

DESCRIPTION OF STEPS FOR SUBMISSION OF
SITE PLAN REVIEW

- Step 1. Prior to filing the completed Site Plan Review Application, the Applicant may request an appointment with the Planning Department staff to present submittals and to discuss the plan and issues related to it. Contact the Planning Department at (508) 979-1488 to arrange for such a presubmission review.
- Step 2. Application filing with the New Bedford Planning Board. Please refer to the first paragraph of the Application form for the correct number of plan sets, application forms and supporting narrative reports. In addition, a complete application includes submitting the following items:
- a. One original plan prepared by a Registered Professional Engineer, Registered Land Surveyor or a Registered Landscape Architect, illustrating the proposed development, and addressing the contents for plans outlined in Section 5440 thru 5456 of the City Zoning Ordinance, as adopted December 18, 2003. The original plan shall be accompanied by sixteen (16) copies of said plan.
 - b. The original and sixteen (16) copies of an Abutter's List certified by the Assessors Office.
 - c. Envelopes and certified mail return receipts (green cards) addressed to each abutter, with the return address as:

New Bedford Planning Board
133 William Street
New Bedford, MA 02740-6172
Applicant is responsible for abutter mailings.
 - d. A check for the appropriate filing fee, made payable to the City of New Bedford. Site Plan Review fee is \$600.00. This fee shall be directly paid by the applicant to the City Treasurer's Office (Room 101, City Hall). A copy of the receipt shall be submitted to the Planning Board with the completed application.
 - e. A legal notice shall be placed in the New Bedford Standard Times, at the owner's expense, and in accordance with Massachusetts General Laws, Chapter 40A.

Note: The New Bedford Planning Board Office shall establish the time, place and date of the public hearing for use by the Applicant in the legal notice.
 - f. Recreation: Discuss the distance to and type of public facilities to be used by residents of the proposed site, and the type of private recreation facilities to be provided on the site.
 - g. Schools: Project the increase to the student population for nursery, elementary, junior high school, and high school levels, also indicating present enrollment in the nearest public schools serving these categories of students.
5355. **Phasing.** Where development of the site will be phased over more than one (1) year, indicate the following:
- (a) Describe the methods to be used during construction to control erosion and sedimentation through use of sediment basins, mulching, matting, temporary vegetation, or covering of soil stockpiles. Describe the approximate size and location of portion of the parcel to be cleared at any given time and length of time of exposure.
 - (b) Describe the phased construction, if any, of any required public improvements, and how such improvements are to be integrated into site development.

5360. **Conditions.** Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the special permit granting authority may deem necessary to serve the purpose of this ordinance.

5370 **Lapse .** Special permits shall lapse if a substantial use there of or construction thereunder has not begun, except for good cause, within 12 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A.s.17, from the grant thereof) with the City Clerk.

5380 **Regulations.** The special permit granting authority may adopt rules and regulations for the administration of this section

5390 **Fees.** The special permit granting authority may adopt reasonable administrative fees and technical review fees for applications for special permits.

5400 **SITE PLAN REVIEW**

5410 **Purpose.** The purpose of this section is to provide for individual detailed review of developmental proposals which have an impact on the natural or built environment of the City in order to promote the health, safety and general welfare of the community; to ensure adequate parking, safe and accessible pedestrian and vehicular circulation; and to minimize traffic impact on city streets.

5420 **Applicability.** The following types of activities and uses require site plan review by the Planning Board:

5421. Any new industrial or commercial construction or expansion over two thousand (2,000) gross square feet or any new industrial or commercial construction or expansion requiring more than (5) additional parking spaces:

5422. New multiple family residential construction of three (3) or more units or expansion of existing multi-family residential structures resulting in the creation of one or more additional units.

5423. Any new construction or expansion of existing construction where a drive-thru window for any service including self-service is proposed: and any expansion of a structure presently containing a drive-thru.

5424. Any residential subdivision which is submitted under the subdivision control process:

5425. New industrial or commercial construction or additions less than two thousand (2,000) square feet if requiring a new curb cut or driveway or if substantially affecting existing internal circulation.

5426 Driveways in residential areas which require more than one new curb cut.

5427 Commercial or industrial ground signs.

5430. **Procedures.** Applicants for site plan approval shall submit seventeen (17) copies of the site to the Planning Board for distribution to City departments and commissions for their review. The Planning Board shall review and act upon the site plan, with such conditions as may be deemed appropriate and notify the applicant of its decision. In the event two meetings have lapsed after the application for site plan approval is filed, without the Planning Board taking action on said site plan said Applicant may file a statement with the Board that the Board has had adequate time to consider the Site

Plan. Upon receiving said statement, the Planning Board shall act on said Site Plan at its next meeting, if said Board determines that the Board has, in fact, received complete information in accordance with this ordinance. The decision of the Planning Board shall be a vote of majority of the members of the Planning Board and shall be in writing. No building permit, for activities requiring site plan approval, shall be issued by the Inspector of Buildings without the written approval of the site plan by the Planning Board.

5431. Application for Building Permit. An application for a building permit to perform work as set forth in Section 5410 available as of right shall be accompanied by an approved site plan.

5432. Application for Special Permit or Variance. An application for a special permit or a variance to perform work as set forth in Section 5420 shall be accompanied by an approved site plan; in the alternative, any special permit or variance granted for work set forth in Section 5420 shall contain the following condition and cause the same to be written on such special permit or variance:

The work described herein requires the approval of a site plan by the New Bedford Planning Board pursuant to Section 5400 of the Zoning Ordinance. Any conditions imposed in such site plan approval shall also be conditions of this special permit/variance.

5433. Where the Planning Board approves a site plan "with conditions", and said approved site plan accompanies a special permit or variance application to the Board of Appeals, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any of a special or variance by the Board of Appeals.

5434. Where the Planning Board serves as the special permit granting authority for proposed work, it shall consolidate its site plan review and special permit procedures.

5435. The applicant may request, and the Planning Board may grant by majority vote of its membership, an extension of the time limits set forth herein.

5436. No deviation from an approved site plan shall be permitted without modification thereof.

5437. Site plan approval does not constitute a certification that the proposed plan conforms to applicable zoning regulations, wetland regulations and/or any other City, State or Federal requirements that must be obtained prior to implementation of the elements of the site plan.

5440. **Preparation of Plans.** Applicants are invited to submit a pre-application sketch of the proposed project to the Planning Department and are encouraged to schedule a pre-submission meeting with the Planning Department. Site Plans shall be submitted on 24-inch by 36 inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1" = 40'.

5450. **Contents of Plans.** The contents of the site plan are as follows:

5451. Plan sheets prepared at a scale of one (1) inch equals forty (40) feet or such other scale as may be approved by the Planning Board. The plans are as follows:

5451a. Site layout, which shall contain the boundaries of the lot (s) in the proposed development, proposed structures, general circulation plan for

vehicles and pedestrians, drive-thru windows, curb cut locations, parking, fences, walls, walks, outdoor lighting including proposed fixtures, loading facilities, solid waste storage locations, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one (1) inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distances as may be approved or required by the Planning Board.

5451b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling storm water runoff drainage.

5451c. Utility plan, which shall include all facilities for refuse and sewerage disposal or storage of all these wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas.

5451d. Architectural plan, which shall include the ground floor plan, proposed exterior building materials, treatments and colors and architectural elevations of all proposed buildings and a color rendering where necessary to determine the proposal's affect on the visual environment.

5451e. Landscaping plan, showing the limits of work, existing tree lines as well as those tree lines too remain, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures during construction.

5451f. Lighting plan showing the location and orientation of all existing and proposed exterior lighting, including building and ground lighting. The plan shall note the height, initial foot-candle readings on the ground

5452 The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

5453. A written summary of the contemplated projects shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this ordinance.

5454. The site plan shall be accompanied by drainage calculations by a registered professional engineer as well as wetland delineations, if applicable. Storm drainage design must conform to City of New Bedford subdivision regulations.

5455. The Planning Board may require a DIS as set forth in Section 5300, above.

5456. Certification that the proposal is in compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

5460. **Waivers.** The Planning Board may, upon written request of the applicant, waive any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans.

5470 **Approval.** Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and storm water drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan., after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

5471. Minimize: the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, 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:

5472. Maximize: pedestrian and vehicular safety to and from the site:

5473. Minimize obstruction of scenic views from publicly accessible locations:

5474: Minimize visual intrusion by controlling the layout and visibility of parking, storage, or other outdoor service areas viewed from public ways or premises which are residentially used or zoned:

5475. Minimize glare from headlights and lighting fixtures:

5476. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.

5477. Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of solid and liquid wastes and hazardous substances:

5478. /ensure compliance with the provisions of this Zoning Ordinance.

5479. Minimize damage to existing adjacent public ways.

5479A. Promote orderly and reasonable internal circulation within the site so as to protect public safety and not unreasonably interfere with access to a public way or circulation of traffic on a public way in general.

5480. **Lapse.** Site plan approval shall lapse after one year from the final approval if a substantial use in accordance with such approved plans has not commenced except for good cause. Such approval may for good cause, be extended in writing by the Planning Board upon the written request of the applicant, within this one year period.
5490. **Regulations.** The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.
- 5490A. **Fee.** The Planning Board may, from time to time adopt reasonable administrative fees and technical review fees for site plan review.
- 5490B **Appeal.** Any person aggrieved by a decision of the Planning Board rendered pursuant to section 5400 may appeal such decision to the Zoning Board of Appeals as provided in G.L. c. 40A section 8.

**CITY OF NEW BEDFORD
APPLICATION FORM
SITE PLAN REVIEW**

With the New Bedford Planning Board, at the New Bedford City Planning Office, Room 312, City Hall, please file (1) original and sixteen (16) copies of the application form, one (1) original plan and sixteen (16) reproduction prints of the original, along with appropriate copies of narrative reports required with the filing. Please file a copy of the Treasurer's Office receipt, verifying that the appropriate filing fee has been paid to the City of New Bedford. Provided that the application is found to be in order, the application forms, plans and narratives, as appropriate, will be delivered to the Office of the City Clerk for time-stamping. The City Clerks Office shall keep one copy as the official record of plan receipt.

New Bedford, Massachusetts _____ 200_____

TO THE NEW BEDFORD PLANNING BOARD:

The undersigned, being the Applicant, seeks site Plan Approval for property depicted on a plan entitled: _____

By: _____

Dated: _____ and described as follows: (please list all plots and lots affected by the submitted plan) _____

The Applicant hereby submits said Site Plan in accordance with the Rules and Regulations of the New Bedford Planning Board, and makes application to the Board for approval of said plan.

Applicant's title to said land is derived from _____

by a deed dated _____ and recorded in the Bristol County Registry of Deeds

(S.D.) in Book _____, Page _____, or registered in the Bristol County Registry of

the Land Court, Certificate of Title Number _____

Received by the City Clerk: _____

Time Stamp Here

Applicant's Name (printed) : _____

Applicant's Signature: _____

Applicant's Address: _____

Applicant's Telephone Number: _____

Owner's Name, Address and Telephone Number, if different from Applicant:

Name (printed) : _____

Signature: _____

Address: _____

Telephone Number: _____

NOTICE BY PUBLICATION

(Follow Massachusetts General Laws, Chapter 40A, Section 5)

The applicant shall be responsible for placing and paying for the legal advertisements in the New Bedford Standard-Times once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days prior to the date of said hearing.

MODEL LEGAL ADVERTISEMENT

The New Bedford Planning Board will hold an advertised public hearing on WEDNESDAY, _____, 200_____ at 6:00 P.M. , in Room 314, City Hall, 133 William Street, New Bedford, Massachusetts to conduct Site Plan Review for the following project:

(ex.) Proposed mini industrial park on two (2) parcels of land off Acushnet Avenue,
Plat(s) _____
Lot(s) _____ . Proponent: ABC Ventures, Inc. 23 Apple Street, Any Town,
U.S.A.

Plans are available for review at the Planning Board Office, 133 William Street, Room 312, New Bedford, Massachusetts 02740; (508) 979-1488, between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday.

* Please call the Planning Board office for date, and time of public hearing and the insert dates for the advertisement.

The applicant shall be responsible for certifying the abutters list and mailing by certified mail return receipt requested a copy of the notice to each affected abutter.

ABUTTERS NOTIFICATION

The New Bedford Planning Board will hold an advertised public hearing on WEDNESDAY, _____ at 6:00 P.M., in Room 314, City Hall, 133 William Street, New Bedford, Massachusetts to conduct Site Plan review for the following project:

Proposed _____ located on Assessor's Plat(s) _____
Lots(s) _____ at _____, in New Bedford, Massachusetts.
Submitted by _____, on behalf of _____

Plans are available for review at the Planning Board Office, 133 William Street, Room 312, New Bedford, Massachusetts 02740; between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday.

I, _____, Administrative Assistant to the Board of Assessors of the City of New Bedford, do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Date: _____

SUBJECT PROPERTY:

MAP _____ LOT _____

LOCATION _____

OWNER'S NAME _____

MAILING ADDRESS _____

CONTACT PERSON _____

TELEPHONE NUMBER _____

REASON FOR REQUEST

CERTIFIED ABUTTERS LIST

(As required under Chapter 40, Section 11. Massachusetts General Laws)

DIRECT ABUTTERS

PLOT/LOT

NAME

ADDRESS

**OWNERS OF LAND DIRECTLY OPPOSITE ON ANY PUBLIC
OR PRIVATE STREET OR WAY**

PLOT/LOT

NAME

ADDRESS

**ABUTTERS TO ABUTTERS WITHIN THREE HUNDRED (300') FEET OF THE
PROPERTY LINE OF THE PETITIONER**

PLOT/LOT

NAME

ADDRESS

DEPARTMENT SIGN-OFF SHEET
SITE PLAN REVIEW

<u>DEPARTMENT</u>	<u>COPIES</u>	<u>SIGNATURE</u>	<u>DATE</u>
PLANNING BOARD ROOM 303	1	_____	_____
BOARD MEMBERS ROOM 303	6	_____	_____
CITY PLANNING ROOM 303	1	_____	_____
CITY CLERK ROOM 115	1	_____	_____
CITY SOLICITOR ROOM 203	1	_____	_____
HEALTH DEPARTMENT ROOM 308	1	_____	_____
INSPECTIONAL SERVICES ROOM 308	1	_____	_____
ENGINEERING DEPARTMENT 1105 SHAWMUT AVENUE	1	_____	_____
PUBLIC INFRASTRUCTURE 1105 SHAWMUT AVENUE	1	_____	_____
CONSERVATION COMMISSION ROOM 311	1	_____	_____
FIRE DEPARTMENT 868 PLEASANT STREET	1	_____	_____
SCHOOL DEPARTMENT 455 COUNTY STREET	1	_____	_____