



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

**PLANNING BOARD**  
 City Hall, Room 303  
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 New Bedford, MA 02740  
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CITY CLERKS OFFICE  
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 CITY CLERK

**NOTICE OF DECISION**

Case Number:	35-17			
Request Type:	Site Plan Approval			
Address:	ES Bolton Street and WS Orchard Street			
Zoning:	Mixed Use Business (MUB) Zoning District			
Recorded Owners:	Clark's Cove Devt. Co LLC			
Applicant:	Howland Place Realty Trust			
Applicant Address:	651 Orchard Street, New Bedford, MA 02744			
<b>Application Submittal Date</b>	<b>Public Hearing Date</b>		<b>Decision Date</b>	
September 15, 2017	October 18, 2017		October 18, 2017	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
19, 23	1, 158	7223	263	

**Application:** Request by applicant for Site Plan Approval for construction under Chapter 9 Comprehensive Zoning, §5400-5490B of a 44,654+/- SF parking lot located between the ES of Bolton Street (Map 19, Lot 1) and WS of Orchard Street (Map 23, Lot 158) in the Mixed Use Business (MUB) zoning 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 November 1, 2017. 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

11/11/17  
 Date

Colleen Dawicki  
 Colleen Dawicki, Chair  
 City of New Bedford Planning Board

## 1) APPLICATION SUMMARY

Prime Engineering (P.O. Box 1088, Lakeville, MA 02347) submitted an application under Chapter 9 Comprehensive Zoning §5400-5490B Site Plan Review for construction of a 44,654+/- SF parking lot located between the ES of Bolton Street (Map 19, Lot 1) and WS of Orchard Street (Map 23, Lot 158) in the Mixed Use Business (MUB) zoning district on behalf of the applicant, Howland Place Realty Trust.

The applicant proposes the clearing and regarding of a site in order to develop it as a commercial parking lot providing additional spaces for uses associated with the Howland Mills directly adjoining the site to the south. The use of a parking lot is permitted by-right under the city ordinance in the MUB zoning district.

This proposal is consistent with the master plan's goal [of establishing a sound foundation for future growth that builds upon its coastal location, preserves its historic legacy, and expands cultural and workforce opportunities] as it restores blighted property, improves the neighborhood, and attracts emerging businesses and commercial enterprise.

## 2) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application

The submittal is shown as the Off Street Parking Lot Bolton Street, New Bedford, Massachusetts dated August 25, 2017, prepared by Prime Engineering, P.O. Box 1088, 350 Bedford Street, Lakeville, MA 02347, consisting of eight (8) sheets:

- # Cover Sheet
- # Existing Conditions and Demolition Plan (Sheet EX-1)
- # Overall Site Layout Plan (Sheet LO-1)
- # Grading and Drainage/Layout Plan (Sheet GD-1)
- # Landscaping and Lighting Plan (Sheet LS-1)
- # Erosion Control Plan (Sheet EC-1)
- # Detail Sheet #1 (Sheet D-1)
- # Detail Sheet #2 (Sheet D-2)

### Other Documents and Supporting Materials

A Staff Report dated October 10, 2017 was provided for the October 18, 2017 Planning Board meeting as was the following material:

- # Notice of Activity and Use Limitation Form 1075 (Book 7863, Page 305)
- # Development Impact Statement (dated September 12, 2017)
- # Site Plan Review Application
- # Parking Lot Deed
- # DPI Memorandum Dated 10.16.17
- # Recorded Form 1075 AUL
- # Certified Abutters List
- # Photos
- # Bristol County (S.D) Registry of Deeds Book 7223, Page 263

## 3) DISCUSSION

Board Chair Colleen Dawicki and Board Members Kathryn Duff, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion. There was no city staff present during the proceedings.

Rich Rheume, Prime Engineering, noted the proposed 119 space parking is to be located in the area of Howland Place, a commercial building full of tenants, creating a need for additional parking. Mr. Rheume explained the orientations and diagrams, including handicap spaces, sidewalks and curbs, snow removal and street trees, grass and shrubs. He then detailed the lighting plans, explained elevations, grading and drainage plans and explained that the subject parcel is owned by an entity separate from the mill building and its adjacent parking lot. Mr. Rheume stated that a Form A will be submitted.

As part of his presentation, Mr. Rheume confirmed that based on his conversations with Danny Romanowicz, Commissioner of Inspectional Services and in correspondence with the "Boston Board" [Architectural Access Board] it was determined that the handicap parking spaces appropriately belong closest to the building.

The Board and Applicant's Agent discussed concerns regarding stormwater, water volume and the capacity of the discharge pipe. In response to a request for Board Member Kathryn Duff, Mr. Rheume indicated the acceptability of her request that the parking lot border along the north and east sides be increased from five (5) feet to an eight (8) foot buffer to ensure "a better buffer and larger trees."

Final discussion included Mr. Rheume noting details as to the lighting plans, the addition of two luminaires to existing poles and a confirmation as to proposed fencing on the north and east sides to be black vinyl coated 6'-8' fencing without slats.

Chair Dawicki asked for a motion to open the Public Hearing which was moved by Board Member K. Duff and seconded by Board Member A. Glassman. Motion carried unanimously five (5) to zero (0).

No one spoke or asked to be recorded in favor of, or in opposition to, of the project.

The public hearing was then closed on a motion by Board Member K. Duff and seconded by Board Member A. Glassman. Motion carried unanimously five (5) to zero (0).

#### 4) DECISION

Board Member K. Duff made the motion, seconded by A. Glassman, to approve the applicant's request for Site Plan Approval for case #35-17 with conditions based on the application and materials presented and received by this Board as prepared and submitted by Prime Engineering with the following conditions:

##### **Specific Conditions:**

- Approval is dependent upon an ANR being filed for the lot;
- That the project meet the architectural access board requirements relative to handicap parking and circulation within the area;
- That the project follow the DPI comments as received, dated 10/16/17;
- That the trees being planted meet the 3" caliper;
- That the project follow the staff recommendations as noted;
- That the north and east green edges of the proposed parking lot be increased from 5' to 8' wide to allow for a wider green edge;
- That the proposed fencing along the north and east property lines meet and conform to all city

- regulations relative to height;
- That the plans be updated to reflect the required accessible ADA compliance spaces;
- That the applicant obtains written approval from the Traffic Commission for all work associated with proposed curb cuts as presented, and provide evidence of such approval for planning division files;
- That the applicant provide plans and specs for review and approval by planning board and city planner;
- Any additional ground signs intended, i.e., direction signs, that the plant list be reviewed to indicate all trees within the plan list as being no less than 3" caliper or 36" above grade;
- That the city planner approve a revised landscape plan;
- That all site distances at site entrances shall be verified as acceptable by the Traffic Commissioner and no noted on the plans

**General conditions are as follows:**

- 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, as modified by the conditions of this decision;
- That the project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure, and that the Planning Board incorporates the DPI memo as part of these conditions;
- That the applicant shall submit final plan revisions to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- That the applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the New Bedford City Clerk for the Planning Division case file folder;
- 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;
- The rights authorized by the granted site plan approval of the special permit must be exercised by issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

The Planning Board finds this request to be in accordance with the City of New Bedford Code of Ordinances, Chapter 9, Section 5400. As a result of such consideration, the board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Chair Dawicki -- Yes

Board Member Kalife-Yes


Board Member Cruz -- Yes

Board Member Glassman -- Yes

Vice Chair Duff - Yes

Filed with the City Clerk on:

11/1/17  
Date

  
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Colleen Dawicki, Chair  
City of New Bedford Planning Board



Department of Public Infrastructure

Manuel H. Silva  
Acting Commissioner

CITY OF NEW BEDFORD  
Jonathan F. Mitchell, Mayor

Water  
Wastewater  
Highways  
Engineering  
Cemeteries  
Park Maintenance

MEMORANDUM

TO: City of New Bedford Planning Board

FROM: Manuel H. Silva, Acting Commissioner, D.P.I. MHS

DATE: October 16, 2017

RE: Off Street Parking Lot- Site Plans  
Bolton Street  
Plot 19 Lot 1  
Plot 23 Lot 58

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The Department of Public Infrastructure has reviewed the proposed site plan referenced above and recommends approval with the following conditions:

1. Driveway permits are subject to Traffic Commission approval.
2. Driveways to be built in accordance with City of New Bedford regulations and with 4 foot transition curb on both sides (no curb and no wheelchair ramps within City of New Bedford layout)
3. Permits for sidewalk, driveway and storm drain must be obtained from the Department of Public Infrastructure Engineering Division.
4. Drainage design must comply with Phase II, Mass. Department Storm Water Management standards. Owner to check capacity of receiving stormwater main.
5. All utilities to be constructed in accordance with City of New Bedford standards.
6. Owner to supply proof of recording lot for proposed project.
7. Existing lot lines not as shown on proposed project
8. An easement must be recorded for the proposed east-west storm water line. The owner must provide the City with proof of the North- South utility easement being recorded.
9. The department of Public Infrastructure requires a final set of approval plans to be submitted that reflects all revisions made prior to the start of construction.
10. Developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

11. Upon completion, Engineer must submit "As Built Drawings" in CADD format prior to the certificate of occupancy being issued.

/ct

Cc: Department of Inspectional Services  
Environmental Stewardship  
Prime Engineering  
Howland Place Realty Trust