



City of New Bedford Department of City Planning

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MAYOR
JON MITCHELL

PLANNING DIRECTOR
TABITHA HARKIN

PLANNING BOARD

STAFF REPORT

REPORT DATE
October 2, 2019

PLANNING BOARD MEETING
October 9, 2019

Case #19-30: SITE PLAN REVIEW

Case #19-31: SPECIAL PERMIT
137-143 Popes Island
Map: 60 Lot: 13

**Applicant/
Owner:** Shoreline Resources, LLC
706 Acushnet Avenue
New Bedford, MA 02740

**Applicant's
Agent:** Beta Group, Inc.
One Springfield Street, Suite 4
Chicopee, MA 01013

Overview

Request by applicant for **Site Plan** review for conversion of an existing 34,785± SF building from a single industrial fabrication use to a mixed-use facility with a retail store (True Value), warehouse storage, industrial fabrication machine shop; and associated site improvements; located at **137-143 Popes Island** (Map: 60 Lot: 13 & 25) on a 131,160± SF in an Industrial A (IA) zoned district.

143 Popes Island – East Coast Fabrication Building



Rear Lot in Need of Repair



Existing Conditions

The 131,160± SF (3.011± acre) lot is located on the northern side of Route 6/Popes Island Rd just east of the New Bedford-Fairhaven Bridge. The lot is mostly a rectangular shape. Across the street to the south is the Prince Henry the Navigator Park and Popes Island Marina. To the west is the former gentlemen’s nightclub, “Temptations” and the “Bridge Shoppes” parking plaza. The site is bordered by Acushnet Avenue to the north and the east.

The property consists of two existing buildings with associated parking and a large open-air storage area in the rear. The first building, located at 137 Popes Island, along the Popes Island Rd frontage, is a 10,065 SF one story building housing a Standard Marine Outfitters store. No improvements or alterations are proposed to this building. The second building located behind the first, at 143 Popes Island Rd, is a 34,785 SF one story building housing East Coast Fabrication, Inc. The interior layout of this building will be modified as part of this project.

Access to these buildings is provided by bituminous concrete driveways and cement concrete sidewalks connecting to Route 6. Twenty-four (24) paved parking spaces are present near the front portion of the Site, including four handicap accessible spaces. The rear of the site includes an unstriped paved area generally used for parking, loading, and equipment storage. Beyond the parking area, a portion of this “backyard” is surfaced with a gravel/hardpack mix. The remainder of the backyard area is covered in grass/vegetation.

North of the lot, a barge is docked in the Acushnet River that is currently used for storage. Ships and various types of marine and industrial equipment litter both the lot as well as the barge.

There are no existing wetlands on the site. There will be no alterations of shoreline, marshes or seasonal wet areas, except the temporary installation of a discharge pipe from a proposed Stormceptor unit. Nonetheless applicant states, “this site has limitations under the Wetlands Protection Act and the local New Bedford Wetland Bylaw, which will be addressed in a separate Notice of Intent submittal to the Conservation Commission.” Staff notes that at the time of the publication of this report, the applicant has yet to file the NOI. Staff confirms per MassGIS that the site borders DEP designated wetlands indicated as “coastal bank”.

Currently, the northern portion of the site drains towards the Acushnet river via overland flow at various locations to the north and east. The southern portion of the site is generally captured by a catch basin located to the west of the rear building. Existing stormwater management is accomplished through a catch basin towards the southern end of the site which conveys portions of the site’s stormwater towards Route 6. The existing buildings are fitted with

Ramp Providing Access to the Docked Barge



Facing West Thru Open Gate to Neighboring Lot



roof leaders that discharge to the ground surface. Beyond these measures, runoff is allowed to flow, untreated, into the Acushnet River or surrounding properties.

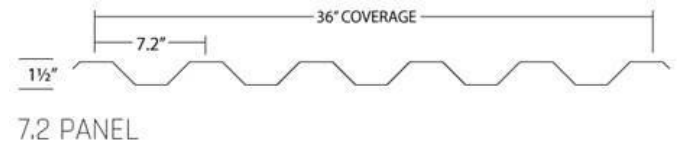
Proposed Conditions

The applicant proposes to improve the site layout of the existing marine fabrication industrial facility owned by East Coast Fabrication, Inc. into an appropriate mercantile site layout for a proposed True Value Hardware and Marine Store. The facade of the East Coast Fabrication warehouse will be remodeled. Sheet E2 of the elevation plans show the dimensions and materials to be used for the True Value entrance architectural feature. The feature is twenty (20) feet high, twenty-five (25) feet wide, five (5) feet deep. It is bright red in color and is made from twenty-four (24) gauge, 7.2" corrugated metal paneling. These panels alternate from projected to recessed at one and a half (1.5) inches deep. The feature will include a thirteen and a half (13.5) foot wide, eight (8) foot and two (2) inch high, automatic double door entrance. The other section of the façade will match the existing Standard Marine building color. The roof line and a bar extending to the edge of the building will be painted a green accent color.

Proposed Façade of the East Coast Fabrication Building



True Value Architectural Feature Paneling Detail



A handicap ramp will be constructed along the front of the building, also shown on Sheet E2. There will be a twenty-five (25) foot section at the entrance and then a (1:12) sloped section of thirty (30) feet, a five (5) foot landing, an eighteen (18) foot (1:12) sloped section, followed by a landing adjacent to two handicap parking spaces. Staff notes that per ADA 2010 standard requirements 30' is the maximum run allowed at the maximum slope of 1:12 under code.

Other site improvements generally include re-striping and re-paving of existing parking areas to meet the City of New Bedford zoning regulations, as well as improvements to the site's stormwater management system. Applicant states that, "existing vegetation, geologic/archeological/scenic and historical features, significant viewpoints, stone walls, trees, and wildlife will not be impacted by the proposed improvements.

Demolition & Site Preparation. The "back yard" behind the rear building is currently used as a storage area for marine and industrial equipment. This equipment will be removed off site to make room for the proposed parking lot. Just north of this lot, existing pavement will be removed and revegetated with coastal seed mix. It is proposed that this area will serve as storage for construction-period staging and material stockpiles.

Along the northern and eastern edge of the parking area the applicant proposes a compost filter tube for erosion control. Staff notes that Conservation Commission review may require other protection measures. No land disturbance or grading is proposed beyond these limits except for a drainage pipe installation. Existing catch

basins, most of which are adjacent to the southern and western edge of the lot on neighboring property, will be fitted with silt sacks to prevent silt-laden runoff from entering the city's storm drain system. Existing underground tanks adjacent to the western edge of the lot will be removed and concrete pads will be demolished.

Parking & Loading. The project proposes the re-striping and re-paving of portions of the lot to meet the City of New Bedford parking requirements for the proposed retail use. A parking plan is described on Sheet 3 entitled, "Construction Layout and Lighting Plan" as well as Sheet 4 entitled, "Grading, Drainage, Utility, Landscape, and Erosion Control Plan" The existing parking areas near the front of the lot will be repaved and restriped to provide 9' by 20' parking spaces and accessible parking.

Immediately upon entering the lot thru the western driveway there are eleven (11) spaces along the edge of the property line just after the existing power transformers located at the southwest corner. Ten (10) spaces are available directly in front of the proposed ramp providing handicap access to the True Value Hardware retail store entrance in the rear building. The handicap ramp will have a landing that is even with the pavement to provide access to two handicap parking spaces with a "van accessible" designation located at the eastern end of the row of spaces. Between these two spaces there will be a striped no parking area. At the western end of the row there will be a striped no parking area directly in front of the main entrance staircase. There will also be one in front of the staircase that provides access to the walkway leading to the proposed parking lot in the rear. Here three bollards will provide a barrier to motorists using the western driveway.

The rear parking area will be repaved and provided with pavement markings to delineate new parking spaces, it will also be re-graded to a 1-2% slope for stormwater management. Upon entering this area motorists will have access to back to back rows of parking spaces, one row of twelve (12) spaces and one drawn with thirteen (13) spaces although fourteen (14) are called for in the plans. There will be a thirty-seven (37) foot lane between these thirteen (13) spaces and the seventeen (17) spaces proposed along the eastern edge of the lot. Here a cape cod berm will delineate the edge of the parking area. Nine (9) spaces are proposed along the northern edge of the parking lot.

As a result of the proposed improvements, a total of seventy-three (73) parking spaces will be provided. This number includes the re-striping of existing parking spaces to conform to the city's dimensional requirements, as well as new parking spaces located in the rear of the lot. Parking calculations provided on Sheet 3, entitled, "Construction Layout and Sighting Plan," indicate 108 parking spaces are required to meet the proposed use. Applicant states that, "as dimensional site constraints create difficulty in meeting this requirement and because the proposed use simply does not require that many parking spaces, a Special Permit has been submitted concurrently with this application for a reduction in the parking space requirements."

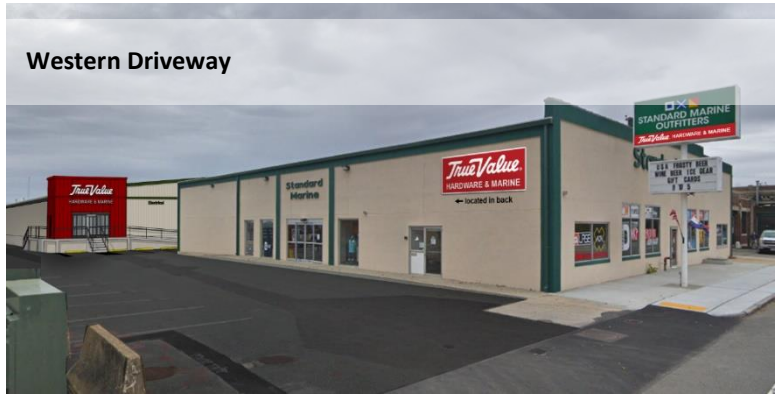
No new impervious areas are proposed under this project, and approximately 800 SF of existing pavement will be removed and revegetated.

No bicycle parking facilities are proposed.

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. It is not clear if this project will result

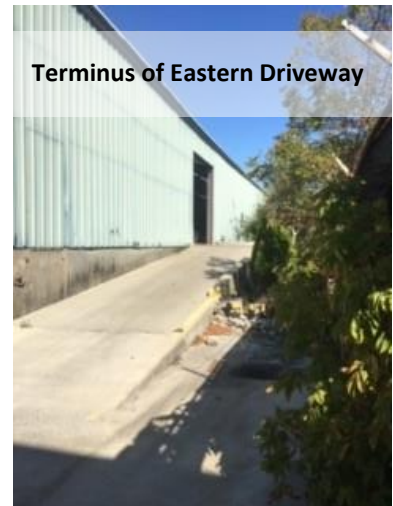
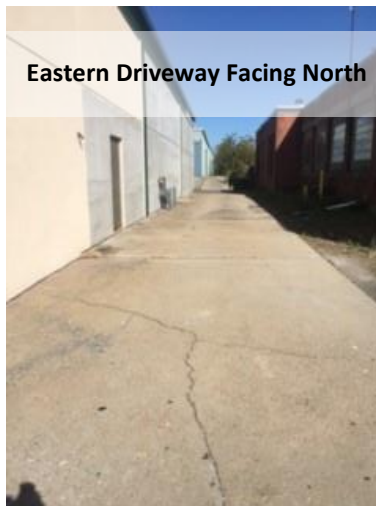
in more traffic in the vicinity as the True Value Hardware store is moving to an adjacent plaza from where it currently exists and similar business use already takes place on the site as is proposed.

Circulation. An existing twenty-two (22) foot wide bidirectional driveway beginning at the entrance to the property on Popes Island Rd allows motorists access to both the existing parking area in the front and the proposed parking area in the rear. The driveway begins at Popes Island Rd just east of the eleven spaces along the western edge of the property. Motorists may turn right immediately after the smaller building to access the ten (10) spaces in front of the handicapped ramp. These spaces exist between the two buildings and are bracketed by the driveways along the western and eastern edge of the lot.



Motorists may also continue straight to access the proposed parking area in the rear. Here the driveway extends between the western edge of the property and the side of the East Coast Fabrication building. This bituminous concrete driveway will remain as is but parking along its western edge will no longer be available. In the proposed rear parking area motorists will circulate around the back to back rows of parking situated in the near center of the parking area. Entrance to this area will be marked with a stop sign and will provide a sufficient turning radius for a typical truck.

The eastern driveway, also made of bituminous concrete, begins at Popes Island Rd and ends at a ramp leading into the East Coast Fabrication building. It is not clear if this concrete driveway is still in use. **Board may choose to inquire further.**



Access to the True Value Hardware entrance is provided by a staircase leading up to the front vestibule that is incorporated into the larger ramp structure providing handicap access. On the western side of the ramp a narrow staircase will provide access to a four (4) foot painted walkway that provides pedestrian access to the proposed rear parking. This painted walkway begins at the bottom of the narrow staircase and continues alongside the East Coast Fabrication building. It then extends from the rear of the East Coast Fabrication building to the rows of back to back parking spaces near the center of the proposed parking lot.

The projected number of motor vehicles to enter and depart the Site per average day will be approximately eighty-five (85) to a hundred (100) which would include customers, employees, and deliveries. The expected peak hour would be approximately thirty (30) to fifty (50) in the mornings and late afternoons as employees arrive and depart the Site.

Landscaping. As an industrial site, the property currently does not have any landscaped areas and none are called for in the proposal. There is no landscaping plan shown. A screening and landscaping waiver has been submitted. Applicant states, “screening required along southern property line as residential district is across the street. No alterations proposed to this area. Screening would require removal of sidewalk and disrupt existing storefront.” There is green space along the eastern edge of the lot by the Acushnet River and a grassy area north of the proposed parking lot. In this area approximately 800 SF of existing pavement will be removed and revegetated. These grassy areas may provide opportunities for landscaping since less space for storage may be necessary. **Board may choose to inquire about the feasibility of creating landscaped areas and depicting them on a landscaping plan.**

Snow Storage & Waste Receptacles. The proposal calls for snow storage just north of the proposed parking area in the rear, an area that currently consists of gravel and hardpack. No alterations are planned for this area and it will also be used for construction staging and material stockpiles.

One waste receptacle exists in the western driveway in the rear of the East Coast Fabrication building. **Board may choose to inquire if this receptacle will be relocated or placed in a screened enclosure since it will now be visible to the public as motorists access the proposed parking lot in the rear.** Also, two waste receptacles are located between the two buildings on the edge of the eastern driveway. **These are also not enclosed although it is not clear if this driveway is currently in use. Board may choose to inquire further.**

Stormwater. Pavement will be added to the proposed rear parking area in order to re-grade a 1-2% slope for stormwater management. Stormwater will flow south and east to a Stormceptor hydrodynamic separator for treatment in accordance with Massachusetts Stormwater Standards, all flow will be conveyed to a twelve (12) inch RCP (Class III) drainpipe with a length of fifty-five (55) feet which discharges to the Acushnet River. A stormwater Management Report has been included in this submittal detailing the design of this system.

The proposed improvements are expected to result in an improvement in surface water quality, as treatment will be provided where none currently exists. A slight improvement to groundwater recharge will be provided by the revegetation of existing impervious areas. No septic tanks are proposed on the site and lawn fertilizer will not be used.

Signage. One stop sign is called for at the end of the western driveway upon entering the proposed parking lot in the rear.

Wall signage. Several signs will be added to the building exteriors. The Standard Marine Outfitters cabinet sign at Popes Island Rd will be refaced with a red stripe and white letters along the bottom that read “True Value Hardware & Marine.” A five (5) foot tall acrylic sign reading “True Value Hardware & Marine” will also be placed on the side of the Marine Outfitters store. It will have a white border and white lettering over a red background. Underneath, ten (10) inch acrylic lettering will read “located in back,” and will be positioned alongside an arrow pointing north to the

True Value in the rear. Both arrow and lettering will be black. The “Standard Marine” sign will be relocated from its current location to above the side entrance of the Standard Marine Outfitters building.

On the East Coast Fabrication building a thirty-six (36) inch acrylic white letter logo sign reading “True Value” and a twelve (12) inch acrylic white letter sign reading “Hardware & Marine” will be placed above the entrance on the architectural feature previously described. A green accent colored bar will be painted along the façade from the architectural feature to the edge of the building. Below which, five (5) twelve (12) inch acrylic green letter signs, each reading “Electrical,” “Paint,” “Lawn & Garden,” “Tools,” and “Plumbing,” will be installed.

Lighting. A lighting plan is shown on Sheet 3 entitled, “Construction Layout and Lighting Plan.” Two light poles with a Washingtonian type fixture are proposed each in the striped traffic islands at the northern and southern ends of the central rows of parking in the proposed rear parking area. Staff notes that it is not clear if this is sufficient lighting for the proposed rear parking area. **The board may wish to inquire further.**

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.

At this time one comment was received from Conservation Agent, Sarah Porter, at the Conservation Commission. It reads as follows:

The applicant needs to file a Notice of Intent with the Conservation Commission for this project. The site borders on Land Under the Ocean aka the Acushnet River and a Coastal Bank is also present with an associated 100’ Buffer Zone. Normally, a Notice of Intent would be submitted prior to or at the same time as the Site Plan approval is requested from the Planning Board. We shall forward a set of the plans approved by the Conservation Commission to the Planning Department so that both departments have the most recent set of approved plans.

No other 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

The engineered plan submission is shown as “Shoreline Resources, True Value Marine Hardware, Site Planset, 137-143 Popes Island New Bedford, Massachusetts,” dated 9-6-19 as revised through 9-20-19. Plans were prepared by

Beta Group Inc, Chicopee, MA and stamped by Danny P. Rebelo, PE. They were received and stamped by the Clerk's office on **9/27/19**. The plan set consists of the following sheets:

- Sheet #1 of 5 Cover Sheet
- Sheet #2 of 5 Existing Conditions Plan
- Sheet #3 of 5 Construction Layout and Lighting Plan
- Sheet #4 of 5 Grading, Drainage, Utility, Landscape, and Erosion Control Plan
- Sheet #5 of 5 Details
- Sheet E1 Elevation Plan
- Sheet E2 Elevation Plan
- Sheet E3 Elevation Plan

The architectural plan submission is shown as "Shoreline Resources, True Value Marine Hardware, Site Planset, 137-143 Popes Island New Bedford, Massachusetts," dated 8-26-19. Plans were prepared and stamped by Alan Ketin, P.E. Civil Engineer, 15 Zenas Cowen Lane, Dartmouth, MA 02748. They were received and stamped by the Clerk's office on **9/6/19**. The plan set consists of the following sheets:

- Sheet A0 Site Plan and 60 Degree Parking Layout
- Sheet A1 Site Plan and 60 Degree Parking Layout
- Sheet A2 Site Plan and Parking Layout @ Front of Building
- Sheet A3 Floor Plan and Fire Barriers
- Sheet A4 ADA Details and Restroom Plan

The sign plan submission is shown as "Standard Marine Outfitters – New Bedford, MA" and dated 4/16/19 as revised through 4/17/19. Plans were prepared by AnchorSign based in Charleston, SC. They were received and stamped by the Clerk's office on **9/6/19**. The plan set consists of:

- Sheet 1 of 12 Cover Sheet
- Sheet 2 of 12 Front Elevation
- Sheet 3 of 12 Front Elevation – Rear Building
- Sheet 4 of 12 Sign Layout Detail
- Sheet 5 of 12 Sign Layout Detail
- Sheet 6 of 12 Sign Layout Detail
- Sheet 7 of 12 Sign Layout Detail
- Sheet 8 of 12 Sign Layout Detail
- Sheet 9 of 12 Sign Layout Detail
- Sheet 10 of 12 Sign Layout Detail
- Sheet 11 of 12 Sign Layout Detail
- Sheet 12 of 12 New Replacement Panel

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 specific conditions be applied to this decision:
 1. Plans updated per Conservation Commission review and approval shall be submitted for the record.
 2. A landscaping plan shall be provided.
- 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/>

137-143 Popes Island Rd Map: 60 Lot: 13

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

