



December 7, 2018

City of New Bedford
Planning Board
133 William Street, Room 303
New Bedford, Massachusetts 02740

Attn: Jennifer Carloni

**Re: Dunkin' Restaurant and Drive Through
970 Ashley Boulevard
New Bedford, MA**

Dear. Members of the Board,

On behalf of the applicant Yearly Grind II Realty, LLC, Bohler Engineering has prepared the enclosed application for Special Permit and Site Plan Review of a proposed Dunkin' restaurant at 970 Ashley Boulevard in New Bedford, Massachusetts. The proposed project consists of the removal of a 1,179 SF retail building and outdoor display area to allow for the construction of a new 2,002 SF Dunkin' Donuts Restaurant and drive through. In the existing condition, the property is developed as Hancock Monument Co., which will be demolished as part of the proposed work. Yearly Grind II Realty, LLC will be purchasing the property, and is under a current purchase and sale agreement with the current owners. The project will include a new Dunkin' restaurant and drive through window, with associated paved parking areas and driveways, landscaping, utilities, and stormwater management system.

Site Plan Review and Special Permits under sections 3100, 3110, 3130, 5300-5390, 5400, 5410, 5420, 5423, 5425, 5427, and 5430-5490B of the Code of the City of New Bedford are being sought from the Planning Board. Note that additional Special Permits are being sought through the Zoning Board of Appeals for this project. Site Plan Review is being sought as the proposed construction will include a drive-thru window, and greater than 2000 square feet of new floor area requiring a new curb cut. A Special Permit is being requested as a reduction from the required parking is being proposed. A reduction in the parking spaces is appropriate for this site as the intended use focuses on drive through services.

Note that a list of requested waivers from the Site Plan Review checklist is included in this narrative for review. The project is estimated to be completed within approximately 4 months after construction is started. Detailed projected costs of all site improvements planned is provided below. Drainage calculations showing the conformity of the storm drainage design with the City of New Bedford Subdivision Regulations for 2, 10, 25, and 100-year storm events is provided in the "Drainage Report" prepared by Bohler Engineering as part of this application package.

Enclosed, please find stamped/sealed (as appropriate) copies of the following materials:

- "Site Development Plans" Prepared by Bohler Engineering, Dated 12/06/18.
- "Architectural Elevations" Prepared by Aharonian & Associates, Inc. Dated 12/05/18.
- "Drainage Report" Prepared by Bohler Engineering, Dated 12/06/18.
- "Traffic Assessment" Prepared by McMahon Associates, Dated 12/05/18



Also included are 12 reduced size plan sets including color architectural elevations, certified abutters lists, proof of ownership in the form of a purchase and sale agreement authorizing the owner to apply for and receive permits for the site, and an electronic version of the entire application package.

Projected Project Costs:

Costs listed below are in accordance with the building permit denial package application that was previously prepared for this project.

Building Construction: \$330,000
Electrical: \$67,000
Plumbing: \$66,000
Heating, air conditioning: \$40,000

Total Value of Construction: \$503,000

Requested Waivers:

Below is a list of the waivers from strict compliance with the New Bedford Site Plan Review Checklist. Note that the waivers are primarily requested for information showing on different plan sheets than noted on the Checklist.

- A separate owner authorization letter is not provided, as the purchase and sale agreement that is signed by the owner and authorized owners representative (applicant) states the applicant is authorized to apply for permits related to this site and project.
- All plans oriented so that north arrow points to top of sheet: main site access is to Ashley Boulevard, and is shown on the bottom of the page (north to the left of page).
- Plan sets shall be comprised of separate sheets as listed below unless otherwise approved by the City Planner: separated sheets proposed for further clarity.
- Plan index with latest revision date of each individual plan on title sheet: the revision date on the title block represents the revision date of each individual sheet as well.
- Monuments were not set/found at all lot corners by surveyor
- Listing of all existing utility owners and contact information located within the project limits was no listed by surveyor
- Test pits were not performed at the time of the application, a geotechnical exploration is scheduled for the project
- Dust Control Measures to be shown on demolition plan: notes are shown on the General Notes Sheet, sheet 2 note 15 of "General Demolition Notes"
- Construction Layout Plan is named Site Plan, Sheet 4.
- Proposed contours at 2 foot intervals on Construction/Layout Plan: 1 foot proposed contours are provided on the Grading and Drainage Plan, Sheet 5.
- Parking lot grades shown on Construction/Layout Plan: grading of parking areas is shown on the Grading and Drainage Plan, Sheet 5.
- Spot Grades at 4 Building corners on Construction/Layout Plan: shown on the Grading and Drainage Plan, Sheet 5.
- Overall plan showing areas of cut and fill on Construction/Layout Plan: shown on a separate cut/fill exhibit attached with the application package
- Truck Access is shown on the Truck Turn Plan, Sheet 12.



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- Grading at entrances with spot grades on Construction/Layout Plan: shown on the Grading and Drainage Plan, Sheet 5.
- Provide safety fencing around stockpiles over 10 feet in height or otherwise restrict site access on Grading and Drainage Plan: a fencing note has been added to the Soil Erosion and Sediment Control Plan, Sheet 7.
- Sewer profile showing all utility crossings on Utility and Grading Plan: the proposed Utility Plan sewer inverts shown adequately to allow for installation.
- Proposed irrigation methods: No irrigation system is proposed.
- Sign Plan: a sign plan per the requirements of the checklist has been attached under separate cover to this application package.
- Provide cut sheets for all lighting fixtures: cut sheets have been provided under separate cover from the plan set as part of this application package.

We trust that the above as well as the attached information is sufficient for your review of the project. Should you have any questions or require additional information, please do not hesitate to contact me at (508) 480-9900. Thank you.

Sincerely,

BOHLER ENGINEERING

James A. Bernardino PE



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

SPECIAL PERMIT APPLICATION

The undersigned, being the Applicant, seeks Special Permit Approval for property depicted on a plan entitled: Site Development Plans by: Bohler Engineering dated: _____

1. Application Information

Street Address: 970 Ashley Boulevard

Assessor's Map(s): 127D Lot(s) 89 & 98

Registry of Deeds Book: Land Court Cert: 16450; Bk 89 Page: 221

Zoning District: Mixed Use Business/Residence B

Applicant's Name (printed): Yearly Grind II Realty, LLC

Mailing Address: PO Box 51147 New Bedford MA 02745
 (Street) (City) (State) (Zip)

Contact Information: (508) 482-0138 tdalygrind@aol.com
 Telephone Number Email Address

Applicant's Relationship to Property: Owner Contract Vendee Other under agreement

List all submitted materials (include document titles & volume numbers where applicable) below:

Site Development Plans Drainage Report Traffic Memorandum

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

12/10/18
Date

[Signature]
Signature of Applicant

2. Zoning Classifications

Present Use of Premises: Hancock Monument Co; Retail

Proposed Use of Premises: Dunkin' Restaurant, fast-food

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):
No known zoning relief previously granted

3. Briefly Describe the Proposed Project and Specify all Requested Special Permits:

Proposed 2,002 square foot Dunkin' building with drive through window, walk in freezer, proposed parking area, landscaping, associated utilities, and new stormwater management system. one full movement curb cut is proposed on Ashley Boulevard, with a second "exit-only" curb cut proposed on York Street. Special permits are requested for a fast food use with a drive through window, commercial parking within a residential zone, and a reduction to the required parking for the proposed use.

4. Please complete the following:

	<u>Existing</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Lot Area (sq ft)	19,806	8,000	NO CHANGE
Lot Width (ft)	90	0	NO CHANGE
Number of Dwelling Units	N/A	N/A	N/A
Total Gross Floor Area (sq ft)	1,179	<7,922	2,002
Residential Gross Floor Area (sq ft)	N/A	N/A	N/A
Non-Residential Gross Floor Area (sq ft)	1,179	<7,922	2,002
Building Height (ft)	13.8	<100	23.1
Front Setback (ft)	76.5	0	10.6
Side Setback (ft)	29.0	10	42.2
Side Setback (ft)	7.2	10	71.5
Rear Setback (ft)	N/A	10	N/A
Lot Coverage by Buildings (% of Lot Area)	6.0%	40%	10.1%
Permeable Open Space (% of Lot Area)	71.6%	0%	30.8%
Green Space (% of Lot Area)	71.6%	0%	30.8%
Off-Street Parking Spaces	0	26	16
Long-Term Bicycle Parking Spaces	N/A	N/A	N/A
Short-Term Bicycle Parking Spaces	N/A	N/A	N/A
Loading Bays	N/A	1	1

5. Please complete the following:

- a) Number of customers per day:
- b) Number of employees:
- c) Hours of operation:
- d) Days of operation:
- e) Hours of deliveries:
- f) Frequency of deliveries:

Existing Proposed

closed for business

500
20 total / 6 per shift
4A-9p
7 days
9A-5p, flexible
2x/week

Daily Weekly Monthly Other: 2x/week
Small truck

6. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: Yearly Grind II Realty, LLC

at the following address: PO Box 51147 New Bedford, MA 02745

to apply for: Site Plan Review and Special Permit

on premises located at: 970 Ashley Boulevard

in current ownership since: 05/03/1991

whose address is: c/o Holland & Knight, LLP 10 Saint James Avenue, Boston MA 02116

for which the record title stands in the name of: John T. Ricciuti, Trustee of The Ricciuti Realty Trust II

whose address is: c/o Holland & Knight, LLP 10 Saint James Avenue, Boston MA 02116

by a deed duly recorded in the:

Registry of Deeds of County: _____ Book: _____ Page: _____

OR Registry District of the Land Court, Certificate No.: 16450 Book: 89 Page: 221

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

12/10/18 [Signature] per attached owner's letter of
Date Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify) Authorization

Planning Board Special Permit Application Checklist

1. **Completed Application Form** (with all required signatures; Original plus 15 Copies)
2. **Plans**
- Four (4) stapled and folded sets of full-sized plans (24" x 36") and Twelve (12) sets of reduced plans (11" x 17") are required for all applications. Staff reserves the right to require additional copies.
 - One (1) electronic copy (PDF & CAD) of all proposed activity plans (See Section 10 of Checklist for Requirements)
 - All plans oriented so that north arrow points to top of sheet
 - Plans shall be drawn at a minimum scale of 1" = 40' or less
 - All plans shall be stamped by Commonwealth of Massachusetts-registered Professional Engineer, Professional Land Surveyor, and/or Professional Landscape Architect, as appropriate
 - Plan sets shall be comprised of separate sheets as listed below unless otherwise approved by the City Planner
 - All plans shall have a title block comprised of the following: Project Title, Sheet Title, Sheet Number; Registrant Stamp (i.e. PE, PLS, LA); Registrant's name and address; Street addresses of the project area parcels; Scale at which the plan is drawn; Plan Issue Date; and all plan revision dates (with corresponding revision descriptions).
3. **Certified Abutters List** (4 copies)
4. **Proof of Ownership** (Deed(s) for All Involved Parcels; 4 Copies)
5. **Photos Depicting Existing Conditions** (Minimum of 3, In Color, 1 Aerial + 2 Other Views; 16 Copies)
6. **Development Impact Statement (DIS)**, completed per §5350 of Zoning Code, (16 Copies), if required by Board
7. **Traffic Impact & Access Study (TIAS)** (16 Copies), if required by Board
8. **Electronic PDF and AutoCAD Files**
- Shall consist of a CD with a printed CD Label in a CD case
 - CAD files shall be 2010 format or the latest revision of AutoCAD Civil 3D
 - All project submissions shall include the following file types. All project related Drawing Files shall be provided in all 2 supported formats, listed below.
 - AutoCAD Drawing format (.dwg)
 - Adobe Portable Document Format (.pdf)

- PDF files shall be created from within the AutoCAD environment and contain Layer information.
- It is a requirement that each project drawing/sheet created for a project shall be published/plotted to DWG and PDF, and placed in the appropriate folder in the CD submission. All external references (DWG, DWF, DGN, PDF, TIFF, MrSID, JPG, etc.) which are used in support of the creation of these project sheets shall be stored within the XREF folder only (Subfolder of DWG) on the CD. Also the AutoCAD support files (fonts, plot style, etc.) should be supplied on the CD.

- **File Naming:**

The following file naming standard for all CAD related files created, used, or submitted to the Planning Department shall be followed. This applies to all CAD drawings, DWF's, PDF's used in support of, or used in conjunction with this CAD Standard.

File names shall begin with their project Planning Board Case number assigned (available through the Planning Department), followed by an underscore and the appropriate discipline code. In the instance where there is more than one file, assign an appropriate sequential number to the end (ex. 1,2,3). Special characters are not permitted except for the following; hyphens [-], underscores [_], and/or parenthesis [()].

Example 1.

A set of engineering design plans and documents were prepared for project file number 12-34; acceptable filenames would be as follows:

- 12-34_Existing Conditions1.dwg*
- 12-34_Exisitng Conditions2.dwg*
- 12-34_General1.dwg*
- 12-34_Generale.dwg*

9. Application Fee (All fees are due at time of application submission)

\$600

Official Use Only:

For the Planning Board, this application has been received by the Planning Division of the Department of Planning, Housing & Community Development on the date specified below:

Review date: _____ All materials submitted: Yes No

Signature: _____ Fee _____

NOTICE BY PUBLICATION & ABUTTERS NOTIFICATION

(Follow Massachusetts General Laws, Chapter 40A, Section 5)

- 1) The applicant shall be responsible for paying for the legal advertisements in the New Bedford Standard-Times once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days prior to the date of said hearing. This cost is included in the Application Fee. The City of New Bedford Planning Division shall be responsible for placing the legal ad in the New Bedford Standard-Times.
- 2) The applicant shall be responsible for certifying the abutters list and mailing, by Certified Mail, with Return Receipt Requested, a copy of the notice to each affected abutter.
- 3) A Legal Advertisement will be drafted by Planning Staff, including the date, time and location of the public hearing, and provided to the Applicant upon submittal of a complete application. This Legal Advertisement may not be altered or amended by the Applicant prior to use in notifying Abutters.