



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 JUL 22 A 10: 01
 CITY CLERK

NOTICE OF DECISION

Case Numbers: 22-16				
Request Type: Site Plan Approval for Ground Sign				
Address: 1500 Cove Street				
Zoning: Mixed Use Business and Residence B zoning districts				
Recorded Owner: 1500-1502 Cove Road, LLC				
Applicant: DeSouza Enterprises (d/b/a Cove Surf & Turf)				
Applicant Address: 1500-1502 Cove Road, New Bedford, MA 02740				
Application Submittal Date		Public Hearing Date		Decision Date
June 23, 2016		July 13, 2016		July 22, 2016
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
17A	318	11186	318	

Application: Request by applicant for Site Plan approval for Ground Sign under Chapter 9 Comprehensive Zoning, §5400, 5427 and 5430-5490B, located at 1500 Cove Street (Map 17A, Lot 103, in the Mixed Use Business and Residence B zoning districts.

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

A copy of this decision was filed with the City Clerk of the City of New Bedford on July 21, 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.

7/22/16
 Date


 Colleen Dawicki, Chair
 City of New Bedford Planning Board

1) APPLICATION SUMMARY

The applicant and owner, DeSouza Enterprises (d/b/a Cove Surf & Turf), presented a submittal for new ground sign through its agent Poyant Signs, to display a double face, non-illuminated, monument sign manufactured in high density urethane (HDU). HDU signs are value engineered to resemble wood. Color specifications for the proposed sign are black, blue, orange and red. The five (5) foot by three (3) foot ten (10) inch oval shape sign measures 19.16+/- SF and is in compliance with sign ordinance regulations under §3255 for the MUB zoning district. The proposed sign's overall height from grade is five (5) feet-ten (10) inches and is therefore within the fifteen (15) foot maximum height allowance. The sign is to be mounted on a four (4) inch by four (4) inch +/- square steel pole exposing twenty-four (24) inches between ground and bottom of sign in compliance with code requirements.

The application for commercial ground sign considered by the Planning Board for Cove Surf & Turf seafood restaurant was determined by Planning Staff as having met the criteria set forth under A City Master Plan: New Bedford 2020 in that the proposal for a ground sign supports existing small businesses as part of the strategic approach for economic development.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

Cove Surf & Turf, 1500 Cove Road, New Bedford, MA, dated 04/28/2016 as revised thru 07/05/16, as prepared by Poyant Signs. Inc., 125 Samuel Barnet Boulevard, New Bedford, MA 02745 consisting of four (4) sheets.

Cover Page

Monument Sign – 1A.1 / 1 of 3– Option A

Monument Sign – 1A.2 / 2 of 3– Option A

Monument Sign – A/ 3 of 3

Other Documents and Supporting Material

Staff Report with attachments:

1. Site Plan Review Application for New Ground Sign
2. Waiver Request
3. Letter of Authorization
4. Deed - Bristol County (S.D) Registry of Deeds Book 11186, Page 318
5. Approval Not Required Plan of Land (Book 160, Page 5)
6. Plan Graphics

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 6:27 p.m. because of scheduling conflict, so did not vote on the application for new ground sign. Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were also present during proceedings for the subject case review.

Applicant's agent Stephanie Poyant Moran of Poyant Signs Inc., (125 Samuel Barnet Blvd, New Bedford, MA 02745) introduced the ground sign design concept which is in compliance with municipal ordinance sign regulations. As a waiver petition for preparation of Site Plan had been presented for the Planning Board's consideration, Ms. Poyant assured the Board the ground sign, to be displayed within a

landscape bed, will meet the minimum six (6) foot setback from the lot line, as stipulated under ordinance. Ms. Poyant also reassured the Board that the installation of the non-illuminated ground sign would meet with accepted test methods for construction of signs in a flood hazard zone, given the VE Flood Zone designation for this area of New Bedford.

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

Speaking in favor of the application was Ward 6 City Councilor Joseph P. Lopes. 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 A. Glassman, with second by Board Member P. Cruz to close the hearing. Motion carried four (4) to zero (0).

A brief discussion followed in consensus support of the proposal.

4) DECISION

Chair Dawicki asked for a motion on the Site Plan approval for Ground Sign. Board Member Glassman moved to approve, with conditions, Site Plan approval for Ground Sign for a commercial use under Chapter 9 Comprehensive Zoning, §5400, 5427 and 5430-5490B, located at 1500 Cove Street (Map 17A, Lot 103), in the Mixed Use Business and Residence B zoning districts as presented by applicant's agent Poyant Signs Inc., with conditions noted as follows:

1. 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.
2. 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.
3. The applicant shall 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 formatand shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
4. The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the office of the City Clerk for the Planning division case file folder.
5. The rights authorized by the granted Site Plan Approval for New Ground Sign 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.
6. The Planning Board grants the following Waiver:

A. Waiving the requirements under §5400-Site Plan Review for §5440-Preparation of Plans.

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

Board Member Kalife – Yes
Chair Person Dawicki - Yes

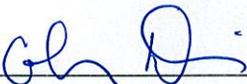
Board Member Glassman – Yes

Board Member Cruz – Yes

(Board Member Duff – Left at 6:27 p.m.)

Filed with the City Clerk on:

7/22/16
Date



Colleen Dawicki, Chair
City of New Bedford Planning Board