



**PLANNING BOARD**  
 City Hall, Room 303  
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[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

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CITY CLERKS OFFICE  
 NEW BEDFORD, MA

2019 JUL 23 P 2:43

CITY CLERK

City of New Bedford  
 Jonathan F. Mitchell, Mayor

**NOTICE OF DECISION**

<b>Case Number:</b> 19-22	
<b>Request Type:</b> Site Plan	
<b>Address:</b> 34 Welby Road	
<b>Zoning:</b> Industrial A Zoned District	
<b>Recorded Owners:</b> Welby Park Associates, LLC	
<b>Owner Address:</b> 1 Welby Rd New Bedford, MA 02745	
<b>Applicant:</b> Welby Park Associates, LLC	
<b>Applicant Address:</b> 1 Welby Rd New Bedford, MA 02745	
<b>Application Submittal Date</b>	<b>Public Hearing Date(s)</b>
June 14, 2019	July 10, 2019
<b>Decision Date</b>	
July 10, 2019	
<b>Assessor's Plot Number</b>	<b>Lot Number</b>
132E	99
<b>Book Number</b>	<b>Page Number</b>
8691	62
<b>Certificate Number</b>	

**Application:** Welby Park Associates, LLC (1 Welby Rd New Bedford, MA 02745) for **Site Plan** approval for the conversion of an existing first floor office space into an adult day care facility within an existing 15,146 SF office building; located **34 Welby Road** (Map: 132E Lot: 99) on a 53,470 SF lot located in an Industrial A (IA) zoning district.

**Action: GRANTED, WITH CONDITIONS, as described in section four (4).**

A copy of this decision is filed with the City Clerk of the City of New Bedford on July 23, 2019. Any person aggrieved by this decision for Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

7.23.2019

Date

Kathryn Duff, Chair

City of New Bedford Planning Board

### 1.) APPLICATION SUMMARY

Welby Park Associates, LLC (1 Welby Rd New Bedford, MA 02745) for **Site Plan** approval for the conversion of an existing first floor office space into an adult day care facility within an existing 15,146 SF office building; located **34 Welby Road** (Map: 132E Lot: 99) on a 53,470 SF lot located in an Industrial A (IA) zoning district.

### 2.) MATERIALS REVIEWED BY THE PLANNING BOARD

#### Plans Considered to be Part of the Application

- Plan Set – “ActiveDay Adult Day Care 34 Welby Road New Bedford, Massachusetts” dated June 5, 2019; date stamped received by City Clerk’s Office June 14, 2019. Plans were prepared by SITEC, Inc. in Dartmouth, MA and stamped by Steven D. Gioiosa, PE. The plan set consists of the following sheets:
  - Cover Sheet
  - Sheet 1 Site Layout
  - Sheet 2 Locus Map
  - Sheet 3 Site Grading
  - Sheet 4 Existing Conditions
  - Sheet 5 Demolition Plan
  - Sheet 6 Detail Sheet #1
  
- The architectural plan - “Proposed ActiveDay at 34 Welby Road New Bedford, MA” December 5, 2019. Plans were prepared by Comprehensive Design Build Services, in Wareham, MA, unstamped. The plan set consists of the following sheets:
  - Sheet EX 1.1 Existing First Floor Plan
  - Sheet EX 1.2 Existing Second Floor Plan
  - Sheet EX 1.3 Existing Elevations
  - Sheet A1.1 Proposed Foundation Plan, Notes, and Detail
  - Sheet A2.1 Proposed Floor Plan
  - Sheet A3.1 Proposed Elevations

#### Other Documents and Supporting Materials

- Site Plan Review Application stamped received by the City Clerk’s Office June 14, 2019
- Certified Abutters List
- Memo from Steven D. Gioiosa, P.E. to Planning Board dated July 8, 2019
- Department of Planning, Housing & Community Development Staff Notes dated July 10, 2019.
- Department of Public Infrastructure (DPI) Comments dated July 10, 2019
- Communication from Conservation Agent, Sarah Porter dated July 2, 2019

### 3.) DISCUSSION

Board members Kathryn Duff, Arthur Glassman, Alex Kalife, Kamile Khazan, and Peter Cruz were in attendance July 10, 2019. City Planner Tabitha Harkin and Staff Planners Jennifer Carloni and Rudy Botros were present during the discussion.

Mr. Glassman made a motion, seconded by Mr. Cruz to open the public hearing. Motion passed unopposed.

Mr. Steven Gioiosa, SITEC Inc. (449 Faunce Corner Road Dartmouth, MA) presented the application on behalf of Welby Park Associates, LLC (1 Welby Rd New Bedford, MA 02745). He oriented the board to the site describing it as located at the corner of Welby Road and Doreen Street. Mr. Gioiosa described the site as already developed with an existing two story office building; landscaping areas on the north, south, and east

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sides of the building; and a parking lot on the west side. A one-way entrance drive is located on the north west corner of the site. Mr. Gioiosa noted the landscaping had become overgrown recently but reassured the board that the regular landscaping crew will be taking care of the site soon.

He explained the project is to relocate ActiveDay Adult Daycare from their current location, also on Welby Road, to this location at 34 Welby Road. As proposed, the first floor would be renovated to accommodate the adult day care operation. The existing tenants on the second floor would remain unchanged.

The proposal was described as having primarily interior changes with only minor exterior changes. Mr. Gioiosa detailed the exterior changes proposed would be changing the parking spaces layout, adding an entry on the west side of the building with a canopy over for patient pick-up and drop-off, an enclosed patio area and door on the south side (rear) of the building.

Mr. Gioiosa explained the proposed restriped parking lot would have a better layout for circulation at the southern edge of the parking lot. It would also include ADA compliant parking spaces along the entrance of the building. Even with a reduction of a few spaces over the existing conditions, the project was noted to meet the number of parking spaces required under city ordinance.

He then explained the adult day care operates seven (7) days a week, from 7am-5pm. Clients typically are dropped off between 7:15am-9:30am. Clients attend either partial or full day so pick-up times vary.

In response to questions from the board Mr. Gioiosa explained, the outdoor recreation patio area would be enclosed by fencing all around. He confirmed the existing dumpster location is not located on any parking spaces and therefore does not reduce the number of spaces available. He noted there is a drain in the southwest corner of the site which will be checked and cleaned. He informed the board the parking lot would be seal coated and restriped.

Mr. Armando Perriera, project designer, Comprehensive Design Build Services (PO Box 578 West Wareham, MA) confirmed the occupancy permit would be for 122 occupants on the lower level. The second floor would remain unchanged.

Mr. Gioiosa explained that the existing directory sign would remain at the corner of the site. The only new signage would be an "ActiveDay" logo on the proposed canopy to identify the entrance. He confirmed no changes to exterior lighting other than down lighting under the canopy. He noted the site is not used at night so no extra lighting is required.

Mr. Gioiosa indicated the applicant would be amenable to a condition that the dumpster be screened. He proposed it could be screened by a white vinyl fence to match the patio area fencing. The board also requested the mechanicals on the west side of the building be screened as well. The board discussed they were amenable to a solid screen on the front blocking view from the parking lot with open sides for air flow.

Regarding the entrance drive, which is located on a separate lot held in separate ownership, Mr. Gioiosa explained there are cross easements in the deeds for the access. There are also easements for drainage he noted. He explained the development of Welby Park and the subdivision of the land over the course of its development.

In response to Chair Duff's invitation to speak or be recorded in favor, no one in attendance spoke in favor of the petition or was recorded in favor of the petition.

In response to Chair Duff's invitation to speak or be recorded in opposition, no one in attendance spoke in opposition of the petition or wished to be recorded in opposition of the petition.

Mr. Glassman made a motion, seconded by Mr. Cruz to close the public hearing. Motion passed unopposed.

The board briefly discussed the case and conditions before voting.

#### **4.) DECISION**

Mr. Glassman made a motion, seconded by Mr. Cruz to approve **Case #19-22: 34 Welby Road-** Request by applicant for **Site Plan** approval for the conversion of an existing first floor office space into an adult day care facility within an existing 15,146 SF office building; located **34 Welby Road** (Map: 132E Lot: 99) on a 53,470 SF lot located in an Industrial A (IA) zoning district. Owner: Welby Park Associates, LLC (1 Welby Rd New Bedford, MA 02745).

The approval is subject to:

##### **Specific Conditions:**

1. Subject to DPI Comments;
2. The applicant is to clean the catch basin;
3. The dumpster is to be enclosed with white vinyl fencing;
4. The AC mechanical units on the west side are to be screened from view while maintaining airflow to the units;
5. Parking lot to be restriped and sealed as appropriate;

##### **General Conditions:**

6. The project shall be completed according to the plans, notes, reports and specifications submitted for consideration and final approval by the Planning Board.
7. 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.
8. The applicant shall submit final plan revision to the Planning Division in the following formats: one (1) – 11"x17" 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.
9. 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.
10. The applicant shall ensure that a copy of the recorded decision be provided for the Planning Division case file folder.

11. The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for a determination as to whether the modified plan must return before this Board for further review.
12. 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.
13. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chair called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Chair Duff – Yes  
Yes

Board Member Khazan – Yes

Board Member Kalife -

Board Member Glassman – Yes

Board Member Cruz – Yes

Filed with the City Clerk on:

7.23.2019

Date



Kathryn Duff, Chair

City of New Bedford Planning Board

