



CITY OF NEW BEDFORD
 JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD
 City Hall, Room 303
 133 William Street,
 New Bedford, MA 02740
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CITY CLERKS OFFICE
 NEW BEDFORD, MA

Registry of Deeds/City Clerk Use Only:

2017 NOV -1 A 11: 08

CITY CLERK

NOTICE OF DECISION

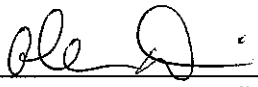
Case Number: 37-17	
Request Type: Site Plan Approval for a Ground Sign	
Address: 1169 Braley Road	
Zoning: Mixed Use Business (MUB) Zoning District	
Recorded Owners: Moniz Properties	
Applicant: Poyant Signs	
Applicant Address: 125 Samuel Barnet Blvd. New Bedford, MA 02745	
Application Submittal Date	Public Hearing Date
September 20, 2017	October 18, 2017
Decision Date	
October 18, 2017	
Assessor's Plot Number	Lot Number(s)
136A	927
Book Number	Page Number
3857	122
Certificate Number	

Application: Request by applicant for **Site Plan Approval for a New Ground Sign** for Dunkin Donuts located at 1169 Braley Road (Map 136A, Lot 927) on a 1.64+/- acre parcel in the Mixed Use Business zoning district. Applicant's agent: Poyant Signs, Inc., 125 Samuel Barnet Boulevard, New Bedford, MA 02745.

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

11/1/17
 Date


 Colleen Dawicki, Chair
 City of New Bedford Planning Board

1) APPLICATION SUMMARY

Poyant Signs (125 Samuel Barnet Blvd New Bedford, MA 02745) submitted an application under Chapter 9 Comprehensive Zoning §5400 **Site Plan Approval for a New Ground Sign** for Dunkin Donuts located at 1169 Braley Road (Map 136A, Lot 927) on a 1.64+/- acre parcel in the Mixed Use Business zoning district. Applicant's agent: Poyant Signs, Inc., 125 Samuel Barnet Boulevard, New Bedford, MA 02745.

The applicant proposes to install a new ground sign for the purpose of advertising a commercial business.

This proposal is consistent with the master plan's goal as it would support the active use of an existing commercial building and this location is not inconsistent 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.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

The submittal is shown as the Dunkin' Donuts 1169 Braley Road, New Bedford, MA Design Development September 20, 2017 prepared by Poyant Signs, 125 Samuel Barnet Boulevard, New Bedford, MA 02745, consisting of four (4) sheets:

- ☒ Cover Sheet
- ☒ Pylon Sign Option A (Sheet 1A.1)
- ☒ Pylon Sign Option A (Sheet 1A.2)
- ☒ Pylon Sign Option A (Sheet 1A.3)

Other Documents and Supporting Materials

A Staff Report dated October 11, 2017 was provided for the October 18, 2017 Planning Board meeting as was the following material:

- ☒ Site Plan Review Application
- ☒ DPI Memorandum Dated 10.4.17
- ☒ Waiver Request
- ☒ Certified Abutters List
- ☒ Bristol County (S.D) Registry of Deeds Book 3857, Page 122

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.

Stephanie Moran of Poyant Signs, stated the subject site had not previously had a ground sign and is now looking to increase visibility, particularly to the Rte. 140 north off-ramp. She stated the building is setback on the property and the [existing] building sign is not visible from the street in all but one direction of travel. She stated the ground sign requested would be located within the southwest portion of their property. Ms. Moran noted that the proposed ground sign would be illuminated, and that Dunkin' Donuts is agreeable to lighting the sign one hour prior to opening and shutting the sign off one hour after closing.

CP Dawicki noted the total square footage proposed is 37 SF with the sign ordinance allowing for 25 SF thereby requiring a zoning variance from the Zoning Board of Appeals (ZBA).

In response to concerns expressed by Mr. Cruz and Mr. Glassman regarding the amount of light created by the sign in such a residential neighborhood, Ms. Moran indicated while she was somewhat uncertain of the answer, the sign would be illuminated with internal LEDs and she did not expect it would be different from other building signs. Ms. Moran noted that Dunkin Donut faces are thicker pan-formed faces.

Responding to concerns expressed by Ms. Duff that the proposed sign, at 17'6" tall, was too large for residential abutters and the scale of the business, Ms. Moran stated the applicant is requesting a slightly larger square footage and will need to appear before the ZBA. In the course of the review it was determined that the proposed sign height was 2'-6" above the height allowed by the zoning code. Ms. Moran advised the Planning Board that the applicant would be willing to be within code by having a sign built that is not their standard sign size.

Mr. Cruz explored with Ms. Moran the placement of the proposed sign's location citing his concerns with it being placed so close to the entrance whereas his preference would be placing it toward the drive-thru away from the residents. Ms. Moran felt that moving the sign as close to the west portion of the property as possible would be fine. She assured the board the property line would be established prior to the sign installation. To this end Mr. Cruz suggested the applicant submit a plan illustrating exactly where the sign would be set on the property to be approved by planning staff or a board member.

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 Kathryn Duff made the motion, seconded by Mr. Glassman, to approve the applicant's request for Site Plan Approval for a Ground Sign for case #37-17 with conditions based on the application and materials presented and received by this Board as prepared and submitted by Poyant Signs, with the following conditions:

- That the applicant agree that the sign will be lit no earlier than one hour before opening and turned off no later than one hour after closing;
- That the applicant agree to relocated the sign to the westerly most part of the property to move it away from the residential neighbors to the east;
- That the applicant agree to lower the sign to an allowable height within our zoning ordinance of 15';
- That the applicant agree to submit foot candle data to the planning board for review;
- That the applicant agree to resubmit the location of the sign on the site plan for review by the planning staff;


- That this approval is contingent on ZBA approval;
- Should any alterations to the sign material or size be made by the ZBA, the city planner shall be responsible for determining whether the change is minor and therefore acceptable as modified, or whether the change requires additional review by the planning board;
- That the applicant ensure, through a professional survey or in working with the city's Department of Public Infrastructure, that the sign is to be located on private land and not within the public right of way;
- That the applicant provides a cover sheet for the project, meeting the requirements of the site plan review application standards for such sheets to the satisfaction of the city planner;
- That with the exception of the cover sheet so noted, the applicant's request for waiver from Section 5450 as presented is granted;
- And that the general conditions on the worksheet be read into this approval.

The Planning Board finds this request to be in accordance with City of New Bedford Code of Ordinances Chapter 9 §5400 Site Plan Review. 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



 Colleen Dawicki, Chair
 City of New Bedford Planning Board



Department of Public Infrastructure

Manuel H. Silva
Acting Commissioner

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance

CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

MEMORANDUM

TO: City of New Bedford Planning Board *MHS*
FROM: Manuel H. Silva, Acting Commissioner, D.P.I.
DATE: October 4, 2017
RE: Dunkin' Donuts – Site Plan
1169 Braley Rd
P. 136A L.927

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

1. Proposed sign to be located on private property.

/ct

Cc: Department of Inspectional Services
Environmental Stewardship
Poyant signs
Moniz Properties