



City of New Bedford Department of City Planning

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MAYOR
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PLANNING DIRECTOR
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PLANNING BOARD

STAFF REPORT

REPORT DATE
September 23, 2019

PLANNING BOARD MEETING
October 9, 2019

Case # 19-32: SITE PLAN REVIEW
52-54 Brigham Street
Map: 39 Lot: 18

Applicant: Total Wellness Center, LLC d/b/a
Clean Slate Centers, Inc.
12 Cadillac Drive, Suite 380
Brentwood, TN 37027

Owners: Grand Union Medical Associates
Condominium Trust:

PRL Realty, LLC c/o Pedro Falla
52-54 Brigham St, Unit 1
New Bedford, MA 02740,

Patricia L. Andrade
52-54 Brigham St, Unit 2 &3
New Bedford, MA 02740,

Wayne G. Tessier and Pauline Massed,
Trustee of Suite 5 Real Estate Trust
52-54 Brigham St, Unit 5 New Bedford,
MA 02740,



52-54 Brigham Street
Looking northeast from Brigham St. at Bedford St.

Elizabeth Silva & Durval J. Silva, Trustee
of Suite 6 Realty Trust
52-54 Brigham St., Unit 6
New Bedford, MA 02740

Agent: SITEC, Inc.
449 Faunce Corner Road
North Dartmouth, MA 02747

Overview

Request by applicant for **Site Plan** review for the rehabilitation of an existing 8,800 SF vacant medical office building to a new outpatient medical office; located at **52-54 Brigham Street** (Map: 39 Lot: 18) on a 26,433± SF site in a Mixed-Use Business (MUB) zoned district.

The applicant is proposing to relocate their existing business, CleanSlate, from 92 Grape Street New Bedford, MA to this location. CleanSlate is an outpatient medical center that provides medication assisted treatment to clients suffering from opioid and other substance abuse disorders.

Note: This project also requires a **Special Permit** from the Zoning Board of Appeals for the proposed medical use. The ZBA Case (#4394) is scheduled to be heard **October 17, 2019**.

Existing Conditions

The project site is located on the east side of Brigham Street between Elizabeth Street and Taber Street. The site is “Z” shaped with frontage on each of the three streets. The site has 126’ of frontage on Brigham Street, 168’ on Elizabeth Street, and 142’ on Taber Street. An 8,800 SF, single-story, medical office condominium building is located along the Brigham Street frontage while a 49-space parking lot is located behind in the rear. The building is built into the grade of the land which slopes down easterly from 86’ at Brigham Street, to 84’ at the rear of the building, and 82’ at the rear (eastern most edge) of the site.

The parking lot is accessed behind the building via Elizabeth Street and Taber Street. There are three driveway curb cuts, one on Elizabeth Street and two on Taber Street. A one-way entrance from Elizabeth Street provides access to angled parking directly behind the building. While, the two driveways on Taber Street are bi-directional (entrance/exit). Brigham Street, Elizabeth Street and Taber Street are all two-way streets. There are 49 parking spaces on site. It is unclear from a site visit if any parking spaces are currently designated handicapped spaces. However, two handicapped parking spaces are designated on the street in front of the building. Additionally, the SRTA bus serves the area via two routes (Route 3 and Route 6) with bus stops at: Hawthorne Street at Rotch Street and Hawthorne Street at Tremont Street; both approximately a 2-minute walk from the site.

The parking lot pavement is in poor condition with many potholes and cracking throughout. The pavement is also torn up in sections likely from snow plowing. The pavement markings are faded. The driveway curb cuts need repair. A stockade fence and small planting bed is provided as a buffer between the parking lot and abutting residential properties in the rear. There is overgrowth in some sections of the planting beds and no plantings in other areas. The curbing along the planting bed area is cracked and broken in sections.

The surrounding neighborhood is primarily a dense multifamily residential area with a few commercial medical uses located along the subject block of Brigham Street. Directly abutting the property to the north is another medical office (Hawthorne Medical OBGYN) and a commercial building is located directly south across Elizabeth Street. Residential properties are abutting in the rear, north across Taber Street, south across Elizabeth Street, and west across Brigham Street. The campus of St. Luke’s Hospital is located one block east from the proposed site.

Looking north from Elizabeth Street



Elizabeth Street driveway (rear of site)



Parking lot & driveway (looking west from Taber St)



Parking lot & driveway (looking east from Taber St)



Proposed Conditions

The applicant proposes to make primarily interior renovations. No exterior site modifications are proposed other than pavement repair and resealing.

The interior renovations are described as creating offices, waiting rooms, and meeting rooms to provide outpatient medical care. The interior floor plan shows a reception area, 2 waiting rooms, 17 office spaces, 1 exam room, 1 lab, 1 phlebotomy space, 4 patient restrooms, 3 meeting rooms, a break room, 3 staff restrooms, storage areas, and a utilities room.

Operations.

According to the Site Plan application, the proposed business is expected to have twenty-five (25) employees, serving 100-150 clients per day. The proposed hours of operation are 8:30am-8pm, Monday-Friday with daily deliveries expected between 9am-5pm.



The board may wish to inquire about the frequency of deliveries and lack of a designated loading area if deliveries are in fact daily. The board may wish to clarify what type of deliveries and the size of delivery vehicle that will be visiting the site daily. Regarding deliveries the board may wish to note that the applicant states in the Zoning Board of Appeals application, **“CleanSlate prescribes medication to those with substance abuse problems. Like any other medical prescription, those prescriptions are filled by the patient’s pharmacy, and the medications are not dispensed at the CleanSlate site.”**

Parking & Loading.

The application shows the proposed parking lot layout as providing forty-eight (48) parking spaces. Under the zoning ordinance the proposal requires forty-four (44) parking spaces. As the building is less than 10,000 SF a loading space is not required; therefore, the application exceeds the minimum parking requirements.

As shown on plans submitted, the applicant proposes the parking to remain in the rear of the site. With eleven (11) angled parking spaces directly behind building, accessible from the Elizabeth Street entrance. Two (2) of the parking spaces in this area are to be designated handicapped parking spaces. The remaining thirty-seven (37) parking spaces are in the north east section of the site. Without a designated loading space, it is unclear where delivery trucks will make the daily deliveries. The board may wish to inquire further about the delivery operations and vehicle size(s).



USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Offices: General, professional, business, banks, medical clinics and laboratories, radio and television stations; office of non-profit educational, cultural, or charitable organizations	One (1) space per each 200 sq. ft. of gross floor area but not less than two (2) spaces for each business unit intended to occupy the premises. After 10,000 sq. ft. of gross floor area, one space for every 1,000 sq. ft. of gross floor area	One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for 100,000 sq. ft. or more of gross floor area
Parking Calculations		
44 parking spaces (1 per 200 GFA: 8,800/200)		0 Loading space(s)
44 Total parking spaces required		0 Loading space(s) required

According to the Zoning Board of Appeals application the business will have 20-25 employees in the building. The patient visits are spread out throughout the day with an average of fewer than fifteen (15) clients in the building at any given time. Further, the application notes that patients are within walking distance, or take public transportation to the site. Therefore, besides meeting the minimum parking requirements of the ordinance they believe the site provides the adequate amount of parking required for their business needs.

Traffic Impact & Access Study. A traffic impact and access study has not been submitted with the application. A traffic impact and access study is not required unless requested by the board. As the site previously was a commercial medical use a traffic impact and access study may not be warranted for this proposal.

Circulation. Vehicles will access the site via one of three driveways. The driveway on Elizabeth Street is proposed to be a one-way entrance with vehicles exiting onto Taber Street via a paired driveway. The driveways on Taber Street are bi-directional (entrance and exit). Vehicles entering either of the Taber Street driveways will exit via the same, as the drive aisles do not connect to each other. The drive aisles provided for the Taber Street driveways are of adequate width for two-way traffic measuring 25'± and 37'±.

Pedestrian circulation from the parking lot is via the sidewalks along Taber Street and Elizabeth Streets or via a walkway between the buildings, which is located on the abutting property to the north. Staff note there is overgrowth and cracking in the sidewalk along Elizabeth Street. An ADA accessible ramp is not present at the corner of Elizabeth Street at Brigham Street.

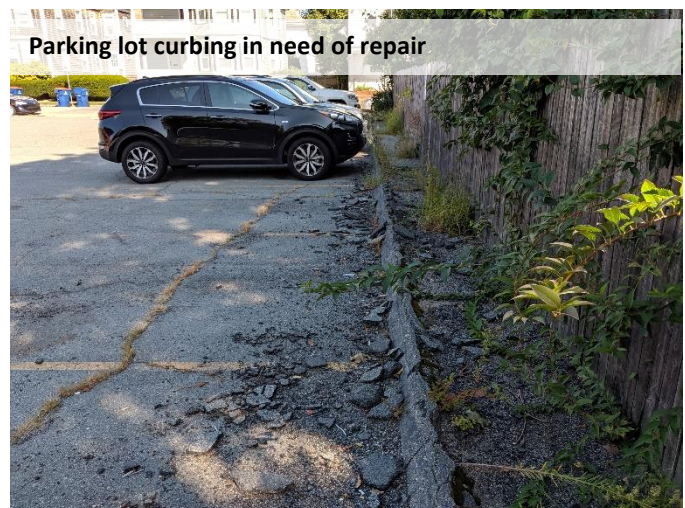
Landscaping. New landscaping is not proposed. As most of the site is taken up by the building and parking lot, there is limited green space on the existing site. Staff note that the zoning ordinance¹ requires a screening and landscaping buffer between residential and nonresidential uses. The site currently has a wood stockade fence as a screen between the parking lot and abutting residential properties along the rear (east) property line. There is a small planting area in front of the fence and grass area behind the fence in the north east corner of the site. The planting areas in front of the fence are either overgrown or have been filled in with pavement and debris likely from snow plowing. Staff further



Parking lot conditions



Fence screen and landscape bed



Parking lot curbing in need of repair

¹ New Bedford Code of Ordinances, Ch. 9 Comprehensive Zoning Section 3330, available online at this [link](#).

note that the curbing along this area is in disrepair. The board may wish to inquire about improved landscaping and screening possibilities along the rear property line.

Snow Storage & Waste Receptacles. Snow storage and removal areas are not identified on plans. A dumpster is currently located behind the building in the approximate middle of the site. The dumpster is proposed to remain in the same location. No screening is proposed for the dumpster. New pavement markings are proposed to detract vehicles from coming too close to the dumpster. The board may wish to inquire about screening of the dumpster.

Stormwater. As no exterior site work is proposed the applicant has requested a waiver of the stormwater management requirements. The applicant will need to provide a waiver from the Department of Public Infrastructure of the stormwater management requirements. The board should note there are two existing catch basins located in the parking lot. The pavement will need to be repaired around the catch basins as it is in disrepair.

Utilities. There are existing utilities serving the site. The existing sewer and gas connections are on Elizabeth Street. Overhead electric wires are connected in the rear of the building. The applicant petitions that the existing utilities are adequate for the proposed use.

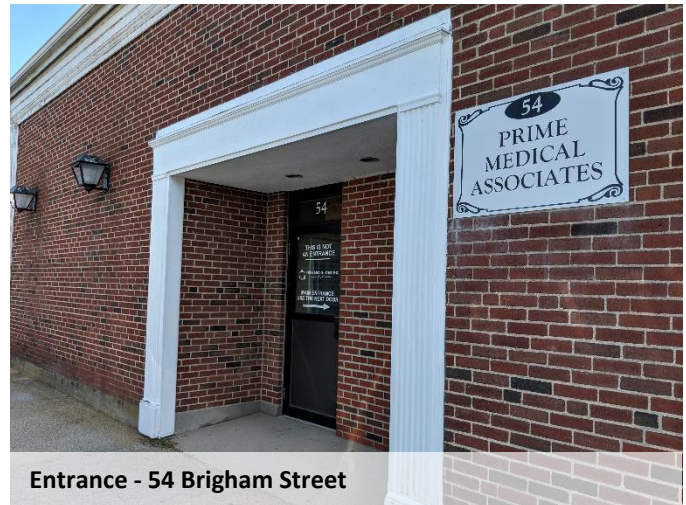
Signage. No signage information was provided in the application. Staff note there is an existing non-illuminated wall sign on the front of the building. The board may wish to clarify if the applicant proposes to utilize and reface the existing sign. Staff noted there are signs installed on the stockade indicating parking is only for clients of 52-54 Brigham Street and no overnight parking is allowed. The board may wish to inquire if this signage or similar will remain.

Lighting. No new lighting is proposed. The site currently has decorative wall lanterns on the front west side (Brigham Street) and south side (Elizabeth Street) of the building and a mixture of wall pack and spotlights are located on the rear of the building. There are no lights in the parking lot. According to the application the applicant petitions “that due to limited operational hours for this location, no parking lot lighting is proposed which is keeping with the historical nature of this medical office property.” The board may wish to clarify this statement as the stated hours of operation are from 8:30am-8pm, which is after sunset. If the hours of operation are to extend into the evenings the board may wish to have the applicant submit a photometric plan to demonstrate adequate lighting levels in the rear of the site in the evening.

Architectural Plans. The applicant has not submitted any exterior elevations or information about exterior building repairs. The existing building has traditional red brick on the front and sides. The brick has been painted red in the rear. The cornice and corner trim need new paint and repair in sections. Also, staff note the floor plans show a relocated main entrance door. The board may wish to inquire if the location of the current door will be replaced with brick or other material and about any other proposed exterior building repairs.



Entrance - 52 Brigham Street



Entrance - 54 Brigham Street

Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

No comments were not received as of the publication of this report; any comments received will be made available at the public meeting.

Master Plan Goal

The proposal is consistent with the master plan's goal to expand workforce opportunities and communicates a positive message for business development.

Materials for Consideration

The engineered plan submission is shown as "CleanSlate New Bedford 52-54 Brigham Street New Bedford, Massachusetts" dated August 30, 2019 and date stamped received by City Clerks' Office September 6, 2019. Plans were prepared by SITEC, in Dartmouth, MA and stamped by Steven D. Gioiosa, PE. The plan set consists of the following sheets:

- Cover Sheet
- Sheet 1 Locus Plan
- Sheet 2 Existing/Proposed Conditions
- Sheet A1.0 Demolition & Construction Plan

In addition to the foregoing submitted materials, the Planning Board may also wish to consider:

▪ **Waivers**

The applicant has requested the following waivers:

- Plan Contents: Drainage, Utilities, Landscaping, Lighting
- Site Plan Checklist: North orientation, demolition plan, construction layout, grading & drainage, landscaping, erosion control, building elevations, sign plan, lighting plan, details sheet.
 - The applicant petitions that they are not proposing any site grading, utility line changes or ground alterations as part of this project. No site lighting, landscaping or signage is proposed at this time.
 - Staff acknowledge that the north orientation is a reasonable waiver due to the orientation of the site and for plan readability. Further, given the limited scope of the project a demolition plan and erosion control plan are not required as no site disturbance work is proposed. Building elevations, sign plans, landscaping, and lighting may not be required given the scope of the project however, the board may wish to inquire about further information regarding these items. Primarily, if there are any exterior repairs to be made, the change to the door layout, prospective sign locations, the adequacy of lighting levels in the rear of the building in the evening, and the opportunities for landscaping along the parking lot buffer. Details sheets will need to be submitted for any work required in the public right of way and driveway sections.

Site Plan Criteria

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City's (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6" caliper trees and larger, removal of stone walls, displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site;
 - Minimize the obstruction of scenic views from publicly accessible locations;
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
 - Minimize glare from vehicle headlights and lighting fixtures;
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances;
 - Ensure compliance with the Zoning Ordinance;
 - Minimize damage to existing adjacent public ways;
 - Promote orderly and reasonable internal circulation within the site so as to protect public safety.

Staff Recommendations



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

- That the following specific conditions be applied to this decision:
 1. The driveway curb cuts are to be repaired.
 2. The parking lot is to be repaired and resealed.
 3. The parking lot curbing it to be repaired and/or replaced.
 4. Snow storage and removal areas are to be identified on the plans.
 5. The applicant is to provide additional information about the daily deliveries and provide a designated loading zone, if necessary.
 6. The applicant is to provide improved screening and buffering along the eastern (rear) property lines between the site and abutting residential properties.
 7. The applicant is to provide information and specifications about exterior repairs and alterations, specifically but not limited to the altered entrance doorway and any cornice and trim repair.
 8. The dumpster is to be screened.
 9. The applicant must submit a waiver from the Department of Public Infrastructure of the stormwater management requirements.
 10. Signage is not part of this approval. Any future ground signage will require review.
 11. The applicant is to submit a photometric plan demonstrating adequate lighting levels in the rear parking area into the evening hours with a zero foot-candles cutoff at the property lines.
 12. Lighting is to be limited to thirty minutes before and after closing (8am-9pm).
 13. An ADA accessible ramp is to be provided at the northwest corner of the Brigham Street and Elizabeth Street intersection, in front of the property.

- That the following general conditions also be applied to this decision:
 1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
 2. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure received and placed on file and the Planning Board incorporates the DPI memo as part of these conditions.
 3. The applicant shall submit final plan revisions to the Planning Division in the following formats: one (1) - 11" x 17" Plan Set and 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.
 4. The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Planning Division Case file folder.
 5. That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project's approval, be recorded at the Registry of Deeds.
 6. The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.
 7. 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.
 8. The rights authorized by the granted 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 the decision was granted, or they will lapse.
 9. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Materials Provided by the Applicant are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2019/>.

Staff Report prepared by: Jennifer Carloni, Staff Planner
Reviewed by: Tabitha Harkin, Director City Planning

52-54 Brigham Street Map: 39 Lots: 18

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

