



City of New Bedford
Department of City Planning

133 William Street · Room 303 · New Bedford, Massachusetts 02740
 Telephone: (508) 979.1488 · Facsimile: (508) 979.1576

MAYOR
 JON MITCHELL

PLANNING DIRECTOR
 TABITHA HARKIN

PLANNING BOARD

STAFF REPORT

REPORT DATE
 October 29, 2019

PLANNING BOARD MEETING
 November 13, 2019

Case #19-34: SITE PLAN REVIEW

92 Kilburn St
 Map: 79 Lot: 01

Applicant/ BS Realty, LLC
Owner: 92 Kilburn Street
 New Bedford, MA 02740

Applicant's BS Realty, LLC
Agent: 92 Kilburn Street
 New Bedford, MA 02740

Overview



Existing Sign: Facing North on North Front Street



Existing Sign: Facing South on North Front Street

Request by applicant for **New Ground Site Plan** review for the replacement of an existing pylon sign with a new sign of the same dimensions at **92 Kilburn Street** (Map: 79 Lot: 1) on a 9.376 acre site in an Industrial B (IB) zoned district. The new sign will display the building's name, "Grinnell Mill" and the current tenants. Fonts and colors will be uniform to promote a professional look. In a separate but related project, fencing in front of the sign will be replaced with an aluminum wrought iron style fence.

Existing Conditions

The existing sign on the east side of North Front Street is a hundred (100) square feet, sixteen (16) feet high. It is not illuminated.

Plan suggests that the sign is setback from the North Front Street property line by six (6) feet, but a measurement by staff confirms that the sign is set back no more than three (3) feet from the property line as shown on the plan. The

parcel exists in several zones, Industrial B, Waterfront Industrial, and the Hicks Logan Sawyer Interim Planning Overlay District (HLS IPOD), which ultimately takes precedence. The relevant regulations in the city code of ordinances, Chapter 9 Comprehensive Zoning, Section 4000 Special Regulations, Code 4670 do not set specific sign setback requirements in the HLS IPOD. The code states, "said dimensional regulations shall be reviewed on a case-by-case basis to ensure consistency with the Hicks-Logan-Sawyer District Master Plan."

4670. Dimensional Regulations. Building height, building-to-lot coverage, total lot coverage by impervious surfaces, building-to-lot setbacks, and all other dimensional regulations such as the sign regulations of this Ordinance shall not apply to Special Permit Applications in the area designated as the HLS IPOD. Said dimensional regulations shall be reviewed on a case-by-case basis to ensure consistency with the Hicks-Logan-Sawyer District Master Plan.

The sign is fifty-eight (58) feet from the property line adjacent to Revere Copper on the south side. It is three hundred (300) feet from the north side, adjacent to Kilburn Street. There are three (3) total signs on the parcel.

To the south of the site is the Revere Copper site, to the west, the Lech Garage Auto Body repair, to the north a series of smaller industrial parcels.

The sign is made up of two separate sections supported by two thick steel cylindrical poles set on concrete footings. The top section, which is approximately a quarter of the size of the larger section below reads, "DCF, Department of Child and Family Services" set in a white box on a blue background. The larger section of the sign is a white board with additional signs attached to its surface.

The topmost sign reads "96-108 North Front Street," in very large black print. Below it is a sign that directs visitors to the realty companies whose offices are located within the building. Below, is another attached sign that reads "WATC" in large blue print. The bottom sign reads "Space Available" on the first line and "100 SQ FT to 150,000 SQ FT" on the second line. The remaining portion, approximately half the sign, is blank.

Proposed Conditions

The proposal seeks to replace the existing sign with a more contemporary sign of the same dimensions. The 10' W x 10' 4" H sign will also be comprised of two sections that equal approximately a hundred and three (103) square feet. The smaller section is approximately a quarter of the size of the larger section below. The sign will consist of a deep green painted plywood sign backer-board with aluminum graphic panels. The sign will be supported with two (2) 6" x 6" square painted steel posts with a height of twelve (12) feet. The posts are attached to two (2) 8'H x 24" W concrete pier foundations with twenty (20) inch anchor bolts. Four (4) feet of each pier foundation will be above grade and four (4) feet below. Each foundation will be reinforced with seven (7) foot rebar. The sign with the steel beams is eleven (11) feet wide and twelve (12) feet high. The total structure above ground is sixteen (16) feet high.

The first line of the smaller top section will read "96, 104, 108 North Front Street." The second line will read "Grinnell Mill" and contain the company logo. Lettering will be white on a black background.

The larger section of the sign will consist of two columns listing the name of each tenant along with an arrow pointing to the location of the office. Each office will have its own gray panel with white lettering attached to the larger black background. They will be listed as follows, "Healthcare Resource Center," "Highpoint TSS," "Highpoint Administration," and "Realty Office" on the left column. The right column will list, "Highpoint WATC," "Highpoint Training Center," and "Acushnet River Antiques." Below both columns will be a wider gray panel reading, "Office – Warehouse – Industrial – Flex," on the left. On the right of this wider panel the top line will list the realty company's phone number and the bottom line, the email address. Below this final panel is an available row to add additional panels.

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 received as of the publication of this report; any additional 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

Applicant has submitted an untitled survey of the lot, with close-up views of the area where the sign is located. The survey is not dated nor stamped by an engineer. Applicant has also submitted pictures of both the existing and proposed signs and measurements for the proposed sign with a list of construction materials.

Site Plan Approval

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

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 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/>



92 Kilburn St Rd Map: 79 Lot: 1

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