



**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

**NOTICE OF MODIFICATION  
 OF SITE PLAN APPROVAL**

Case Number: #21-16		CITY CLERK'S OFFICE NEW BEDFORD, MA 2016 JUL 22 AM 10:01 CITY CLERK		
Request Type: Modification of Site Plan Approval				
Address: 2301 Purchase Street				
Zoning: Industrial A and Industrial B Zoning Districts				
Owner: Friends Realty, Inc.				
Owner's Address: 2103 Purchase Street, New Bedford, MA 02740				
Submittal Date		Public Hearing Date		Decision Date Recorded by City Clerk
June 9, 2016		July 13, 2016		July 22, 2016
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
97	9, 151, 152, 153, 164, 176 & 180			11822, 11823, 11824, 20068, 20476, 19958

**Application:** Request by applicant for Modification of Site Plan Approval of Case #23-15, for a revision of building layout and parking and loading design, located on a 8+/- acre site at 2301 Purchase Street (Map 97, Lots 9, 151, 152, 153, 164, 176 & 180) in the Industrial A and Industrial B zoning districts.

**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 July 21, 2016 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  
 Colleen Dawicki, Chair  
 City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

The applicant, Sid Wainer and Son, and Owner, Friends Realty, Inc., of 2103 Purchase Street, submitted an application through its agent, Site Design Engineering, LLC, for **Modification for Site Plan Approval** under Chapter 9 Comprehensive Zoning, § 5400. Site Plan Review, § 5436 for Case 23-15, whose decision was recorded with the office of the City Clerk on October 20, 2015, subsequent to Case #35-14, whose Decision was recorded with the office of the City Clerk on September 24, 2014. The applicant had been granted a one year extension for Case 35-14 by the Planning Board in a Public Hearing on August 12, 2015.

Case # 21-16 is a request by applicant for **Modification of Site Plan Approval** for a revision of building layout, and parking and loading design, located at 2301 Purchase Street (Map 97, Lots 9, 151, 152, 153, 164, 176 & 180) in the Industrial A and Industrial B zoning districts.

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application

Industrial site Development Plans-Site Plan Approval Modification, 2301 Purchase Street, New Bedford, MA prepared for Sid Wainer & Son, Inc., dated September 11, 2015 as revised thru June 6, 2016, prepared by Site Design Engineering, LLC, 11 Cushman Street, Middleboro, MA 02346 consisting of fourteen (14) sheets:

Cover Page

Existing Conditions Plan-sheet 2 of 14

Existing Conditions Plan-sheet 3 of 14

Erosion control Plan-sheet 4 of 14

Site Demolition Plan-sheet 5 of 14

Site Layout Plan-sheet 6 of 14

Site Layout Plan-sheet 7 of 14

Grading & Drainage Plan-sheet 8 of 14

Grading & Drainage Plan-sheet 9 of 14

Utility Plan-sheet 10 of 14

Landscape Plan-sheet 11 of 14

Lighting Plan-sheet 12 of 14

Construction Details-sheet 13 of 14

Construction Details-sheet 14 of 14

### Other Documents and Supporting Material

Staff report with attachments:

1. Notice of Decision for Case #23-15
2. Minutes of Meeting Dated October 7, 2015
3. Minutes of the Meeting Dated August 12, 2015
4. Minutes of the Meeting Dated September 10, 2014
5. Staff Report Dated October 7, 2015
6. Staff Comments with Attachments Dated August 3, 2015
7. Narrative
8. Comments from Ronald Labelle, Commissioner of Department of Public Infrastructure, dated 11/30/2015, 10/07/2015 and 09/09/2014
9. Site Plan Modification Application

10. Parking Zoning Calculations
11. Site Layout Plan - Color Exhibit
12. Site Plan Approval Modification Plan Set

### **3) DISCUSSION**

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion. Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were also present during proceedings for the subject case review.

Applicant's agent, Thomas Hardman, PLS, of Site Design Engineering, LLC (11 Cushman Street, Middleboro, MA 02346) informed the Planning Board of the owner's change of project delivery method to Design Build due to the challenging, intrinsic characteristics of the site. The design and construction services are now managed by CMC Design Build of Quincy, MA, a firm specializing in food service building design and construction, which should expedite site design and construction to occur in concurrent phases.

The total new area of the building remains the same at 55,825+/- SF, but because of the geotechnical obstacles, the elevation of utilities has been raised and drainage has been redesigned, eliminating previously approved storm water infiltration and detention facilities. City of New Bedford Department of Public Infrastructure concurred with the proposed modification and provided a letter of support for such revisions.

**The applicant was asked by Board Member Cruz to provide updated drainage calculations for the case file folder.**

The revised Landscape Plan was provided for the Planning Board's review and approval.

Motion was made to open the public hearing by K. Duff, seconded by A. Glassman. Motion carried unanimously five (5) to zero (0).

No one asked to speak in favor of the plan modifications; Ward Six City Councilor Joseph P. Lopes was present and asked to be recorded in favor of the modification of site plan approval.

No member of the public spoke or requested to be recorded in opposition of the modification.

After suspending the public hearing, applicant's agent, through the Planning Board, responded to questions broached by abutter Lauren A. Rock, regarding drainage along Beacon Street, and clarification of site access curb cuts and planting of street trees at Van Buren Street by Valtron Development Company, LLC through its attorney, Michael Kehoe.

Having no further questions from the Board, the motion was moved to close the public hearing by Board Member Duff, seconded by Board Member Glassman. Motion carried unanimously five (5) to zero (0).

### **4) DECISION**

Chair Dawicki asked for a motion for the Modification of Site Plan approval. Board member K. Duff moved to approve, with conditions, Site Plan Modification of Case # 23-15 for a revision of building

layout, and parking and loading design, located at 2301 Purchase Street (Map 97, Lots 9, 151, 152, 153, 164, 176 & 180) in the Industrial A and Industrial B zoning districts, 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 parking calculations, as stipulated by the Commissioner of Inspectional Services, shall be shown as notes on the approved modification of site plan cover sheet.
4. The Planning Board incorporates the Memoranda from the Department of Public Infrastructure dated October 7, 2015 and September 9, 2014, as stipulated by the Notice of Decision date stamped by the office of the City Clerk on October 20, 2015.
5. The applicant also incorporates the letter dated November 30, 2015 from Ronald Labelle, Commissioner of the Department of Public Infrastructure, concurring with the applicants' storm water mitigation proposal and utility elevation, as part of this decision.
6. Furthermore, the applicant shall seek approval from the city of New Bedford Traffic Commission for the proposed 1) Stop signs at the intersection of Van Buren and Beacon Streets and 2) Mid-block cross walk on Van Buren Street.
7. The applicant shall honor the Notice of Decision by the Planning Board date stamped by the Office of the City Clerk on September 24, 2014 which incorporated the following conditions for approval:
  - A. That all DPI Comments, as detailed in their memorandum to Planning Board dated September 9, 2014, be accepted / completed by the applicant;
  - B. That a crosswalk, or crosswalks, be installed between the new off-street parking area (2343 Purchase Street) and the 2301 Purchase Street parcel, at the discretion of Traffic Commission, and that the applicant shall abide by all conditions of the Traffic Commission's review;
  - C. That the applicant shall look into installation of bike racks on-site;
  - D. That the 63' wide curb cut be reviewed and reconfigured/reduced and that the smaller curb cut to the east potentially be removed, with subsequent review by Planning Staff;
  - E. That an additional row of landscaping islands be installed in the middle of the parking lot on the north side of Van Buren;
  - F. That revised architectural drawings of the addition, including investigation of solar panel installation and roof reflectivity to mitigate heat island effect, be submitted to Planning Staff for review and acceptance prior to release of Building Permit;

G. That the drainage system for the northern parking lot (2343 Purchase Street) include an oil/water separator;

H. That a lighting plan be submitted to Planning Staff for review and acceptance prior to release of Building Permit;

I. That a guardrail be installed along the eastern boundary to protect the existing building on the corner of Van Buren Street and Purchase Street, if possible.

8. The applicant shall ensure installation and show evidence of all relevant ADA parking requirements on revised plans as set forth by the Department of Inspectional Services.

9. 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 format

and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.

10. 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.

11. The rights authorized by the granted Modification of 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.

12. The applicant will honor the recommendations made in the Planning Staff Reports dated August 3, 2015, October 7, 2015 and July 13, 2016.

The motion was seconded by Board member A. Glassman and carried unanimously by a vote of five (5) to zero (0).

Board Member Duff – Yes  
Board Member Cruz – Yes

Board Member Kalife – Yes  
Chair Person Dawicki - Yes

Board Member Glassman – Yes

Filed with the City Clerk on:

7/22/16  
Date

  
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Colleen Dawicki, Chair  
City of New Bedford Planning Board