoning board, but stated she believed the sign height is only one foot above code. That figure was corrected to 2'6" above code. She stated the applicant would be willing to be within code by having a sign built that is not their standard sign size.

Board Member Cruz explored with Ms. Moran the placement of the sign so close to the entrance and discussed placing it toward the drive-thru away from the residents. Ms. Moran felt that moving the sign as close to the west portion of the property as possible would be fine. She assured the board the property line would be established prior to the sign installation.

Board Member Cruz suggested the applicant submit a plan illustrating exactly where the sign would be set on the property to be approved by planning staff or a board member.

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 or opposition.

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

After brief discussion on conditions, a motion was made (KD) and seconded (AG) to approve the applicant's request for site plan approval for a ground sign for Case #37-17 based on the application and materials presented and received by this board, as prepared by Poyant Signs, with the following conditions:

- That the applicant agree that the sign will be lit no earlier than one hour before opening and turned off no later than one hour after closing;
- That the applicant agree to relocated the sign to the westerly most part of the property to move it away from the residential neighbors to the east;
- That the applicant agree to lower the sign to an allowable height within our zoning ordinance of 15';
- That the applicant agree to submit foot candle data to the planning board for review;
- That the applicant agree to resubmit the location of the sign on the site plan for review by the planning staff;
- That this approval is contingent on ZBA approval;
- Should any alterations to the sign material or size be made by the ZBA, the city planner shall be responsible for determining whether the change is minor and therefore acceptable as modified, or whether the change requires additional review by the planning board;
- That the applicant ensure, through a professional survey or in working with the city's Department of Public Infrastructure, that the sign is to be located on private land and not within the public right of way;
- That the applicant provides a cover sheet for the project, meeting the requirements of the site plan review application standards for such sheets to the satisfaction of the city planner;
- That with the exception of the cover sheet so noted, the applicant's request for waiver from Section 5450 as presented is granted;
- And that the general conditions on the worksheet be read into this approval.

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.

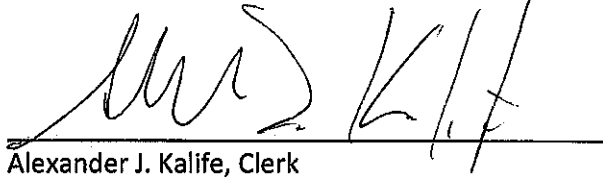
5. OTHER BUSINESS:

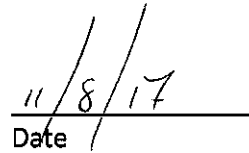
Chairperson Dawicki noted that there is a proposal for a 2018 meeting schedule. She also noted notices received from Town of Freetown available at the planning office for review. She reminded the board that members are asked to attend trainings on Monday the 23rd, Monday the 30th, and November 6th.

ADJOURNMENT:

There being no further business, a motion was made (KD) and seconded (AG) to adjourn at 8:07 p.m. Motion passed unopposed.

THE NEXT PLANNING BOARD MEETING IS SCHEDULED FOR NOVEMBER 8, 2017


Alexander J. Kalife, Clerk


Date