



**Planning Board**  
 City Hall, Room 303  
 133 William Street,  
 New Bedford, MA 02740  
 (508)979-1488  
[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

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

2016 JUN 16 P 3:57  
 CITY CLERK  
 CITY CLERKS OFFICE  
 NEW BEDFORD, MA

**NOTICE OF DECISION**

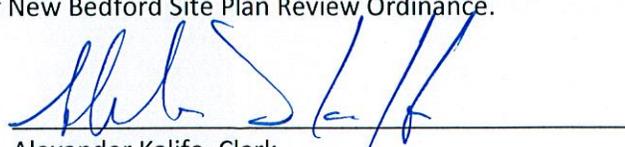
Case Numbers: 20-16				
Request Type: Site Plan Approval for Ground Sign				
Address: 128 Union Street				
Zoning: Mixed Use Business zoning district, Central Business District, & Downtown Business Overlay District				
Recorded Owner: 128 Union Street, LLC				
Applicant: James DeMello for the DeMello International Center				
Applicant Address: 117 Hathaway Road, Dartmouth, MA 02747				
Application Submittal Date		Public Hearing Date		Decision Date
May 16, 2016		June 8, 2016		June 16, 2016
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
47	5	11623	206	

**Application:** Request by applicant for Site Plan approval for Ground Sign under Chapter 9 Comprehensive Zoning, §5400, 5410, 5427 and 5430-5490B, located at 128 Union Street (Map 47, Lot 5), in the Mixed Use Business zoning district, Central Business District, and Downtown Business Overlay District.

**Action:** GRANTED, WITH CONDITIONS, as described in section four (4).

A copy of this decision was filed with the City Clerk of the City of New Bedford on June 16, 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.

6/16/2016  
 Date

  
 Alexander Kalife, Clerk  
 City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

The applicant and owner James DeMello of 128 Union Street, LLC presented a submittal for Ground Sign approval to display a new single face, internally illuminated sign having a bleed face with push through graphics, to be mounted on two steel pole structures and fit above the existing monument ground sign located at the site commonly recognized as Santander Bank. Surface area of the new sign is approximately nine (9) feet by three (3) feet, adding twenty-seven (27) +/- SF to the existing twenty-nine (29) +/- SF monument ground sign.

Mr. DeMello's objective in requesting this sign as stated through his agent Poyant Signs Inc., is to generate brand identity for the DeMello International Center as a an educational and cultural hub whose ultimate goal is "to create a vibrant, dynamic place for the community to engage in educational opportunities and enhance their understanding of the Portuguese culture."

<http://ojournal.com/portuguese-brazilian-news/2016/03/santander-building-sold-to-become-demello-international-center/#axzz49akFrQyY>

The application and plans for a ground sign propose a sign surface area that is greater than allowed by city code, both when it is added to the existing ground sign and on its own. According to the Commissioner of Inspectional Services [Zoning Enforcement Officer], the proposed sign will therefore require a variance from the city's zoning ordinance.

Planning staff noted in its report to the Planning Board that the proposed commercial ground sign under consideration is consistent with the city's master plan (*A City Master Plan: New Bedford 2020*) in that the proposal for a ground sign supports existing business and attracts emerging industries as part of the strategic approach for economic development.

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### **Plans Considered to be Part of the Application**

The submittal is shown as the Site Plan for DeMello International Center, 128 Union Street, New Bedford, MA, as prepared for CompassBank, dated 12/29/98, by SITEC, Inc., 13 Welby Road, New Bedford, MA 02745 and presented by Poyant Signs. Inc., 125 Samuel Barnet Boulevard, New Bedford, MA 02745 consisting of one (1) sheet;

*and*

DeMello International Center, Design Development, dated May 6, 2016, as prepared by Poyant Signs. Inc., 125 Samuel Barnet Boulevard, New Bedford, MA 02745 consisting of seven (7) sheets.

Site Plan – Sheet 1

Cover Page

Addition to Monument Sign – Sheet 5A.1 – Option A

Channel Letters - Sheet 3B.2 – Option B

Channel Letters – Sheet 3B.1- Option B

Reface Building Sign – Sheet 1A.1 – Option A

Channel Letters – Sheet 4B.1 – Option B

Channel Letters Sheet 4B.2 - Option B

### Other Documents and Supporting Material

Staff Comments with attachments:

- a. Site Plan Review Application for New Ground Sign
- b. Letter of Authorization
- c. Deed - Bristol County (S.D) Registry of Deeds Book 11623, Page 206
- d. Plan set

### **3) DISCUSSION**

Board Members Colleen Dawicki, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion. Board Member Duff left the meeting at 6:55 p.m. because of scheduling conflict, so did not vote on the application for modification. Constance Brawders (Staff Planner) was also present during proceedings for the subject case review.

Applicant's agent Stephanie Poyant Moran of Poyant Signs Inc., introduced the proposed addition to the existing ground sign and described the objective to bring brand recognition to the DeMello International Center which has recently acquired the Santander Bank building on Union Street, located along one of New Bedford's Primary Gateway Corridors.

Santander Bank will continue to lease space from the DeMello Center and share the monument sign with DeMello International Center. Ms. Poyant Moran clarified the source of sign illumination will be the white channel letters.

Chair Dawicki requested a motion from the Board to open the public hearing; motion moved by Board Member A. Glassman, with second by Board Member P. Cruz by vote of four (4)-zero (0).

Speaking in favor of the application was Dylan Fagundes, Project Manager of the building. No one asked to be recorded in favor of the project submittal.

No one asked to speak or be recorded in opposition of the proposal.

With no other comments received, motion was made by Board Member P. Cruz, with second by Board Member A. Glassman to close the hearing. Motion carried four (4) to zero (0).

The Planning Board recognized with a surface area of 29.29+/- SF, the existing 37" x 114" Santander ground sign currently exceeds the maximum 25 SF surface area stipulated under §3255 but predates this section of the ordinance; as such the Zoning Enforcement Officer has determined that it is a legal non-conforming sign. The applicant is scheduled to the June 23, 2016 meeting before the Zoning Board of Appeals.

### **4) DECISION**

Chair Dawicki asked for a motion to grant the Site Plan approval for Ground Sign. Board Member Glassman moved to approve Site Plan approval for Ground Sign for **Case #20-16**, under Chapter 9 Comprehensive Zoning, §5400, 5410, 5427 and 5430-5490B, located at 128 Union Street (Map 47, Lot 5), in the Mixed Use Business zoning district, Central Business District, and Downtown Business Overlay District, with conditions noted as follows:

1. The Planning Board incorporates into this decision the conditions of approval from the Zoning Board of Appeal, to be determined at the meeting of the ZBA on June 23, 2016.
2. The following Staff Report comments are to be incorporated into this decision:
  - a. The applicant shall ensure that the deed book and page number is added to the Title Box on final submittal plans provided to the Department of Inspectional Services and Planning Department.
  - b. The applicant shall ensure that the Assessor's Map and Lot be added to the Title Box on final submittal plans provided to the Department of Inspectional Services and Planning Department.
3. The applicant will submit final plan revisions to the Planning Division in the following formats:
  - One (1) -11" x 17" Plan Set
  - One (1) CD or USB with Plan Set in PDF format
4. The applicant will provide a copy of the decision to the Planning Division certifying no appeal has been made to the Office of the City Clerk.
5. 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 the date they were granted or they will lapse.

Motion seconded by Board Member Cruz. Motion carried unanimously four (4) to zero (0).

Board Member Kalife – Yes  
 Chair Person Dawicki - Yes

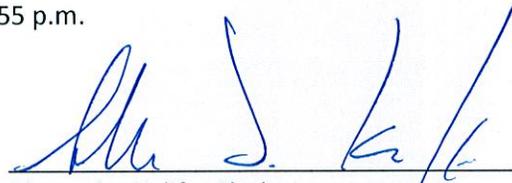
Board Member Glassman – Yes

Board Member Cruz – Yes

Board Member Duff – Left at 6:55 p.m.

Filed with the City Clerk on:

6/16/2016  
 Date

  
 Alexander Kalife, Clerk  
 City of New Bedford Planning Board