



**CITY OF NEW BEDFORD**  
JONATHAN F. MITCHELL, MAYOR

**PLANNING BOARD** CITY CLERKS OFFICE  
NEW BEDFORD, MA

2013 JUL 24 P 12: 03

CITY CLERK

## **Decision Granting Special Permit/Site Plan Approval**

**Application of,  
New England Marine Engineering & Supply Inc.  
5 Hicks Street, New Bedford, MA 02740**

### **Procedural History**

**Case # 12-13** Application for Special Permit and Site Plan Review for a proposed 3,988 S.F. building addition to the existing premises located 5 Hicks Street, Plot 85 Lots 182 and 184, within the Hicks Logan Sawyer (IPOD) Interim Planning Overlay District. Applicant: New England Marine Engineering & Supply, 5 Hicks Street, New Bedford, MA 02740. Plans Submitted By: Alan Ewing Engineering, Inc., 261 New Boston Road, Fairhaven, MA 02719.

Plans titled "Site Plan of Land in New Bedford, MA Prepared for NEW ENGLAND MARINE ENGINEERING & SUPPLY, INC.", in sufficient detail were filed with the City Clerk and the New Bedford Planning Board pursuant to Chapter 9, Sections 4610 and 5400 of the Code of Ordinances of the City of New Bedford on May 22, 2013.

At a public meeting of the Planning Board held on July 10, 2013 the Planning Board reviewed the plans submitted along with the written comments from the various City Boards and Commissions. Throughout its deliberations, the Planning Board has been mindful of the testimony of the applicants and their representatives, and the written comments of the various City Boards, Commissions and Departments and the general public, all as made or offered at the public hearing.

## **Findings**

### **A- General**

1. The subject property is shown on Assessor's Map Plot 85 Lots 182 and 184, 5 Hicks Street, within the Hicks Logan Sawyer Interim Planning Overlay District (IPOD).
2. Direct abutters and abutters to those direct abutters, as well as those directly opposite the street have been notified as per MGL, Ch. 40A, Section 11. The returned abutter notifications are located in the City Planning Office file for this project (12-13).
3. The project proposes to build a 3,988 S.F. building addition to the existing premises located 5 Hicks Street.
4. The project will be served by existing public ways.

### **HLS IPOD Review Criteria**

1. Chapter 9 of the New Bedford Code of Ordinances, Section 4610 through 4671 set forth the criteria that the Planning Board shall apply during review of the site plans associated with this request for a special permit approval. The Planning Board has considered all of the above criteria and will impose reasonable conditions in their approval relating to these criteria.

### **B- Specific Findings**

1. The proposal will provide an addition to the existing building, allowing the business to expand. The provision of urban streetscape amenities and infrastructure improvements are a tenet of the "smart growth" principles envisioned for this area. The addition and reclaiming of underutilized land will benefit living conditions in this neighborhood and the community and region will benefit directly from the goods and services provided by the proposal.
2. The plan includes landscaping and screening meant to minimize the hardscape of the building and parking area.
3. The applicant has committed to planting 5 additional street trees, locations to be determined with the Department of Public Infrastructure.

## Decision

In view of the foregoing, the Planning Board hereby decides that the applicant, **New England Marine Engineering & Supply**, has satisfied the conditions necessary for the granting of a Special Permit/Site Plan Approval, as authorized under Chapter 9, § 4660, The Hicks-Logan-Sawyer District Interim Planning Overlay District (HLS IPOD) of the New Bedford Code of City Ordinances, and therefore decided to grant the Special Permit/Site Plan Approval for the proposed construction, as submitted/revised, in accordance with the conditions set forth below:

1. That all building materials are as represented on the plans.
2. That all lighting shall be as represented on the plans.
3. That the parking shall be as depicted on the plans.
4. That a handicap ramp with detectable strip shall be installed at the corner of North Front Street and Washburn Street.
5. That the open space on the west side of the building shall be landscaped, preferably using a no-mow or low-mow grass material.
6. That the fence type and location shall be determined with the Planning Department's assistance and approval.
7. That five street trees shall be paid for by the applicant and installed by the Department of Public Infrastructure; location and species shall be determined by the Department of Public Infrastructure.
8. That the drainage plan shall be waived.
9. The Planning Board further incorporates the letter from Ronald Labelle, Commissioner of the Department of Public Infrastructure, dated May 29, 2013 to be part of this decision.
10. That the applicant shall apply with the Traffic Commission for the approval of the curb cuts.
11. If there are any substantial changes required to be made to the Project, as approved by the New Bedford Planning Board on July 10, 2013, the Applicant must submit these changes to the Board for further approval.
12. The Applicant shall file a final, "as built" site plan, acceptable to the New Bedford Planning Board and the Department of Public Infrastructure, for the record, prior to the issuance of a Certificate of Occupancy by the Department of Inspectional Services.

13. This Special Permit/Site Plan Approval shall lapse if a substantial use thereof or construction there under has not begun, except for good cause, within twelve (12) months following the filing of the Special Permit approval. The Special Permit must be filed with the Bristol County S.D. Registry of Deeds.
14. A copy of this decision will be filed with the City Clerk of the City of New Bedford on July 23, 2013. Any person aggrieved by this decision has twenty (20) days to appeal this decision in accordance with the procedures set forth in M.G.L. Chapter 40A § 17.

### **Record of Vote**

The following members of the New Bedford Planning Board vote to grant Special Permit/Site Plan Approval for this project as submitted subject to the aforementioned conditions.

Arthur Glassman, Janine da Silva, Kathryn Duff, Peter Cruz, George Smith.

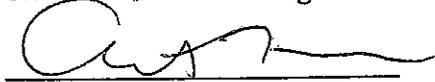
The following members of the New Bedford Planning Board vote in opposition to granting Special Permit/Site Plan Approval for this project.

None.

The motion to accept this decision to approve the Special Permit/Site Plan for New England Marine Engineering & Supply passed by a vote of 5-0.

Dated this twenty-fourth day of July 2013

New Bedford Planning Board



Arthur Glassman, Chair