



City of New Bedford

PLANNING BOARD

133 William St, Room 303, New Bedford, Massachusetts 02740

Telephone: (508) 979.1488 Facsimile: (508) 979.1576

PRESENT:

Kathryn Duff, *Acting Chairperson*
Arthur Glassman
Peter Cruz
Alex Kalife
George Smith

ABSENT:

Colleen Dawicki

STAFF:

Jennifer Clarke AICP, *Acting City Planner*
Constance Brawders, *Staff Planner*

CALL TO ORDER

Acting Chairperson Duff called the meeting to order at 6:14 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as listed above.

APPROVAL OF MINUTES

A motion was made (AG) and seconded (PC) to approve the August 9, 2017 meeting minutes.
Motion passed unopposed.

PUBLIC HEARINGS

ITEM 1 - Case #28-17: Commercial Nail Salon – Request by applicant for Site Plan approval for a commercial nail salon located at 801 Mt. Pleasant Street (Map 123A, Lots 79 & 80) on a 6792 +/- SF site in the Mixed Use Business (MUB) zoning district. Applicants: Ming-Tong Nguyen & Cuc-Thi Tran, 11 John Alden Court, Dartmouth, MA 02747.

ITEM 2 - Case 29-17: Commercial Nail Salon - Request by applicant for Special Permit for Parking Reduction for a commercial nail salon located at 801 Mt. Pleasant Street (Map 123A, Lots 79 & 80) on a 6792 +/- SF site in the Mixed Use Business (MUB) zoning district. Applicants: Ming-Tong Nguyen & Cuc-Thi Tran, 11 John Alden Court, Dartmouth, MA 02747.

Steve Gioiosa of SITEC Engineering pointed out on the plan the 6,700 s/f parcel between Downey and Haskell Streets, which is the subject of the hearing and provided orientation details. He stated the applicant seeks to construct a single-story wood frame nail salon. He stated there is currently a single-family home and shed located on the property, with an old substandard septic system. He stated the applicant seeks to demolish the existing structures, remove the old septic system, and connect the new project to municipal water and sewer. He added that the applicant has also purchased the property separating them from Downey Street.

Mr. Gioiosa displayed plans and orientation for the proposed 1,700 s/f building. He noted the single curb cut for entry and explained the parking and circulation. He noted ADA spaces, sidewalk, and screened trash pad, with good neighbor buffering.

Mr. Gioiosa went over the grading plan, including the sewer connection reviewed by DPI. He expressed agreement with DPI and planning staff comments. He explained water service and the new on-site drainage system, along with the features of the planned, deep sump catch basin.

Mr. Gioiosa explained the landscaping and lighting plans. He stated the zoning ordinance requires nine on-site parking spaces. He stated the applicant has seven spaces. He stated the applicants will have an adjacent residence where the owners can park.

Mr. Gioiosa explained the planned architecture of the building, to include vinyl siding in muted tones and a pitched roof. He reviewed the building plans, floor plans, and noted there is no request for a pylon [GROUND] sign.

Board Member Glassman confirmed that the corner house would not be torn down.

In response to Board Member Duff, Mr. Gioiosa again explained the building elevation orientations of the proposed building/property. He also acknowledged that he felt vinyl siding appropriate with the area buildings.

In response to Board Member Smith, Mr. Gioiosa confirmed the creation of a recorded easement to be included for the sewer. Mr. Gioiosa addressed Board Member Smith's lighting and employee parking questions.

In response to Board Member Cruz, Mr. Gioiosa explained that there would be very short deliveries by Fed-Ex and UPS.

In response to Board Member Duff, Mr. Gioiosa explained the decommissioning and excavation of the existing septic system. He stated the work will be documented in the as-built plans.

In response to an inquiry by Board Member Duff, Mr. Gioiosa stated the applicant is seeking a lighted sign on the building, but not a ground or pylon sign.

A motion was made (AG) and seconded (GS) to open the public hearing.
Motion passed unopposed.

In response to Acting Chairperson Duff's invitation to speak or be recorded in favor, [Realtor] Dee Martin of 21 Estelle Avenue, East Freetown, stated she has been a client of the buyers for 11 years, and they are devoted, hard workers. She was hopeful this proposal would be approved.

In response to Acting Chairperson Duff's invitation to speak or be recorded in opposition, Robert Andrade of 220 Haskell Street, an abutter, stated he had questions. He stated he was concerned about how the water run-off would affect his property. He also inquired if the driveway would be a single or double-car driveway exiting onto Mt. Pleasant Street. He inquired whether the septic tanks would be filled or taken out.

Acting Chairperson Duff indicated that Mr. Gioiosa stated they would be removed, along with the surrounding soil.

Mr. Andrade stated he was on the fence [in support or disfavor of the commercial project]. He stated the area, for the 78 years he had lived there, had always been residential.

Acting Chairperson Duff invited Mr. Gioiosa to address Mr. Andrade's questions.

Mr. Gioiosa stated currently there is a low point where water drains. He stated they have designed the drainage system, with that concern in mind, and pitched it to the front of the property. He added the system will be routinely inspected. Mr. Gioiosa noted that the removal of trees had also been taken into account. He stated the driveway will be a two-way driveway with the city width requirements met.

Acting Chairperson Duff noted an existing stockade fence separating the parking lot from Mr. Andrade's property.

Acting Chairperson Duff inquired as to fume exhausts that could affect the neighborhood. Mr. Pereira stated they are putting in a regular air handler system for heating and air conditioning. Mr. Pereira stated he did just basic building design and the contractor will have to address ventilation. Acting Chairperson Duff stated he preference that any exhaust from the building not be toward the residences.

There being no response to Acting Chairperson Duff's invitation to further speak [or be recorded] in favor or opposition, a motion was made (AG) and seconded (PC) to close the public hearing. Motion passed unopposed.

After brief board discussion, including the tightness of the building on site, as well as the lighted sign, a motion was made (AG) and seconded (PC) to approve the request by applicant for a Special Permit for parking reduction for a commercial nail salon located at 801 Mt. Pleasant Street (Map 123A, Lots 79 & 80) with plans prepared by SITEC Engineering and proposed building at 801 Mt. Pleasant Street with plans prepared by Comprehensive Design Services with the following general conditions:

- 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 dated 9/5/17, and the Planning Board incorporates the DPI memo as part of these conditions as Attachment 1;
- The Applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the final plan set and/or case documents;
- 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 bearing the certification of the New Bedford City Clerk for the Planning Division case file folder;
- That 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;
- That the rights authorized by the granted 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.

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>

The motion to approve, with conditions, a Special Permit for parking reduction from 9 to 7 spaces on a 6,792 s/f site in a mixed-use business (MUB) zoning district at 801 Mt. Pleasant Street, found to be in accordance by the Planning Board with the City of New Bedford Code of Ordinances Chapter 9, Section 5300-5390 relative to granting of special permits, was moved because the board found that the benefit to the city and the neighborhood outweigh the adverse effects of the proposed use, and because the board found that the proposal conforms with the standards for Special Permit in Chapter 9, Section 5321-5326.

This request was also found to be in accordance with the City of New Bedford's Code of Ordinances Chapters 9, Section 3000, 3100, 3110, 3120, 5300-5390, and 3130 Appendix C. Motion passed unopposed.

ROLL CALL VOTE (requested by Board Member Smith)

Acting Chairperson Duff – Yes

Board Member Smith – Yes

Board Member Kalife- Yes

Board Member Cruz – Yes

Board Member Glassman - Yes

Motion passed 5-0

With regard to Case #29-17, a motion was made (AG) and seconded (PC) that the Planning Board approve the site plan entitled, Proposed Nail Salon at 801 Mt. Pleasant Street, New Bedford, MA, dated 6/30/17, prepared by SITEC Engineering and filed by the applicant for the site located at 801 Mt. Pleasant Street (Map 123A, Lots 79-80), and plan entitled Proposed New Building at 801 Mt. Pleasant Street, New Bedford, MA, dated 8/2/17, prepared by Comprehensive Design Services, with the following conditions:

Specific Conditions:

- Subject to DPI and staff comments;
- That the lit sign gets turned on not earlier than one hour before and not later than one hour after closing;
- That the applicant provide evidence that septic service has been discontinued and the system has been properly removed;
- Applicant shall obtain written proposal from the Traffic Commission for driveway modification and provide for planning division files as soon as approval has been received;
- Site Layout Plan Sheet #4 shall be modified to read, "Any minor modification as determined by the city planner and city engineer to the information shown on the approved site plans shall be submitted to the city planner and city engineer as a minor plan revision for approval prior to work being performed.";
- Screening materials to visually obscure the trash enclosure shall be reviewed and approved by the planning board or city planner;
- Prior to final approval, snow storage area shall be added to the site layout, landscape, and lighting plan sheets;
- Height of stockade fence shall be noted on the plan. Height shall be at least 6' but no greater than 10' as per Section 3333;
- Additional trees and shrubs shall be added along stockade fence line as per Section 3332;
- Note on planting schedule shall be revised to reflect tree diameter of October Glory Red Maple to be a minimum of 3" at a point 3' from ground level;
- Site distances shall be revised at entrances on landscape and lighting plan sheet;
- Change references from hay to straw wherever applicable on storm water management report;
- Clarification as to color specification of the type of construction materials to be used for the exterior finish shall be specified on revised architectural elevation drawings;

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>

- Sign plan specifications and sign schedule shall be provided to, and approved by the Planning Board, designee or city planner;
- Lighting locations shall be shown on building elevation drawings;
- All existing and proposed exterior materials, treatments and colors, including roofing, roof eaves, eave brackets, siding and doors, trim sills, windows, fences and railings for the exterior expansion shall be reviewed and approved by the Planning Board designee or city planner before construction commences;
- Applicant shall provide details of proposed new exterior elements;
- Plans shall show any exterior mechanical duct work and/or utility boxes;
- Applicant has not provided a DIS for the proposed development;
- Applicant has not provided a traffic study;
- Application for ground sign review has not been included in this review. Any such ground sign will necessitate that the applicant return to the planning board for submittal and review.

General Conditions:

- The project shall be undertaken according to the plans submitted in 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure dated 9/5/17, and the Planning Board incorporates the DPI memo as part of these conditions;
- The Applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the plan set and/or case documents;
- That the applicant shall submit final plan revisions to the Planning Board in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and shall ensure these same plans are properly submitted to the Department of Inspectional Services;
- Applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
- 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;
- That 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 date granted or they will lapse.

The Planning Board found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 9, Section 5400, and as a result of such consideration, the board moved approval on the subject application with the conditions so noted.

ROLL CALL VOTE (requested by Board Member Smith)

| | | |
|-------------------------------|-----------------------------|--------------------------|
| Acting Chairperson Duff – Yes | Board Member Smith – Yes | Board Member Kalife- Yes |
| Board Member Cruz – Yes | Board Member Glassman - Yes | |

Motion passed 5-0

ITEM 3- Case #30-17: Request by applicant for a Special Permit for parking space reduction located at 2112 Acushnet Avenue (Map 119, Lot 13) on a .501 acres site in the Mixed Use Business (MUB) zoning district. Applicant: CMAC Realty, LLC, 83 Cheshire Avenue, Acushnet, MA 02743.

Armando Pereira, Comprehensive Design Build Services, provided an easement agreement made between the CVS Building owners, the applicant, and the city of New Bedford.

A motion was made (PC) and seconded (AG) to receive the same. [The Board declined to comment on the document received into the record because it had not been reviewed by the Office of the City of New Bedford Solicitor prior to the evening's meeting.]

Motion passed unopposed.

Mr. Pereira stated the building has 6,262 s/f of lot coverage. He explained the building history, along with former and present uses of the building. He explained that the residential units within the building were never approved, [and have now been cited under the Zoning code for violation]. He stated the applicant seeks to bring the entire building into compliance.

Mr. Pereira stated that 56 parking spots are required, and currently there are 33 existing on site. He drew the board's attention to Page 2 of the easement agreement provided this evening, which will provide 3 spaces and may change the amount of spaces in the requested relief.

Mr. Pereira drew the board's attention to the conceptual site plan in color and explained the 3 parking spots associated with the easement. He noted he has lived in the area and has never seen a parking issue.

He noted staff comments indicating disrupted asphalt, which he noted is the result of a previous error in drain line connection. He added a sprinkler system will also be added to the building, resulting in further disruption.

He stated the current building utilization is mainly on the first level.

Acting Chairperson Duff inquired as to any planned site upgrades. Mr. Pereira stated this is a sea of asphalt, but explained some existing potting areas. He further stated it would be a hardship to include landscaping in the parking area, and as such, there are no plans for additional landscaping.

With regard to parking, Mr. Pereira noted that the back building was formerly the Registry of Motor Vehicles with associated parking.

In response to Board Member Smith, Mr. Pereira explained that 32 spaces are needed for the business area, the lower front level; in addition, 20 spots are needed for the assembly use, the prior billiards [business use] and barber shop. He stated the dwelling units will require an additional 4 spaces, for a total of 56 required spaces.

Ms. Clarke further clarified the required parking spot number and the shortage.

Board Member Cruz asked if the proposed easement affects the original right of way easement. Mr. Pereira could not address the matter, as the easement before the board was drawn up by the CVS property owners. Board Member Cruz noted the conceptual plan notes a 26' access easement, with today's right of way easement shows 30' in width.

Acting Chairperson Duff noted the document provided this evening would require review by the City Solicitor and, therefore, cannot be considered by the Planning Board. She stated the requested relief must remain at 23 spaces and that is what the board will act on.

Mr. Pereira stated the easement shown on the conceptual plan has nothing to do with the subject property.

Board Member Glassman shared some previous knowledge on the property and his understanding is the only reason for coming before the board is to legitimize the apartments that have always been there. He agreed that he too had never noticed a parking problem.

Board Member Cruz noted his concern was that the proposed parking and raised islands are in an easement on a recorded plan, but the applicant is providing a new draft easement. Mr. Pereira explained the conceptual plan of Hunt Real Estate is part of the building department's rejection packet.

Mr. Pereira, in response to Acting Chairperson Duff, with regard to car stops and the cleaning of the lot, et cetera, expressed no objection, but again noted the work [that disturbed the asphalt pavement].

A motion was made (AG) and seconded (PC) to open the public hearing.

Motion passed unopposed.

There being no response to Acting Chairperson Duff's invitation to speak [or be recorded] in favor or opposition, a motion was made (AG) and seconded (GS) to close the public hearing.

Motion passed unopposed.

There being no further board comments or questions, a motion was made (AG) and seconded (PC) to approve the Special Permit for Parking Reduction located at 2112 Acushnet Avenue (Map 119, Lot 13) prepared by Comprehensive Design Services with the following conditions:

Specific Conditions:

- That the applicant shall correct typos for side yard setbacks and zoning matrix on revised plans;
- That car stops be reset for safety reasons;
- To mitigate urban heat island effect, existing landscape plantings should be properly maintained and cared for;
- Areas of pavement on the site where subsidence has occurred should be repaired for safety reasons.

General conditions:

- The project shall be undertaken according to the plans submitted in 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure dated 9/6/17, and the Planning Board incorporates the DPI memo as part of these conditions;
- The Applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the plan set and/or case documents;
- 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 these same plans are

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>

properly submitted to the Department of Inspectional Services;

- Applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
- 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 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.

Regarding the motion to approve the Special Permit for Parking Reduction is from 56 to 33 spaces on a .501 acre lot in the mixed use business zoning district at 2112 Acushnet Avenue, the Planning Board found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 9, Section 5310-5330 and 5360-5390, relative to the granting of special permits, because the board found that the benefit to the city and the neighborhood outweighs the adverse effects of the proposed use, and because the board found that the proposal conforms with the standard of Special Permits in Chapter 9, Section 5321-5326. This request was also found to be in accordance with Chapter 9, 3100, 3120, 3130 Appendix C. As a result of its consideration, the board moved approval on the subject application with the conditions [above] so noted.

ROLL CALL VOTE

Acting Chairperson Duff – Yes

Board Member Smith – Yes

Board Member Kalife- Yes

Board Member Cruz – Yes

Board Member Glassman - Yes

Motion passed 5-0

ITEM 4: Case #31-17: Request by applicant for Site Plan approval for a seafood warehouse and distribution facility located in New Bedford Business Park at 61 John Vertente Boulevard (Map 133, Lot 47) on a 16.4 +/- acre site in the Industrial C (IC) zoning district. Applicant: SMRE 100, LLC, 255 State Street, 7th fl, Boston, MA 02109.

Christian Farland, President, Farland Corp, representing SMRE, stated the applicant sought approval for renovations to the existing industrial building within the industrial park, along with site improvements. He stated the current site is a vacant building with vegetative wetlands within 100', and as such, they have filed with the Conservation Commission.

Mr. Farland stated the proposal includes the installation of 16 loading dock areas for the tenant, necessitating some renovations to the building exterior and interior. In addition, the proposal includes 47 tractor trailer spaces, which will be a gravel [surface] area. He stated the proposed use is allowed by right.

Mr. Farland stated the existing drainage system will be brought up to DEP standards, which will be an improvement to what currently exists, and the plan will be reviewed by the Conservation Commission agent as well. He stated existing utilities are expected to remain the same, but there will be a relocation of the fire protection line in front of the building due to a cut in grade. He noted the property has a green buffer along the entire property, and as such, the applicant is not proposing additional landscaping. He stated both trash removal and building site lighting will remain the same.

Mr. Farland agreed with the DPI comments. He informed the board they had contacted the Greater New Bedford Industrial Park Board to keep them informed of projects within the park.

Mr. Farland stated he has worked extensively with the applicant both as an engineer and resident of the city. He stated he is impressed with their commitment to New Bedford and its revitalization. He stated the project will create [approximately] 50 jobs.

Board Member Cruz inquired as to drainage at the loading area. Mr. Farland stated grading will now have the water drain [toward] two catch basins and will be treated before going out.

In response to Acting Chairperson Duff, Mr. Farland explained the parking plan [which precludes employee and guest parking from the front loading dock area]. He acknowledged some foundation work for the frost wall, but the building footprint will remain the same.

In response to Acting Chairperson Duff, Mr. Farland stated the site improvement associated with the project at this time is drainage.

Farland pointed out the proposed ADA parking spaces.

In response to Board Member Smith, Mr. Farland stated the NWD Trucking, whose primary business is seafood shipping, is relocating to this site.

With regard to staff recommendations regarding traffic congestion, Acting Chairperson Duff inquired as to the company's willingness to begin the first shift outside of the 6:50-7:10 a.m. window, and end outside of the 2:50-3:10 p.m. window. Mr. Farland explained that this is a twenty-four hour operation and suggested the applicant could discuss any limitation of hours with the Greater New Bedford Industrial Board per their regulations.

A motion was made (AG) and seconded (GS) to open the public hearing.
Motion passed unopposed.

In response to Acting Chairperson Duff's invitation to speak or be recorded in favor, Derek Santos, New Bedford Economic Development Council, stated there is a Memorandum of Understanding between EDC and the Greater New Bedford Industrial foundation for management of the daily operations. He stated EDC and GNBIF have been working with Mr. Farland and the owner on this proposal. He stated they are simply modifying the existing loading docks. Mr. Santos stated the project as submitted [meets the GNBIF regulations, and the Foundation supports the proposal]. He noted the company operates in the business park and is simply [relocating] within the park. He noted the previous building occupant had four times the [number of] employees and represents a substantial reduction in vehicle traffic. He confirmed that no work hour modification was necessary.

There was no response to Acting Chairperson Duff's invitation to speak or be recorded in opposition.
A motion was made (AG) and seconded (GS) to close the public hearing.
Motion passed unopposed.

After brief board discussion, a motion was made (AG) and seconded (GS) to approve the Site Plan entitled, Site Plan for 61 John Vertente Boulevard, prepared for Parallel Products of New England, [dated August 10, 2017 by Farland Corp., filed by the applicant in Case #31-17 for SMRE 100, LLC] for the site located at 61 John Vertente Boulevard, New Bedford, with the following conditions:

Specific conditions:

- Inconsistencies shall be corrected between plan sheets to include architectural renderings, project summary, and application form for number of parking spaces and loading docks.

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>

- Correct owner of record information shall reflect the deed book and page number as Book 8931, Page 199; Book 1769, Page 1060; and Book 7665, Page 48;
- The zoning matrix for the cover plan sheet shall be amended to note that Greater New Bedford Industrial Foundation regulations with building coverage for the first floor square footage shall not exceed 40% of the total area premises, as per [Item 1] Greater New Bedford Industrial Foundation regulations;
- Zoning Matrix on the Cover plan sheet shall be amended to note the Greater New Bedford Industrial Foundation Regulations for lot coverage to include all uses on a lot which include, but are not limited to, buildings, driveways, parking areas and permeable surfaces, etc., shall not cover more than 65% of the total area of the premises, [as per Item 2 of the GNBIF regulations];
- The Zoning Matrix on the Cover plan sheet shall be amended to note the GNBIF Regulations for setbacks, which are 50 feet from any street or lot line [as per Item 7 of the GNBIF Regulations].
- Add Waivers citing §5455 under on Cover plan sheet.
- As per 5471, the applicant shall minimize: the volume of cut and fill, the number of removed trees 6 inch caliper or larger, the area of wetland vegetation displaced, the extent of storm water flow increase from the site, soil erosion, and the threat of air and water pollution;
- General Construction Note #11, as per 5471, shall be amended to read the applicant shall minimize the number of removed trees 6-inch caliper or larger;
- General Construction note #19 shall be amended to read "and City Planner";
- Revised hay bales to read straw bales/ straw in erosion and sediment control on Note #21 on Plan Sheet 7 of 9. Change hay bales/hay to straw bales/straw wherever applicable in plans and reports;
- All requirement of the City of New Bedford Conservation Commission, including the Order of Conditions, shall be honored and completed as a condition of project approval;
- Stipulations that the use be for storage only, set by New Bedford Health Department, shall be honored by the applicant that the use be for storage, and not used as retail establishment;
- Identify and note snow storage areas on plans;
- Applicant shall provide the city planner with construction schedule and cost estimate as required under 5452;
- Any waiver from landscape plan submittal shall be with written approval from the Greater New Bedford Industrial Foundation;
- Cut sheets for all lighting fixtures shall be provided for review and approval by the Planning Board or its designated agent;
- Show all structural building elevations [front, sides, and rear façade] that will be affected by the proposed project;
- For additions/alterations, label existing and new construction, as well as items to be removed;
- Identify all existing and proposed exterior materials, treatments, and colors, including building and hardscape elements;
- Show details of proposed new exterior elements;
- Show any exterior mechanical duct work or utility boxes;
- Include dimensions for building heights, wall length and identify existing and proposed floor elevations;

General conditions:

- 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of Public Infrastructure dated 9/11/17, and the Planning Board incorporates the DPI memo as part of these conditions in Attachment 1;

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>

- The Applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the final plan set and/or case documents;
- 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 these same plans are properly submitted to the Department of Inspectional Services;
- Applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the City Clerk for the Planning Division case file folder;
- 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 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 found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 5400, site plan review. As a result of such consideration, the board moved to approve on the subject application with the conditions so noted.

ROLL CALL VOTE

Acting Chairperson Duff – Yes
Board Member Cruz – Yes

Board Member Smith – Yes
Board Member Glassman - Yes

Board Member Kalife- Yes

Motion passed 5-0

ITEM 5: Case #32-17 - Request by applicant for Site Plan approval for construction of a 15,000+/- SF addition to an existing structure for a recycling facility with solar canopy located in New Bedford Business Park at 100 Duchaine Blvd (Map 134, Lot 5) on a 65.1 +/- acre site in the Industrial C (IC) and Residence A (R-A) zoning districts. Applicant: SMRE 100, LLC, 255 State Street, 7th fl, Boston, MA 02109.

Christian Farland, Farland Corp, represented applicant SMRE, LLC for Site Plan approval for an addition at the northwesterly elevation of the building, along with installation of a solar canopy at the east parking area, and associated site improvements. Mr. Farland stated Parallel Products, having outgrown their current operating space on Shawmut Avenue, will occupy the structure. He pointed out the area to be used for recycling process products, i.e., glass, aluminum and plastic on plans. Mr. Farland explained the storm water improvements planned for the site. He stated the water, sewer, and site utilities remain the same, with the exception of the solar installation. He stated the applicant has also invested in a solar rooftop.

Mr. Farland stated the applicant met with the Greater New Bedford Industrial Foundation and received approval to proceed.

Mr. Farland explained the proposed lighting plans, and noted there is no additional landscaping [proposed]. He stated trash [removal service will be provided by private contract]. He agreed with DPI comments as a condition of approval.

In response to Board Member Glassman, Mr. Farland explained that the building was purchased from NWD Trucking for relocation and expansion [of business].

Mr. Farland discussed the building elevations, colors, and materials. He reviewed the solar canopy plan and roof plan with board members, in addition to the storm water [mitigation plan].

A motion was made (AG) and seconded (AK) to open the public hearing.
Motion passed unopposed.

In response to Acting Chairperson Duff's invitation to speak or be recorded in favor, Derek Santos, New Bedford Economic Development Council, stated the project plans went before the Executive Committee and the Chairman of the Foundation simultaneously and were reviewed. He stated the project is not visible from Duchaine Boulevard, as it is more than 1,000 feet from the street. He stated the project is in compliance with park regulations. He stated that Parallel Products had already received approval previously to operate at the building now slated for the Eversource project [at an adjacent parcel]. He applauded the use of solar in the canopy and roof.

In response to Acting Chairperson Duff's invitation to speak or be recorded in opposition, Eric Braitmayer [30 Samuel Barnett Boulevard] stood corrected in his misunderstanding of an easement use by Eversource. Mr. Braitmayer next inquired as to noise output. Mr. Farland noted this proposed use will meet all zoning and DEP requirements with regard to sound. He explained that most of the activity will happen in an enclosed area. Mr. Farland displayed for Mr. Braitmayer the location of the site as it compared to the location of Braitmayer's parcel.

In response to Board Member Cruz, there was discussion about future rail expansion.

There was no response to Acting Chairperson Duff's further invitation to speak or be recorded in favor or opposition.

A motion was made (AG) and seconded (AK) to close the public hearing.
Motion passed unopposed.

In response to Acting Chairperson Duff, Mr. Farland had no objections with the Staff Report.

After brief board discussion, including access and ADA compliance, a motion was made (AG) and seconded (PC) to approve the site plan entitled, Site Plan for 100 Duchaine Blvd, New Bedford, MA, prepared for Parallel Products of New England, dated August 10, 2017, by Farland Corp and filed by the applicant in Case #32-17 for SMRE 100, LLC for the site located at 100 Duchaine Blvd, (Map 134, Lot 5), New Bedford, MA and Architectural Plans for 100 Duchaine Boulevard, New Bedford, Ma dated 07.31.2017 prepared for Parallel by South Coast Architecture, 34 Slocum Farm Drive, Dartmouth, MA 02747 with the following conditions:

- The applicant shall verify map and lot numbers for the two lots that have been created by adjusting lot lines of Map 134, and correct plans as may be needed for accuracy;
- Inconsistencies should be corrected between plan sheets [to include architectural renderings], Project Summary, and application form for number of parking spaces or loading docks;
- Update owner of record to reflect new deed book and page number as Certificate #24201;
- Because warehouse and distribution facilities are uses permitted by right under the zoning district I-C but not permitted under R-A zones, and given that the site is a combination of those two zoning districts, the applicant shall ensure that all such development shall be limited to the area of the project site within the I-C zoning district according to city zoning requirements;
- The Zoning Matrix for the Cover plan sheet shall be amended to note the Greater New Bedford

*Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at:
<http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>*

Industrial Foundation Regulations for building coverage for first floor square footage shall not exceed 40% of the total area of premises [as per Item 1 of the Greater New Bedford Industrial Foundation regulations];

- Zoning Matrix on the Cover plan sheet shall be amended to note the Greater New Bedford Industrial Foundation regulations for lot coverage, to include all uses on a lot which include, but are not limited to, buildings, driveways, parking areas and impermeable surfaces, etc., shall not cover more than 65% of the total area of the premises [as per Item 2 of the GNBIF regulations];
- The Zoning Matrix on the Cover plan sheet shall be amended to note GNBIF Regulations for setbacks, which are 50 feet from any street or line lot [as per Item 7 of the GNBIF regulations];
- Typo in the cover plan sheet shall be corrected to read Section 5455 under Waivers Requested;
- As per Section 5471, the applicant shall minimize: the volume of cut and fill, the number of removed trees, 6-inch caliper or larger, the area of wetland vegetation displaced, the extent of storm water flow increase from the site, soil erosion, and the threat of air and water pollution;
- General Construction Note #9, as per Section 5471, shall be amended to read: the applicant shall minimize the number of removed trees 6' caliper or larger;
- General Construction note #20 shall be amended to read: and City Planner;
- Revise Hay bales/Hay to read Straw bales/Straw in Notes and Legend, plan sheet 2 of 9;
- All requirements and stipulations of the City of New Bedford Conservation Commission, including the Order of Conditions, shall be honored and completed as a condition of project approval;
- Identify and note snow storage area on plans;
- Any waiver from the landscape plan submittal should be written approval from the GNBIF;
- The applicant shall provide the City Planner with a construction schedule and cost estimate as required under §5452.
- Any Waiver from the Landscape Plan submittal should be with written approval from the GNBIF.
- The applicant ensures/maintains a landscaped buffer zone between business park and residential neighborhood along Philips Road;
- Drawing specifications for the solar canopy shall be provided for review by a designated agent of the planning board;
- Cut sheets for all lighting fixtures shall be provided for review and approval by the planning board or its designated agent;
- Show all structural building elevations, front, sides and rear facades that will be affected by the proposed project;
- For additions/alterations label existing and new construction, as well as items to be removed;
- Identify all existing and proposed exterior materials, treatments and colors, including building and hardscape elements;
- Show details of proposed new exterior elements;
- Show any exterior mechanical duct work and/or utility boxes;
- Include dimensions for building height or length, and identify existing proposed floor elevations;
- The applicant resolve any outstanding issues regarding petroleum storage tanks at the site through the City Clerk's office by requesting to have their permit revoked [if storage is no longer present], amended or updated;

General conditions:

- 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;
- The project shall be undertaken in a manner consistent with the memorandum from the Department of

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule>

Public Infrastructure dated 9/11/17, and the Planning Board incorporates the DPI memo as part of these conditions;

- The applicant shall ensure that any plan corrections identified by the planning division shall be completed and presented on the final plan set and/or case documents;
- 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 these same plans are properly submitted to the Department of Inspectional Services;
- The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward bearing the certification of the Office of the 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 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 found this request to be in accordance with the City of New Bedford Code of Ordinances Chapter 9, Section 5400, Site Plan Review. As a result of such consideration, the board moved to approve on the subject application with the conditions so noted.

ROLL CALL VOTE

Acting Chairperson Duff – Yes

Board Member Smith – Yes

Board Member Kalife- Yes

Board Member Cruz – Yes

Board Member Glassman - Yes

Motion passed 5-0

OTHER BUSINESS:

Acting Chairperson Duff noted for the record that Board Members [endorsed] the Stoney Brook Farm definitive subdivision plan and the Audrey Rose Farms definitive subdivision plan prior to the start of this meeting.

NEW BUSINESS:

Ms. Clarke stated that the usual monthly notices were received from abutting communities, all of which were available for review in the Planning Office. She stated the next planning board meeting will be on October 18, 2017 at 6:00 p.m. in City Hall, Room 314.

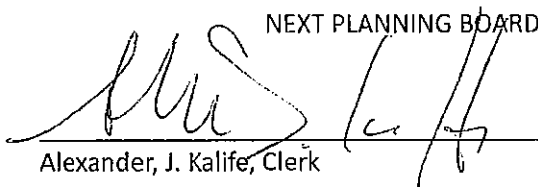
Acting Chairperson Duff and Ms. Clarke discussed implementing a curtailed process for declaration of general conditions for case approval, adopting a similar format utilized by the Board in referencing the stipulations by the Department of Public Infrastructure.

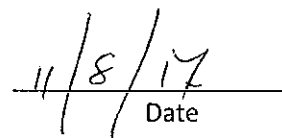
ADJOURNMENT:

There being no further business, a motion was made (KD) and seconded (AG) to adjourn at 8:43 p.m.

Motion passed unopposed.

NEXT PLANNING BOARD MEETING IS SCHEDULED FOR October 18, 2017


 Alexander, J. Kalife, Clerk


 Date