



PLANNING BOARD
 City Hall, Room 303
 133 William Street,
 New Bedford, MA 02740
 (508) 979-1488
www.newbedford-ma.gov

CITY OF NEW BEDFORD
 JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE
 NEW BEDFORD, MA
 2016 MAR 23 A 8:34
 CITY CLERK

NOTICE OF DECISION

Case Number:	06-16			
Request Type:	Site Plan Approval			
Address:	43 Blackmer Street			
Zoning:	Industrial B and Working Waterfront Overlay Districts			
Recorded Owner:	Melvin P. Stavis (Map 25A, Lot 1)			
	Blackmer Realty LLC (Map 25A, Lots 3 & 52)			
Applicant:	North Coast Seafood			
Applicant Address:	43 Blackmer Street, New Bedford, MA 02744			
Application Submittal Date	Public Hearing Date		Decision Date	
February 12, 2016	March 9, 2016		March 23, 2016	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
25A	1	5306	339	
25A	3 & 52	11376	320	

Application: **Case 06-16:** Request for Site Plan approval for a 29,500+/- SF expansion of an existing 47,200+/- SF industrial seafood processing plant, located at 43 Blackmer Street (Map 25A, Lot 1, 3 & 52), in the Industrial B and Working Waterfront Overlay zoning districts.

Action: GRANTED, WITH THE FOLLOWING WAIVERS AND CONDITIONS:

At the applicant's request, the Planning Board voted Five (5) to Zero (0) to accept the request for waivers as listed in Staff Comments dated March 9, 2016 with the exception of the items noted by staff which would negate the waiver. Waiver requests not honored by the Board are further described in the conditional approval of this application for Site Plan approval listed below.

Site Plan approval was granted with the following conditions:

1. The applicant/owners shall comply with the stipulations set forth by the City of New Bedford Department of Public Infrastructure.
2. The applicant/owners shall comply with the stipulations set forth by the City of New Bedford Department of Environmental Stewardship and Conservation Commission.
3. The Site Plan should be revised and submitted to planning staff and include all lighting types/locations, notes regarding curb and pavement types, lighting location and specifications,

dumpster location/s and screening materials, identification of loading bays, and snow storage area/s.

4. Should the applicant propose mechanical equipment on the roof that would include any satellite antenna installation, the applicant shall present plan revisions illustrating these details for consideration and approval by the city planner prior to the issuance of a certificate of occupancy.
5. The applicant/owners shall work with planning staff to ensure that required language concerning streets, sewers and inspections are included under Construction Notes.
6. The Landscape Plan shall be updated to include a plant schedule, greater detail as to what is to be retained and what is to be added, in addition to the snow storage area, to the satisfaction of the city planner.
7. As the Planning Board's standard of practice recommends erosion control measures to utilize straw rather than hay bales, staff asks the applicant revise Hay to Straw bales under the Operation and Maintenance Plan at paragraph 1. Installation of Erosion Controls and paragraph 10. Site Stabilization. This revision specifying straw rather than hay should also be noted on Detail sheet DTI and Landscape Plan sheet LS.
8. Building Elevation plans shall identify all proposed exterior materials - including roofing, finish color of materials, and treatment at the loading docks, and all building entrances and comply with the covenants under deed restriction.
9. The applicant shall continue the granite curbing at South Front Street and Blackmer Street access areas into the site to match the granite street curbing installed by the City of New Bedford.

A copy of this Decision was filed with the City Clerk of the City of New Bedford on March 23, 2016. Any person aggrieved by this decision for Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

3.23.16

Date



Jennifer Clarke, AICP, Acting City Planner
Agent for the Planning Board

1) APPLICATION SUMMARY

The petitioner submitted an application for SITE PLAN approval Under Chapter 9 Comprehensive Zoning, Section 5400 and 4500, relative to the property listed above for a 29,500+/- SF expansion of an existing 47,200+/- SF industrial seafood processing plant, located on a 6.36+/- acre site at 43 Blackmer Street (Map 25A, Lot 1, 3 & 52), in the Industrial B and Working Waterfront Overlay zoning districts. [NOTE: The Working Waterfront Overlay District is comprised of the waterfront area along the Acushnet River and New Bedford Harbor between Gifford Street and Interstate Route I-195. A fish fillet or fish processing plant shall only be allowed in Industrial "B" Zones that are located within the Working Waterfront Overlay District.]

North Coast Seafoods is a third generation, first receiver of fish from the fisher, seafood processor that self distributes to national retail supermarkets, regional restaurants and national multi-units via overnight delivery. In addition to the New Bedford location, the company operates a facility in Boston.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

The submittal is shown as the Site Plan for the Addition to Seafood Processing Plan for North Coast Seafood, 43 Blackmer Street, New Bedford, MA 02744, dated 02/10/2016, as prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA 02061 consisting of six (6) sheets; *and* Proposed Addition for North Coast Seafoods, New Bedford, MA, dated 01-18-16, as prepared by Rivermoor Engineering, LLC, 146 Front Street, Suite 211, Scituate, MA 02066 consisting of two (2) sheets.

1. Title Sheet (TS) – Sheet 1/6
2. Existing Conditions (EC) – Sheet 2/6
3. Detail Sheet 1 (DTI) – Sheet 4/6
4. Detail sheet II (DTII) – Sheet 5/5 (To be revised to read 5/6)
5. Landscape Plan (LS) – Sheet 6/6
6. Overall Floor Plan – Sheet A1.1
7. Exterior Elevations – Sheet A3.1

Other Documents and Supporting Materials

8. Staff Review comments with Attachments:
 - Deed - Bristol County (S.D) Registry of Deeds Book 5306, Page 339
 - Deed - Bristol County (S.D) Registry of Deeds Book 11376, Page 320 (to include BK 4729, PG 123) Utility Easements for Commonwealth Electric - Bristol County (S.D) Registry of Deeds BK 4840, PG 177 and BK 4822, PG 186
 - Site Plan Review Application Checklist with Noted Waiver Requests
 - Site Plan Review Application
 - Certified Abutters List
 - Project Summary
 - Storm Water Report
 - Stormwater Operation and Maintenance Plan and Illicit Discharge Statement
 - FEMA FIRM Panel 481 Map No. 25005C0481G for Bristol County
 - Natural Heritage Endangered Species Program (NHEP) Priority Habitats Map
 - Site Photographs
 - Drainage Calculations & Supplemental Drainage Information

3) DISCUSSION

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion.

Jennifer Clarke, AICP, Deputy Director of Planning & Community Development and Acting City Planner, and Constance Brawders (Staff Planner) were present during proceedings for the subject case review.

Applicant's Agent John Cavanaro of Cavanaro Consulting, Inc., introduced the case submittal for North Coast Seafood and described the expansion plans for the processing plant; parking plan and loading bays; storm water mitigation plan; general lighting plan with the intent to create a serviceable and safe lighting plan that is dark skies friendly; and general landscaping plan. As the site encroaches within the floodplain,

the Planning Board was informed of the pending peer consulting engineer review and review of the Notice of Intent filed with the New Bedford Conservation Commission.

Brian Jones, Structural Engineer for architectural/engineering firm Rivermoor Engineering, further elaborated on the revised architectural drawings showing the interior space plan, building elevations, location of loading bays, exterior finish materials, energy efficient roofing material specified for construction, relocation of nitrogen tank, and bike racks for employees.

North Coast Seafoods General Manager Bruce Fontes was present to address questions and concerns from the Board.

Staff review comments were addressed by Mr. Cavanaro. The applicant was amenable to comments received from the Department of Public Infrastructure and incorporated these recommendations on the revised plan submittal presented at the evening's meeting.

Discussion ensued between the design team, general manager, and Planning Board regarding the site characteristics and development proposal, specifically the site traffic circulation and pedestrian access to the structure; snow storage area; location of two dumpsters; landscape planting notes, to include the addition of street trees, such as English Oak, at the Blackmer Street entrance and along Front Street; lighting plan that includes type and location of lighting with final revisions to be reviewed by planning staff for approval; stormwater drainage; installation of granite curbing at the entrance to match the existing city curbing; and location of any additional proposed signage, which is to remain as existing signage distinguishing the nitrogen tank.

Chairperson Dawicki asked for a motion to open the public hearing. Board Member K. Duff moved to open the hearing, seconded by Board Member A. Glassman. Motion carried unanimously Five (5) to Zero (0).

No member of the public body spoke or asked to be recorded in favor of the proposal.

Speaking in opposition of the proposal on behalf of an unidentified abutter residing on South Front Street was Melissa Christy who expressed concerns around trucking activity and the potential for late night operational noise.

No member of the public body asked to be recorded in opposition of the proposal.

Hearing no further questions or comments, motion was moved to suspend the public hearing. The applicant and general manager were invited to address concerns regarding anticipated plant noise levels. The general manager explained how the plant's proposed expansion would move the built footprint away from the residential structures at South Front Street. The general manager explicitly noted this new addition is to be utilized for the shipping of product rather than receiving, and explained the company's plan to locate blast freezers at the north side of the building, thereby allowing for attenuation of sound levels reaching resident occupants. The chair reminded the applicant and abutter further discussions regarding noise levels may be held between parties outside the meeting, if necessary.

With no further comment, motion was made to close the public hearing by Board Member K. Duff and seconded by Board Member A. Glassman. Motion carried unanimously Five (5) to Zero (0).

4) WAIVER REQUEST

The Planning Board reviewed the Planning Staff Comments dated March 9, 2016 and considered the applicant's requests for waivers. The Board declined to consider waiver requests for Landscape Plan and Lighting Plan, indicating these items should be on file. Construction notes should similarly appear on plans and submittals detailing the use of straw, rather than hay bale, for erosion control measures. The Board adopted the Planning Staff Comments dated March 9, 2016 with staff recommendations as the basis for their conditional approval of the site plan.

5) THE FOLLOWING CONDITIONS AND RESTRICTIONS SHALL APPLY

1. The applicant/owners shall comply with the stipulations set forth by the City of New Bedford Department of Public Infrastructure.
2. The applicant/owners shall comply with the stipulations set forth by the City of New Bedford Department of Environmental Stewardship and Conservation Commission.
3. The Site Plan should be revised and submitted to planning staff and include all lighting types/locations, notes regarding curb and pavement types, lighting location and specifications, dumpster location/s and screening materials, identification of loading bays, and snow storage area/s.
4. Should the applicant propose mechanical equipment on the roof that would include any satellite antenna installation, staff recommends the applicant present plan revisions illustrating these details for consideration and approval by the city planner prior to the issuance of a certificate of occupancy.
5. The applicant/owners shall work with planning staff to ensure that required language concerning streets, sewers and inspections are included under Construction Notes.
6. The Landscape Plan shall be updated to include a plant schedule, greater detail as to what is to be retained and what is to be added, in addition to the snow storage area, to the satisfaction of the city planner.
7. As the Planning Board's standard of practice recommends erosion control measures to utilize straw rather than hay bales, staff asks the applicant revise Hay to Straw bales under the Operation and Maintenance Plan at paragraph 1. Installation of Erosion Controls and paragraph 10. Site Stabilization. This revision specifying straw rather than hay should also be noted on Detail sheet DTI and Landscape Plan sheet LS.
8. Building Elevation plans to identify all proposed exterior materials - including roofing, finish color of materials, and treatment at the loading docks, and all building entrances and comply with the covenants under deed restriction.
9. The applicant agree to continue the granite curbing at South Front Street and Blackmer Street access areas into the site to match the granite street curbing installed by the City of New Bedford.

6) DECISION

Board Member K. Duff made the motion to consider the waiver request with exceptions of the items included in the staff review comments dated March 9, 2016, as noted in conditions for approval, with second by Board Member A. Glassman. Motion carried Five (5) to Zero (0).

Board Member K. Duff made the motion to approve Site Plan 06-16, with conditions as stated above, for approval of a 29,500+/- SF expansion of an existing 47,200+/- SF industrial seafood processing plant, located on a 6.36+/- acre site at 43 Blackmer Street (Map 25A, Lot 1, 3 & 52), in the Industrial B and

Working Waterfront Overlay zoning districts; seconded by Board Member A. Glassman. Motion carried Five (5) to Zero (0).

Filed with the City Clerk on:

3.23.16

Date



Jennifer Clarke, AICP, Acting City Planner
Agent for the Planning Board