



**PLANNING BOARD**  
 City Hall, Room 303  
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 New Bedford, MA 02740  
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[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

CITY CLERKS OFFICE  
 Registry of NEW BEDFORD MA Only

2019 JUL 23 P 2: 43

CITY CLERK

City of New Bedford  
 Jonathan F. Mitchell, Mayor

**NOTICE OF DECISION**

|                                   |  |                    |                      |                           |
|-----------------------------------|--|--------------------|----------------------|---------------------------|
| <b>Case Number:</b>               | 19-19  |                    |                      |                           |
| <b>Request Type:</b>              | Special Permit   |                    |                      |                           |
| <b>Address:</b>                   | 8 Washburn Street  |                    |                      |                           |
| <b>Zoning:</b>                    | Industrial B Zoned District & Hicks Logan Sawyer Interim Planning Overlay District |                    |                      |                           |
| <b>Recorded Owners:</b>           | MA New Bedford & Washburn, LLC   |                    |                      |                           |
| <b>Owner Address:</b>             | 101 South 200 East, Suite 200, Salt Lake City, UT 84111                            |                    |                      |                           |
| <b>Applicant:</b>                 | MA New Bedford & Washburn, LLC   |                    |                      |                           |
| <b>Applicant Address:</b>         | 786 Redford Drive Provo, UT 84604  |                    |                      |                           |
| <b>Application Submittal Date</b> | <b>Public Hearing Date(s)</b>  |                    | <b>Decision Date</b> |                           |
| May 10, 2019                      | June 18, 2019 & July 10, 2019  |                    | July 10, 2019        |                           |
| <b>Assessor's Plot Number</b>     | <b>Lot Number</b>  | <b>Book Number</b> | <b>Page Number</b>   | <b>Certificate Number</b> |
| 86                                | 16   | 12713              | 70                   |                           |

**Application:** MA New Bedford & Washburn, LLC (786 Redford Drive Provo, UT 84604) for a **Special Permit** under the Hick- Logan- Sawyer Interim Planning Overlay District (HLS IPOD) for a rehabilitation and expansion of and existing commercial building into a 53,706 SF self-storage facility; located at **8 Washburn Street** (Map: 86 Lot: 16) on a 1.59± acre site in an Industrial B [IB] zoned district and Hick- Logan- Sawyer Interim Planning Overlay District (HLS IPOD).

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

A copy of this Decision was filed with the City Clerk of the City of New Bedford on July 23, 2019. Any person aggrieved by this decision has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 17 of Chapter 40A of the General Laws of Massachusetts.

7.23.2019  
 Date

  
 Kathryn Duff, Chair  
 City of New Bedford Planning Board

## 1.) APPLICATION SUMMARY

MA New Bedford & Washburn, LLC (786 Redford Drive Provo, UT 84604) for a **Special Permit** under the Hicks-Logan- Sawyer Interim Planning Overlay District (HLS IPOD) for a rehabilitation and expansion of an existing commercial building into a 53,706 SF self-storage facility; located at **8 Washburn Street** (Map: 86 Lot: 16) on a 1.59± acre site in an Industrial B [IB] zoned district and Hicks- Logan- Sawyer Interim Planning Overlay District (HLS IPOD).

## 2.) MATERIALS REVIEWED BY THE PLANNING BOARD

### Plans Considered to be Part of the Application

- Plan Set – “Proposed Self-Storage Facility at #8 Washburn Street New Bedford, Massachusetts Assessors Map: 86 Lot 16” dated May 9, 2019, revised as of July 3, 2019. Plans were prepared by Bracken Engineering, in Buzzards Bay, MA and stamped by Alan M. Grady, LS and Donald F. Bracken, Jr., PE. The plan set consists of the following sheets:
  - Sheet 1 Cover
  - Sheet 2 Existing Conditions
  - Sheet 3 Demolition and Erosion Control
  - Sheet 4 Layout and Landscaping
  - Sheet 5 Grading, Drainage and Utilities
  - Sheet 6 Construction Notes and Details
  - Sheet 7 Lighting Plan
- The architectural plan - “Planning Board Subdivision Self Storage Facility 8 Washburn St. New Bedford, Mass.” dated July 2, 2019. Plans were prepared by Di’velept Design, LLC, in Salt Lake City, UT and stamped by Jarod Hall, RA. The plan set consists of the following sheets:
  - Sheet G01 Planning Cover Sheet
  - Sheet A001 Architectural Site Plan
  - Sheet A110.2 Level 1 Plan- West Side
  - Sheet A111.2 Level 1 Plan- East Side
  - Sheet A200.2 Exterior Elevations
  - Sheet A201.2 Exterior Elevations

### Other Documents and Supporting Materials

- Special Permit Application stamped received by the City Clerk’s Office May 10, 2019
- Certified Abutters List
- Department of Planning, Housing & Community Development Staff Report dated June 18, 2019
- Department of Planning, Housing & Community Development Summary of Plan Revisions dated July 10, 2019.
- Department of Public Infrastructure (DPI) Comments dated June 10, 2019.
- Communication from Sarah Porter, Conservation Agent, date stamped received June 10, 2019
- Communication from Sarah Porter, Conservation Agent, dated July 2, 2019
- Communication Memo Re: DPI Review Comments from Donald F. Bracken, Bracken Engineering, dated July 3, 2019

## 3.) DISCUSSION

### June 18, 2019

Board members Kathryn Duff, Arthur Glassman, Alex Kalife, Kamile Khazan, and Peter Cruz were in attendance. 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. The board noted due to meeting time restraints the whole case would not be able to be heard at this meeting but welcomed the applicant to briefly present the project to the board.

Mr. Daniel Lyman, of MA New Bedford & Washburn, LLC (786 Redford Drive Provo, UT 84604) presented the project. He explained MA New Bedford & Washburn, LLC is under the umbrella of the parent company called Patagon Ventures. Patagon Ventures has developed many self-storage facilities in several states. All the facilities are brand new, well lit, well secured, and beautifully integrate with the urban context. He explained he and his business partner who founded the company both have degrees in Urban Planning, Real Estate, and Architecture. They look at the urban fabric and surrounding area, he explained, and referenced a recently completed example in Brockton, MA. They have done this adaptive reuse a few times. They felt it was the best use for the site given the site constraints including environmental issues. Also, it is a low traffic demand use perfect for the location on a busy street.

In response to a question about how the project considered the flood zone. Mr. Lyman turned over the presentation to Mr. Donald Bracken, project engineer, of Bracken Engineering. Mr. Bracken explained the flood zone is just outside the building and the slab elevation is above the flood elevation. He also noted the Conservation Commission filing was also being reviewed the same evening.

Chair Duff agreed that the proposed use is a passive use appropriate along a very busy corridor off the highway. Tabitha Harkin, City Planner, added the development team had met with Planning Division Staff to review the project under the Hicks Logan Sawyer Overlay District and were receptive to design strategies recommended by staff.

Chair Duff asked if the applicant had considered working with the local arts community for a mural and if they had done so before on previous project. Mr. Lyman explained they had done so in the past with mixed results. Their design was a balance of aesthetic design that is also identifiable as self-storage.

Mr. Lyman noted they had reviewed comments from the city departments and would provide revisions prior to the next meeting.

Seeing no one else present in the meeting room, Chair Duff did not call for anyone to speak or be recorded in favor or opposition of the petition.

Mr. Glassman made a motion, seconded by Mr. Cruz to continue the case to July 10, 2019. Motion passed unopposed.

### **July 10, 2019**

Board members Kathryn Duff, Arthur Glassman, Alex Kalife, Kamile Khazan, and Peter Cruz were in attendance. 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. Don Bracken, engineer, from Bracken Engineering (49 Herring Pond Road Buzzards Bay, MA) and Mr. Jarod Hall, architect, from Di'velept (454 N 600 W Salt Lake City, UT) presented the project and revisions made since the last hearing.

They oriented the board to the location being at the corner of Belleville Avenue and Washburn Street, near the interstate I-195 exit ramps. They described the site as fully developed with a large concrete wall and building along the length of site. They noted one area behind the red painted portion of the wall does not have a roof but has a foundation. The foundation is overgrown with trees and such. The site also has an enclosed parking area. Formerly the site was a fish processing facility and a manufacturing business prior to that. They acknowledged their team had met with the Planning Department as well as DPI to review their plans. They felt they had met most of the review comments since the last meeting.

They informed the board the site will have 465 self-storage storage units inside. They will be utilizing the existing building walls for the build-out. There is a depressed loading area within the parking lot which they will be converting to an at grade loading area. They are providing handicapped parking spaces close to the door. The parking lot will be regraded to direct the runoff to a proposed biofiltration system.

Regarding stormwater management, they described there is a catch basin in the center of the site. A new recharge system will be installed for the new building area (area without the roof currently). Stormwater from the parking lot will be treated in two small depressed proprietary filter systems. The biofiltration systems will have wood chips or grasses and other plants planted over a drain, which connects to the existing catch basin then to the city system. Currently the stormwater from the site is not treated, this system will treat the water prior to discharge to the city system.

They noted they sidewalks will be reconstructed around the site with a four (4') foot wide sidewalk and three (3') foot wide grass ribbon with street trees, per DPI's requirements. They have added additional green space areas with plantings and trees around the parking lot.

Regarding the building design, they noted a few openings will be made in the concrete wall around the parking lot so the landscape area is viewable from the street. Also, a series of windows will be added to the façade, so an interior hallway of units is viewable from the street. There will be one pedestrian entrance from the sidewalk and a series of faux storage unit doors installed as part of the building metal panel façade. A textured sawcut and paint design will be applied to the existing concrete. A new white memory roof will be installed.

The hours of operation will be from 7am-10pm, with staff on-site during the hours of 7am-6pm. Access to the units is via a key card.

Mr. Hall confirmed there would not be any storage of vehicles or boats at the site.

The board noted any illuminated signage may be lit one hour before and one hour after closing. The board would condition the approval to have a limit from 6am-11am. Mr. Hall acknowledged the condition and noted the only illuminated sign would be the one wall sign on Washburn Street. The wall sign on Belleville Avenue would not be illuminated as there are residential neighbors.

Mr. Cruz noted a wheelchair ramp and pedestrian access were not provided to the site. The applicant noted they intended to revise the plans to include an ADA accessible wheelchair ramp at the corner.

Chair Duff recommended American Beach grass be used in the biofiltration areas instead of wood chips.

The board noted the area surrounding the site is a heavy traffic area given its proximity to the highway. The proposed use would not be adding a lot of traffic to the area while bringing a new business to an inactive site.

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 #19-19: 8 Washburn St – Request by applicant for a Special Permit under the Hick- Logan- Sawyer Interim Planning Overlay District (HLS IPOD) for a rehabilitation and expansion of an existing commercial building into a 53,706 SF self-storage facility; located at 8 Washburn Street (Map: 86 Lot: 16) on a 1.59± acre site in an Industrial B [IB] zoned district and Hick- Logan- Sawyer Interim Planning Overlay District (HLS IPOD). Owner/Applicant: MA New Bedford & Washburn, LLC (786 Redford Drive Provo, UT 84604).

The approval is subject to:

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

1. Signage illumination is limited to 6am-11pm
2. An ADA accessible wheelchair ramp with detectable warning strip is to be added at the northwest corner of the site, subject to DPI approval.

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

3. The project shall be completed according to the plans, notes, reports and specifications submitted for consideration and final approval by the Planning Board.
4. 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.
5. 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.
6. 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.
7. The applicant shall ensure that a copy of the recorded decision be provided for the Planning Division case file folder.
8. 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.

9. 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.
10. 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

Board Member Khazan – Yes

Board Member Kalife - Yes

Board Member Glassman – Yes

Board Member Cruz – Yes

Filed with the City Clerk on:

7.23.2019  
Date

  
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Kathryn Duff, Chair  
City of New Bedford Planning Board