

CITY CLERKS OFFICE  
NEW BEDFORD, MA

# PLANNING BOARD

2018 NOV 16 A 11:04

CITY CLERK

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

CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

## SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: Site Plan by: Farland Corp. dated: 11/15/18

### 1. Application Information

Street Address: 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue (Lots 117 & 447)

Assessor's Map(s): 130D Lot(s) 117, 247, 248 & 447

Registry of Deeds Book: 8991, 11105 & 12307 Page: 270, 298 & 200

Zoning District: Mixed Use Business & Residential A

Applicant's Name (printed): Christian A. Farland - MIH1, LLC

Mailing Address: 401 County Street New Bedford MA 02740  
(Street) (City) (State) (Zip)

Contact Information: (508) 717-3479 cfarland@farlandcorp.com

Applicant's Relationship to Property: Telephone Number Email Address  
 Owner  Contract Vendee  Other

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

- Site Plan
- Stormwater Report
- Project Narrative
- Owner Authorization Letter

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.

11/15/18  
Date

[Signature]  
Signature of Applicant

2. Review Applicability (Check All That Apply to Your Proposal)

Category	Construction	Scale
<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> < 2,000 gross sq feet
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Expansion of Existing	<input checked="" type="checkbox"/> > 2,000 gross sq feet
<input type="checkbox"/> Industrial	<input type="checkbox"/> Conversion	<input type="checkbox"/> 3 or more new residential units
<input type="checkbox"/> Mixed (Check all categories that apply)	<input type="checkbox"/> Rehabilitation	<input type="checkbox"/> 1 or more new units in existing res. multi-unit
		<input type="checkbox"/> Drive Thru Proposed
		<input checked="" type="checkbox"/> Ground Sign Proposed
		<input type="checkbox"/> Residential Driveway With > 1 curbcut

3. Zoning Classifications

Present Use of Premises: Vacant (Lots 117 & 447) / Single Family (Lots 247 & 248)

Proposed Use of Premises: Cumberland Farms (Retail & Gas Station) w/ detached Car Wash

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):  
\_\_\_\_\_

4. Briefly Describe the Proposed Project:

The applicant seeks to demolish two existing single family residential structures, and construct a Cumberland Farms convenience store w/ a detached car wash building. In addition to the proposed structures, underground fuel storage tanks and an associated pump farm will be located on site. Lastly, associated grading and stormwater management practices will be implemented via an underground drainage & pipe system. On site parking is also provided.

5. Please complete the following:

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	98,044+/-		98,044+/-
Lot Width (ft)	414.05		414.05
Number of Dwelling Units	2		0
Total Gross Floor Area (sq ft)	3,350		7,915
Residential Gross Floor Area (sq ft)	3,350		0
Non-Residential Gross Floor Area (sq ft)	0		7,915
Building Height (ft)	30+/-	100	32.8+/-
Front Setback (ft)	19.8	0	
Side Setback (ft)		10	
Side Setback (ft)		10	

Rear Setback (ft)		10	
Lot Coverage by Buildings (% of Lot Area)			
Permeable Open Space (% of Lot Area)			
Green Space (% of Lot Area)			
Off-Street Parking Spaces	4	34	49
Long-Term Bicycle Parking Spaces	0	0	0
Short-Term Bicycle Parking Spaces	0	0	0
Loading Bays	0	0	0

**6. Please complete the following:**

	Existing	Proposed
a) Number of customers per day:	N/A	<u>50 +/-</u>
b) Number of employees:	N/A	<u>20</u>
c) Hours of operation:	N/A	<u>24 HR</u>
d) Days of operation:	N/A	<u>7 DAYS</u>
e) Hours of deliveries:	N/A	<u>OFF PEAK</u>
f) Frequency of deliveries: <input type="checkbox"/> Daily <input checked="" type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other: _____		

**7. Planning Board Special Permits:**

The applicant is also requesting a Special Permit from the Planning Board.

Specify the requested Special Permit(s) below, and set forth within attached Development Impact Statement how the request meets approval criteria listed in §5320 of the zoning code.

---



---



---

**8. ZBA Variances and Special Permits:**

**NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.**

The applicant is also requesting a special permit from the ZBA:

Specify zoning code section & title

---



---

The applicant is also requesting a variance from the ZBA:

Specify zoning code section & title

<u>3255</u>	<u>Ground Signs - Area Restriction</u>
<u>3256</u>	<u>Location Restrictions</u>

**9. OWNERSHIP VERIFICATION**

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

I hereby authorize the following Applicant: Farland Corp.

at the following address: 401 County Street

to apply for: Site Plan Review

on premises located at: Map 130D Lot 248

in current ownership since: March 31, 2008

whose address is: 2914 Acushnet Avenue - New Bedford, MA 02745

for which the record title stands in the name of: Neil A. & Erica S. Meunier

whose address is: 2914 Acushnet Avenue - New Bedford, MA 02745


by a deed duly recorded in the:

Registry of Deeds of County: Bristol (S.D.) Book: 8991 Page: 270

**OR** Registry District of the Land Court, Certificate No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

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.

11-5-18  
Date

  
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

9. OWNERSHIP VERIFICATION

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

I hereby authorize the following Applicant: Farland Corp.

at the following address: 401 County Street

to apply for: Site Plan Review

on premises located at: Map 130D Lot 247

in current ownership since: June 26, 2014

whose address is: 2904 Acushnet Avenue - New Bedford, MA 02745

for which the record title stands in the name of: Kevin Burgess

whose address is: 2094 Acushnet Avenue - New Bedford, MA 02745

by a deed duly recorded in the:

Registry of Deeds of County: Bristol (S.D.) Book: 11105 Page: 298

OR Registry District of the Land Court, Certificate No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

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 (\_\_\_\_\_<sup>(B)</sup> exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

11/12/2018  
Date

[Signature]  
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)



October 31, 2018

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as ES Acushnet Ave (Map: 130D Lots: 117 & 447) & 2904 Acushnet Ave (Map: 130D Lot: 248) & 2914 Acushnet Ave (Map: 130D Lot: 248). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
130D-237	2942 ACUSHNET AVE	LEISAM REALTY LLC, 2942 ACUSHNET AVENUE NEW BEDFORD, MA 02745
130D-233	982 PHILLIPS RD	WILKINSON CORA A, 982 PHILLIPS RD NEW BEDFORD, MA 02745
130B-168	2857 ACUSHNET AVE	RAFFA VINCENT, 3570 ACUSHNET AVE NEW BEDFORD, MA 02745
130D-136	2856 ACUSHNET AVE	2856 ACUSHNET AVENUE LLC, 2856 ACUSHNET AVENUE NEW BEDFORD, MA 02745
130D-139	989 VICTORIA ST	GARDEN RESTAURANT INC, C/O M BOBOLA P O BOX D 12 FAIRHAVEN, MA 02719
130D-143 SS	ARNOFF ST	LEMAIRE PAUL R, LEMAITRE TAMMY 967 VICTORIA STREET NEW BEDFORD, MA 02745
130D-444 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> MIH1 LLC <del>P O BOX 36</del> 30 N. Water St. <del>SCITUATE, MA 02066</del> New Bedford, MA 02740
130D-445 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P O BOX 36</del> <del>SCITUATE, MA 02066</del> Same as above ↑
130D-446 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P O BOX 36</del> <del>SCITUATE, MA 02066</del> Same as above ↑
130D-447 WS-RR	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P O BOX 36</del> <del>SCITUATE, MA 02066</del> Same as above ↑
130D-448 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P O BOX 36</del> <del>SCITUATE, MA 02066</del> Same as above ↑
130D-449 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P O BOX 36</del> <del>SCITUATE, MA 02066</del> Same as above ↑

October 31, 2018

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as ES Acushnet Ave (Map: 130D Lots: 117 & 447) & 2904 Acushnet Ave (Map: 130D Lot: 248) & 2914 Acushnet Ave (Map: 130D Lot: 248). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

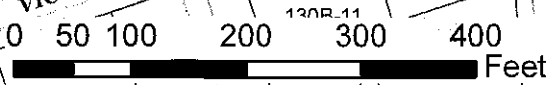
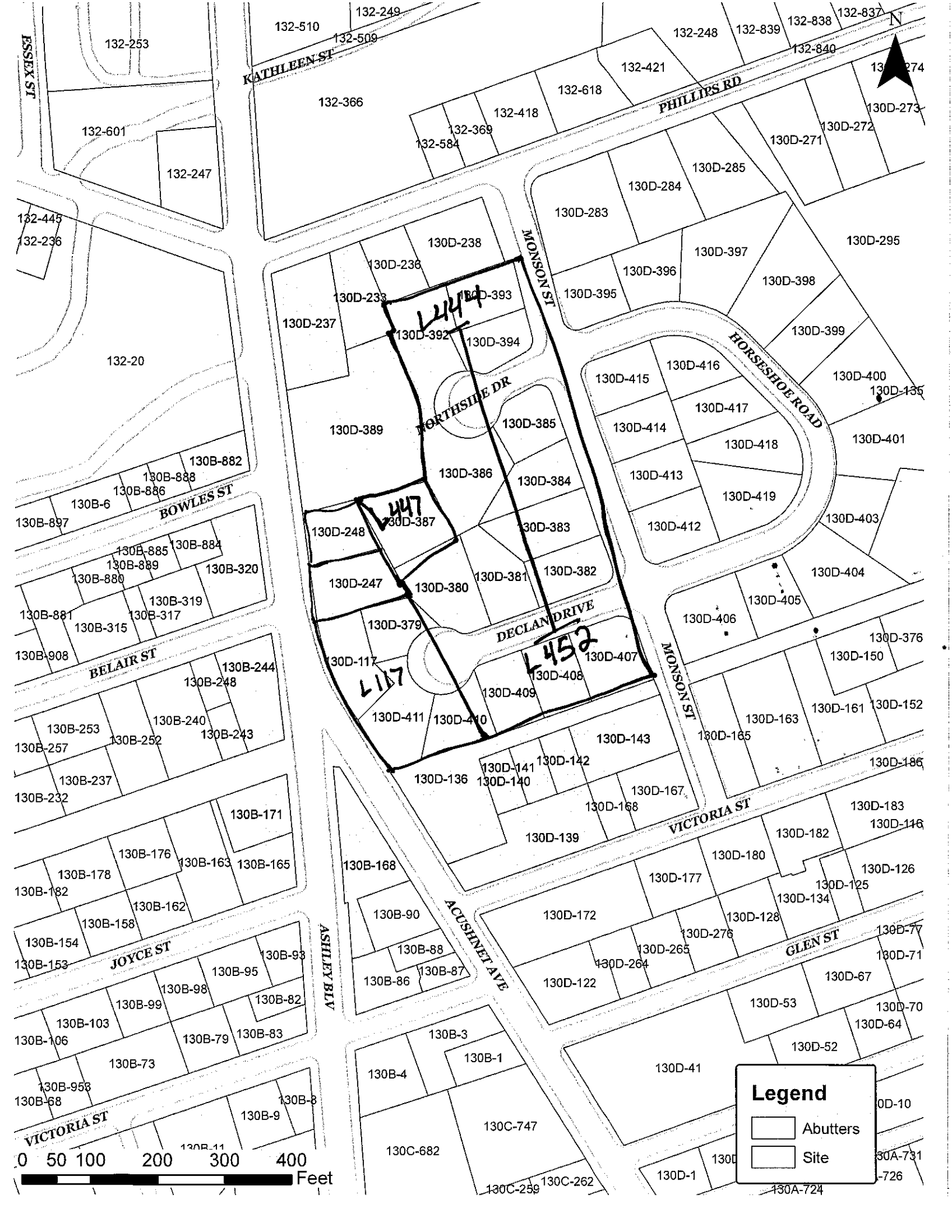
Parcel	Location	Owner and Mailing Address
130D-140 SS	ARNOFF ST	GARDEN RESTAURANT INC, C/O M BOBOLA P O BOX D 12 FAIRHAVEN, MA 02719
130D-141 SS	ARNOFF ST	GARDEN RESTAURANT INC, C/O BOBOLA M P O BOX D12 FAIRHAVEN, MA 02719-0720
130D-142 SS	ARNOFF ST	GARDEN RESTAURANT INC, C/O M BOBOLA P O BOX D 12 FAIRHAVEN, MA 02719
130D-389	2926 ACUSHNET AVE	SOUTHERN MASS CREDIT UNION, 123 ALDEN ROAD FAIRHAVEN, MA 02719
130D-117 ES	ACUSHNET AVE	<del>NEW BEDFORD COUSINS LLC,</del> <b>MIH 1 LLC</b> P O BOX 36 SCITUATE, MA 02066 <b>30 North Water St</b> <b>New Bedford, MA 02740</b>
130B-171	1373 ASHLEY BLVD	<del>MELLO WAYNE P,</del> <b>Diego E. Mejia, Maria E. Ventura</b> 1373 ASHLEY BLVD NEW BEDFORD, MA 02745
130B-882	2925 ACUSHNET AVE	J J & P REALTY CORPORATION, 2907 ACUSHNET AVENUE NEW BEDFORD, MA 02745
130B-244	2883 ACUSHNET AVE -2901	CARVALHO EVELYN F "TRUSTEE", EVELYN F CARVALHO REALTY TRUST 232 LAWRENCE STREET NEW BEDFORD, MA 02745
130D-247	2904 ACUSHNET AVE	BURGESS KEVIN, 2904 ACUSHNET AVENUE NEW BEDFORD, MA 02745
130D-380	DECLAN DR	NEW BEDFORD COUSINS LLC, P O BOX 36 SCITUATE, MA 02066
130B-320	2907 ACUSHNET AVE -2917	CARVALHO EVELYN F "TRS", EVELYN F CARVALHO REALTY TRUST 232 LAWRENCE STREET NEW BEDFORD, MA 02745-1418
130D-248	2914 ACUSHNET AVE	MEUNIER NEIL A, MEUNIER ERICA S 2914 ACUSHNET AVENUE NEW BEDFORD, MA 02745
130D-387	NORTHSIDE DR	NEW BEDFORD COUSINS LLC, P O BOX 36 SCITUATE, MA 02066



Please find below the List of Abutters within 300 feet of the property known as ES Acushnet Ave (Map: 130D Lots: 117 & 447) & 2904 Acushnet Ave (Map: 130D Lot: 248) & 2914 Acushnet Ave (Map: 130D Lot: 248). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

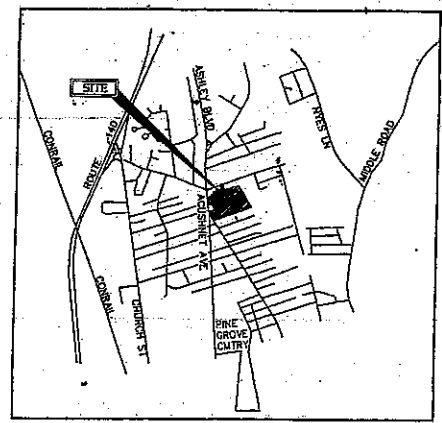
Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

130D-450 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P.O. BOX 36</del> <del>SCITUATE, MA 02066</del>	MIH 1 LLC 30 North Water St. NB, MA 02740
130D-451 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P.O. BOX 36</del> <del>SCITUATE, MA 02066</del>	Same as above ↑
130D-452 WS	STONEY BROOK LANE	<del>NEW BEDFORD COUSINS LLC,</del> <del>P.O. BOX 36</del> <del>SCITUATE, MA 02066</del>	same as above ↑



**Legend**

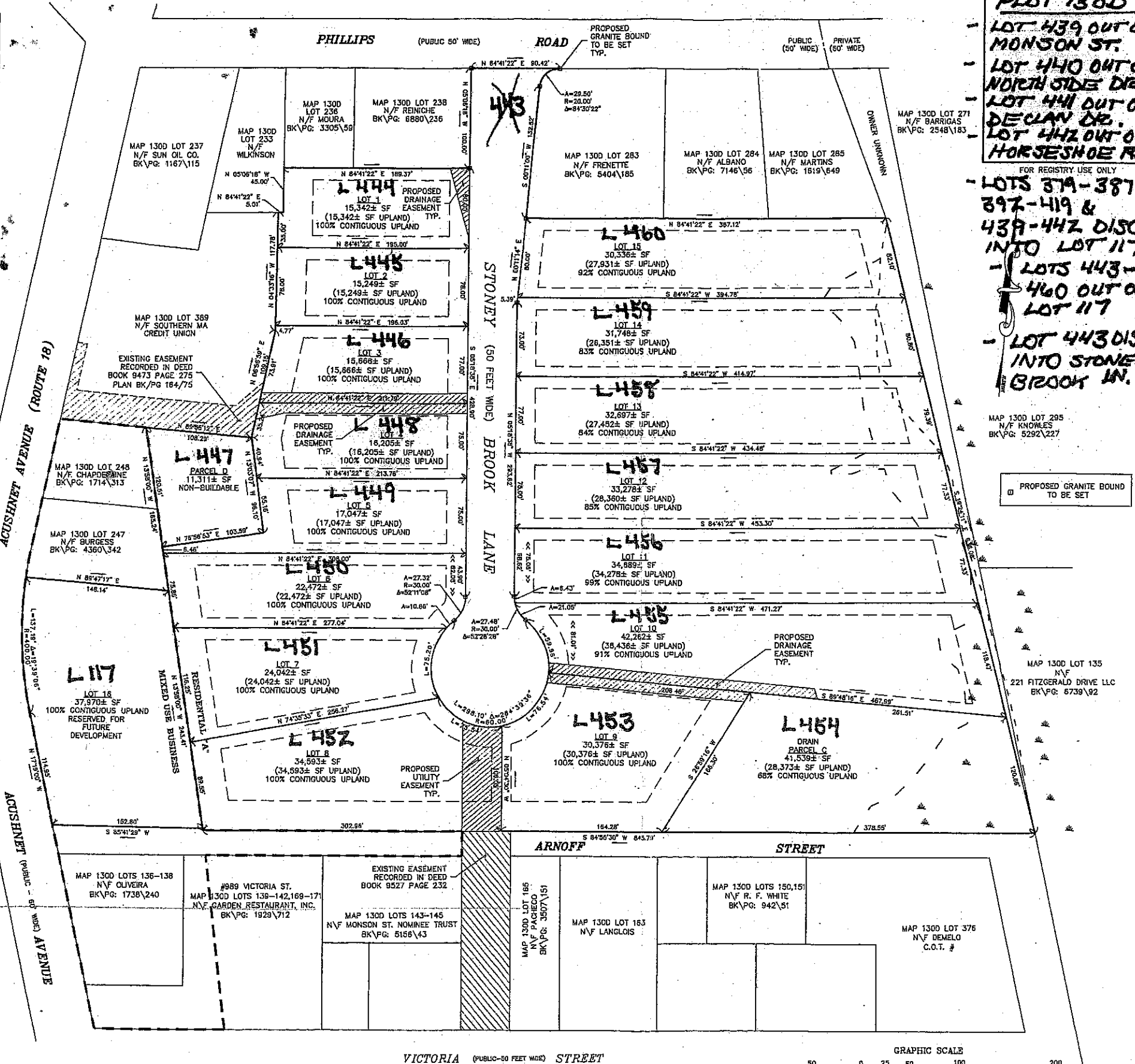
- Abutters
- Site



- CONSTRUCTION NOTES:**
1. ANY MINOR MODIFICATION TO THE INFORMATION SHOWN ON THE APPROVED PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AND THE CITY PLANNER AS A MINOR PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED.
  2. ANY WORK AND MATERIAL WITHIN THE CITY RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF NEW BEDFORD REQUIREMENTS.
  3. ALL HANDICAP PARKING, RAMPS AND ACCESS SHALL CONFORM TO AMB & MAAB.
  4. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY OF NEW BEDFORD CONSERVATION COMMISSION REQUIREMENTS AS STATED IN THE "ORDER OF CONDITIONS".
  5. ALL PAYMENT MARKINGS AND SIGNS SHALL CONFORM TO MUTCD REQUIREMENTS.

APPROVED BY  
NEW BEDFORD PLANNING BOARD  
UNDER THE SUBDIVISION  
CONTROL LAW  
DATE: JULY 12, 2017  
SIGNER: *[Signature]*  
*[Signature]*  
*[Signature]*

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.  
DATE: 7.6.17  
*[Signature]*  
BRENDAN P. SULLIVAN P.E., P.L.S.

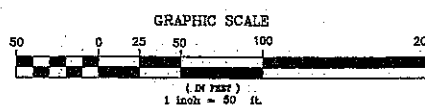


**LOT 130 D**  
- LOT 439 OUT OF MONSON ST.  
- LOT 440 OUT OF NORTH SIDE DR.  
- LOT 441 OUT OF DECLAN DR.  
- LOT 442 OUT OF HORSESHOE RD.

FOR REGISTRY USE ONLY  
- LOTS 379-387, 392-419 & 439-442 DISC. INTO LOT 117  
- LOTS 443-460 OUT OF LOT 117  
- LOT 443 DISC. INTO STONEY BROOK LN.

PROPOSED GRANITE BOUND TO BE SET

PROPOSED DRAINAGE EASEMENT TYP.



DRAWING REVISIONS		
REVISION	DATE	DESCRIPTION
2	6/28/17	STAFF COMMENTS DATED 6/14/17
1	5/24/17	NITSC COMMENTS DATED 5/15/17

**OWNER INFORMATION:**  
NEW BEDFORD COUSINS LLC  
P.O. BOX 36  
SCITUATE, MA 02066  
DEED BOOK 7734 PAGES 340-347

- GENERAL NOTES:**
1. THE SUBJECT PARCEL IS SHOWN AS MAP 130 BLOCK D LOTS 117, 379-387, 392-419.
  2. THE VERTICAL DATUM IS THE NEW BEDFORD CITY DATUM.
  3. LOCUS LIES WITHIN ZONE "X" AS SHOWN ON FIRM COMMUNITY PANEL #25000003030 PANEL 383 OF 550 REVISED JULY 16, 2014.
  4. BORDERING VEGETATED WETLANDS, FLATS AND INTERMITTENT STREAM WERE APPROVED BY THE CITY OF NEW BEDFORD CONSERVATION COMMISSION ON 6/13/2016 WITH A NOTICE OF INTENT, SE49-0736.

**PLAN REFERENCES:**  
LAND COURT PLAN #23553-A  
PLAN BK/PG:  
146\104  
133\34  
130\30  
128\79  
121\138  
121\110  
95\23  
85\07  
82\70  
19\49  
BOARD OF SURVEY PLAN #:  
24, 38, 385, 390, 60  
MASS HIGHWAY DEPT. FIELD BOOK #:  
23040 & 27585

**ZONING REQUIREMENTS:**

RESIDENCE DISTRICT - RA	AREA	FRONTAGE	DENSITY OF DWELLING UNITS PER LOT	HEIGHT	MINIMUM YARDS:
	8,000 SF.	75 FEET	1/10,000 SF.	45 FEET	FRONT: 20 FEET SIDE: 10' & 12' REAR: 30 FEET
					LOT COVERAGE: 30% GREEN SPACE: 35%



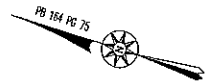
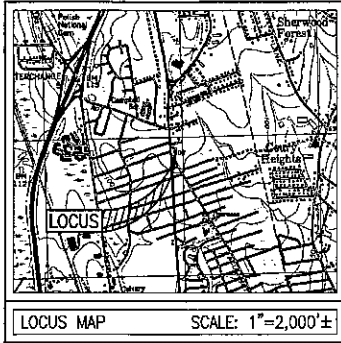
**STONEY BROOK FARM**  
LOT LAYOUT

**CAVANARO CONSULTING**  
687 MAIN STREET  
P.O. BOX 5175  
NORWELL, MASSACHUSETTS 02061  
PHONE: 781.659.8167  
FAX: 781.659.8186

**OWNER/APPLICANT:**  
NEW BEDFORD COUSINS LLC  
P.O. BOX 36  
SCITUATE, MA 02066

PROJECT NO. : 5005	DRAWING NO. <b>LL</b>
SCALE : AS SHOWN	
DATE : 5/11/17	
DESIGNED BY : BPS	
DRAWN BY : BPS	SHEET NO. 3 of 10
CHECKED BY : JCC	FILENAME: D:\2017\177-19\177-19.dwg

MAP 130 D - LOT 439 OUT OF MONSON ST. DR  
 LOT 440 OUT OF NORTH SIDE DR  
 LOT 441 OUT OF DECLAN DR  
 LOT 442 OUT OF HORSESHOE RD  
 LOTS 379-387, 392-419 & 439-442 DISC INTO LT 117  
 LOTS 443-460 OUT OF STONEY BROOK LANE  
 (NEW LOTS 444-460)  
 PB 177-19  
 12/14/2017  
 FY2019



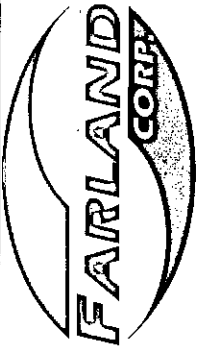
2018 06200000  
 Bk: 178 Pg: 48 Pp: 1 of 1 B8  
 Doc: PLAN 09/21/2018 10:29 AM

FOR REGISTRY USE ONLY:

NO.	REVISIONS



*B. Murphy*



www.FarlandCorp.com

401 COUNTY STREET  
 NEW BEDFORD, MA 02740  
 P. 508.717.3479  
 OFFICES IN:  
 • TAUNTON  
 • MARLBOROUGH  
 • WARWICK, RI

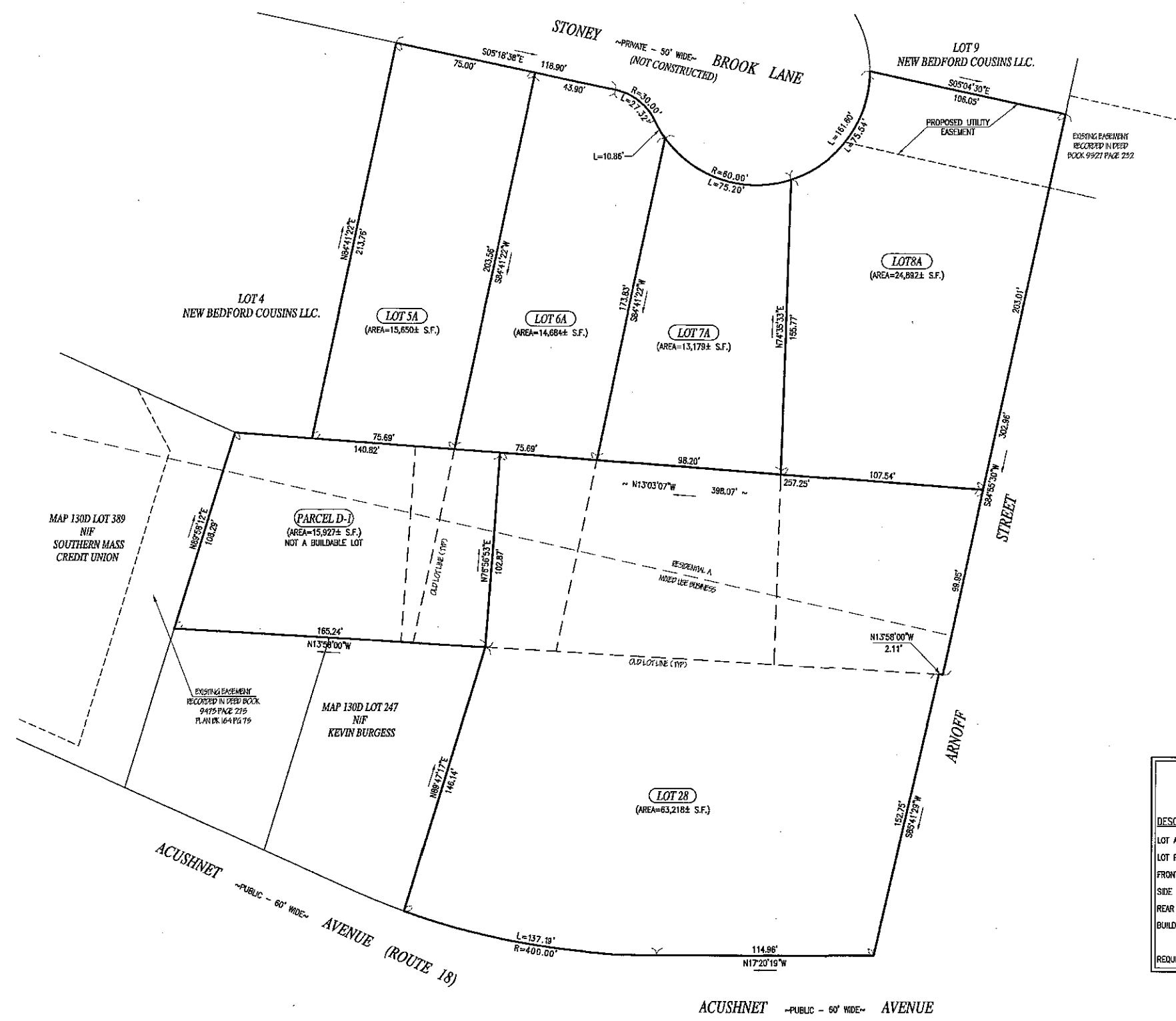
**NEW BEDFORD PLANNING BOARD**

APPROVAL UNDER THE SUBDIVISION CONTROL  
 LAW NOT REQUIRED

*Janet Chul-nice*

DATE **12.27.17**

DRAWN BY: SP  
 DESIGNED BY: CAF  
 CHECKED BY: BJM



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

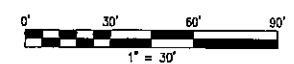
*B. Murphy*  
 BRIAN J. MURPHY, P.E.  
 DATE **12/14/17**

**RECORD OWNER:**  
 ASSESSORS MAP 103 D LOTS 117,379-387,407-411  
 NEW BEDFORD COUSINS LLC  
 P.O. BOX 36  
 SCITUATE, MA 02066  
 DEED BOOK 7734 PAGE 340-347

- NOTES:**
1. SURVEY PERFORMED BY FARLAND CORP. IN NOVEMBER, 2017.
  2. ZONING DISTRICT: RESIDENTIAL "A" & MIXED USE BUSINESS.
  3. THE PURPOSE OF THIS PLAN IS TO RECONFIGURE LOTS 5, 6, 7, 8, 16 & PARCEL "D" AS SHOWN ON A DEFINITIVE SUBDIVISION PLAN OF "STONEY BROOK FARM" REVISED THRU 6/28/2017 PREVIOUSLY APPROVED BY NEW BEDFORD PLANNING BOARD ON JULY 12, 2017.

- ZONING DATA -

DESCRIPTION	REQUIRED
<b>RESIDENTIAL A</b>	
LOT AREA	8,000 S.F.
LOT FRONTAGE	75 FT
FRONT SETBACK	20 FT
SIDE SETBACK	10/12 FT
REAR SETBACK	30 FT
BUILDING COVERAGE (MAXIMUM)	40 %
<b>MIX USE BUSINESS</b>	
REQUIREMENTS VARY DEPENDING UPON USE.	



INDICATES LOT LINE PER APPROVED PLAN OF "STONEY BROOK FARM".

FORM "A" PLAN  
 ACUSHNET AVENUE  
 ASSESSORS MAP 1300 LOTS 117,379-387,407-411  
 NEW BEDFORD, MASSACHUSETTS

PREPARED FOR:  
 MHTI, LLC  
 401 COUNTY STREET  
 NEW BEDFORD, MA 02740

DECEMBER 14, 2017  
 SCALE: 1"=30'  
 JOB NO. 17-907  
 LATEST REVISION:

178-46

178-46



October 31, 2018

New Bedford Planning Board  
New Bedford City Hall  
133 William Street  
New Bedford, MA 02740

**RE: Letter of Authorization (Map 130D Lot 248)  
2914 Acushnet Avenue – New Bedford, MA 02745**


To whom it concerns:


This letter is to certify that we authorize Christian A. Farland, P.E., and Farland Corp., to represent ourselves, Neil A. & Erica S. Meunier, property owners of the above referenced lot, in regards to the submission of the Site Plan Review Application and accompanying document(s). In addition to Planning Board submittals, this letter shall serve as authorization to apply for variances with the Zoning Board of Appeals and represent ourselves in public hearings for said applications that coincide with the Site Plan Review process of this project.

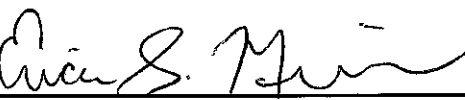
If you should have any questions, please feel free to contact me.

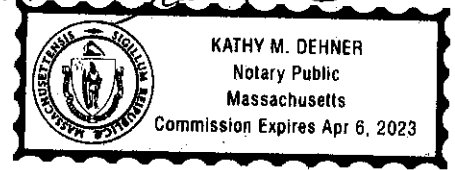
Very truly yours,

FARLAND CORP., INC.

  
\_\_\_\_\_  
Neil A. Meunier  
Property Owner

  
\_\_\_\_\_  
Christian A. Farland, P.E., LEED AP  
Principal Engineer and President  
11/15/18 Kathy M. Dehner

  
\_\_\_\_\_  
Erica S. Meunier  
Property Owner





October 31, 2018

New Bedford Planning Board  
New Bedford City Hall  
133 William Street  
New Bedford, MA 02740

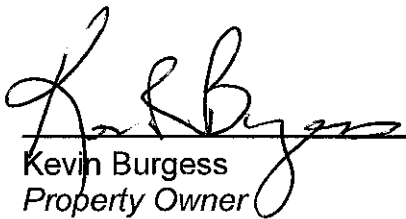
**RE: Letter of Authorization (Map 130D Lot 247)  
2904 Acushnet Avenue – New Bedford, MA 02745**

To whom it concerns:


This letter is to certify that I authorize Christian A. Farland, P.E., and Farland Corp., to represent myself, Kevin Burgess, property owner of the above referenced lot, in regards to the submission of the Site Plan Review Application and accompanying document(s). In addition to Planning Board submittals, this letter shall serve as authorization to apply for variances with the Zoning Board of Appeals and represent myself in public hearings for said applications that coincide with the Site Plan Review process of this project.

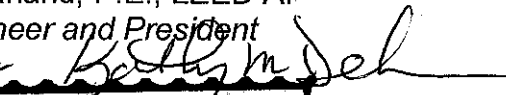
If you should have any questions, please feel free to contact me.

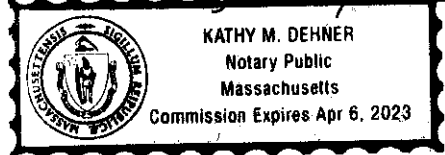
Very truly yours,

  
Kevin Burgess  
Property Owner

FARLAND CORP., INC.

  
Christian A. Farland, P.E., LEED AP  
Principal Engineer and President

11/15/18 





Executed under seal this 30<sup>th</sup> day of November, 2017.

NEW BEDFORD COUSINS LLC

By: *Terrence C. Tedeschi*  
Terrence C. Tedeschi, Manager

By: *Robert W. Lally, Jr.*  
Robert W. Lally, Jr., Manager

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

On this 30<sup>th</sup> day of November, 2017, before me, the undersigned notary public, personally appeared Terrence C. Tedeschi, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Manager of New Bedford Cousins LLC.

*Eugene V. Blanchard*

Eugene V. Blanchard

Notary Public

My Commission Expires: July 25, 2019

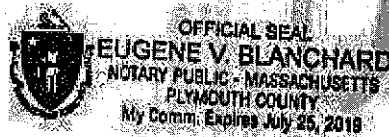




EXHIBIT "A"

RE: Vacant land, Stoney Brook Farm subdivision, Acushnet Avenue, New Bedford, MA

BEGINNING at a point Three Hundred Thirty-Nine and 04/100 (339.04) feet from intersection of the south line of Phillips Road and the west line of Acushnet Avenue; thence

North 84°41' 22" East along the south line of Phillips Road, Ninety and 42/100 (90.42) feet; thence

Southwesterly along a curve having a radius of Twenty (20.00) feet, Twenty-nine and 50/100 (29.50) feet; thence

South 00°11'00" West One Hundred Thirty-two and 52/100 (132.52) feet; thence

North 84°41'22" East Three Hundred Sixty-seven and 12/100 (367.12) feet; thence

South 19°24'11" East Six Hundred Thirty-six and 08/100 (636.08) feet; thence

South 84°55'30" West Eight Hundred Forty-five and 79/100 (845.79) feet along Arnoff Street; thence

Northerly Two and 11/100 (2.11) feet; thence

South 85°41'29" West to the East line of Acushnet Avenue; thence

North 17°19'00" West One Hundred Fourteen and 95/100 (114.95) feet along the East line of Acushnet Avenue; thence continuing

Northerly along a curve having a radius of Four Hundred (400.00) feet One Hundred Thirty-seven and 19/100 (137.19) feet along the east line of Acushnet Avenue; thence

North 59°47'17" East One Hundred Forty-six and 14/100 (146.14) feet; thence

North 13°58'00" West One Hundred Sixty-five and 24/100 (165.24) feet; thence

North 59°55'12" East One Hundred Eight and 29/100 (108.29) feet; thence

North 06°38'59" East One Hundred Nine and 15/100 (109.15) feet; thence

North 04°33'16" West One Hundred Seventeen and 78/100 (117.78) feet; thence

North 84°41'22" East Five and 01/100 (5.01) feet; thence

North 05°06'18" West Forty-five and 00/100 (45.00) feet; thence

North 84°41'22" East One Hundred Eighty-nine and 37/100 (189.37) feet; thence

North 05°06'18" West One Hundred (100.00) feet to the South Line of Phillips Road and the point of beginning.

QUITCLAIM DEED

, BROOKE A. ASHLEY, formerly known as Brooke A. Burgess, of 4208 Acushnet Avenue, New Bedford, Massachusetts 02745

for consideration paid, and in full consideration of One Dollar (\$1.00)

grant to KEVIN BURGESS, of 2904 Acushnet Avenue, New Bedford, Massachusetts 02745,

with QUITCLAIM COVENANTS

the land, with any building(s) thereon, located in New Bedford, Bristol County, Massachusetts, more particularly bounded and described as follows:

BEGINNING at northwest corner thereof at a point in the easterly line of Acushnet Avenue and at the southwest corner of Parcel A as shown on a plan of land hereinafter mentioned;

Thence NORTH 89° 09' 00" EAST by last named parcel one hundred seventeen and 55/100 (117.55) feet to land now or formerly of Alfred Thomas;

Thence SOUTH 14° 06' 00" EAST by last named land eighty-two and 78/100 (82.78) feet to Parcel C on said plan;

Thence SOUTH 89° 09' 00" WEST by last named parcel one hundred forty-seven and 52/100 (147.52) feet to said easterly line of Acushnet Avenue;

Thence NORTHERLY and EASTERLY in said easterly line of Acushnet Avenue in an arc of a circle having a radius of four hundred (400) feet, a distance of thirty-two and 02/100 (32.02) feet to a point; and

Thence NORTH 6° 53' 00" EAST still in said easterly line of Acushnet Avenue forty-eight and 92/100 (48.92) feet to said Parcel A and the point of beginning.

CONTAINING 10,663 square feet, more or less, and being Parcel B on plan entitled Subdivision of Land in New Bedford, Massachusetts Belonging to Odelie Chapdelaine, Scale " = 40', November 10, 1975, and recorded at the Bristol County (S.D.) Registry of Deeds in Plan Book 96, Page 23.

Also note that part of a barn presently located on said premises and shown on the aforesaid plan is subject to an agreement between George Ernest Chapdelaine and Robert Raymond Chapdelaine such that said barn is considered personalty. A copy of said agreement is on file with the Board of Appeals for the City of New Bedford.

Property Address: 2904 Acushnet Avenue, New Bedford, Massachusetts 02745

The grantor herein hereby releases any and all homestead rights that she may have in the above-described property.

### Quitclaim Deed

I, Robert Raymond Chapdelaine, of 532 Faunce Corner Rd., Dartmouth, Massachusetts 02747

in consideration of One Hundred Eighty-Five Thousand and 00/100 Dollars (\$185,000.00 )

grant to Neil A. Meunier and Erica S. Meunier, Husband and Wife, as tenants by the entirety, of 2914 Acushnet Avenue, New Bedford, Massachusetts 02745

with **QUITCLAIM COVENANTS**

the land in said New Bedford, Bristol County, Massachusetts, bounded and described as follows:

**BEGINNING** at the southwest corner thereof at a point in the easterly line of Acushnet Avenue and the northwest corner of Parcel B as shown on plan of land hereinafter mentioned;

thence North 6 degrees 53' 00" EAST in said easterly line of Acushnet Avenue eighty-one (81) feet to a drill hole;

thence North 89 degrees 09' 00" EAST eighty-seven and 78/100 (87.78) feet to a drill hole and land now or formerly of Alfred Thomas;

thence South 14 degrees 06' 00" EAST by last named land eighty-two and 46/100 (82.46) feet to said Parcel B; and

thence South 89 degrees 09' 00" WEST by last named parcel one hundred seventeen and 55/100 (117.55) feet to said easterly line of Acushnet Avenue and the point of beginning.

Containing 8,241 square feet, more or less, and being Parcel A on plan entitled "Subdivision of Land in New Bedford, Massachusetts belonging to Odelle Chapdelaine, Scale 1" 40", November 10, 1975 and recorded with Bristol County (S.D.) Registry of Deeds in Plan Book 96, Page 23.

Also note that part of the barn presently located on said premises and shown on the aforesaid plan is subject to an agreement between the grantee herein and George Ernest Chapdelaine such that said barn is considered personalty. A copy of said agreement is on file with the Board of Appeals for the City of New Bedford.

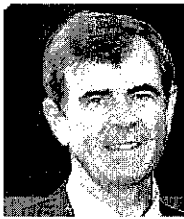
REG OF DEEDS  
REG #07  
BRISTOL S  
03/31/08 10:42:01 01  
003000 #3032  
FEE 1843.60  
CRK 4843.60

Being the same premises conveyed to the grantor by deed dated February 13, 1976 and recorded with the Bristol South Registry of Deeds at Book 1714 Page 303.

Property Address: 2914 Acushnet Avenue, New Bedford, Massachusetts 02745

©1986-2008 Standard Solutions, Inc. 781-324-0850

Deed



**William Francis Galvin**  
Secretary of the Commonwealth of Massachusetts



## Corporations Division

### Business Entity Summary

**ID Number: 001039338**

[Request certificate](#)

[New search](#)

**Summary for: MIH1, LLC**

<b>The exact name of the Domestic Limited Liability Company (LLC):</b> MIH1, LLC		
<b>Entity type:</b> Domestic Limited Liability Company (LLC)		
<b>Identification Number:</b> 001039338		
<b>Date of Organization in Massachusetts:</b> 11-02-2010		
<b>Last date certain:</b>		
<b>The location or address where the records are maintained</b> (A PO box is not a valid location or address):		
Address: 401 COUNTY STREET		
City or town, State, Zip code,      NEW BEDFORD, MA 02740 USA		
Country:		
<b>The name and address of the Resident Agent:</b>		
Name: JAY R. PEABODY, ESQ.		
Address: 128 UNION ST. STE. 500 PATRIDGE SNOW & HAHN LLP		
City or town, State, Zip code,      NEW BEDFORD, MA 02740 USA		
Country:		
<b>The name and business address of each Manager:</b>		
<b>Title</b>	<b>Individual name</b>	<b>Address</b>
MANAGER	CHRISTIAN A. FARLAND	401 COUNTY STREET NEW BEDFORD, MA 02740 USA
<b>In addition to the manager(s), the name and business address of the person(s) authorized to execute documents to be filed with the Corporations Division:</b>		
<b>Title</b>	<b>Individual name</b>	<b>Address</b>
SOC SIGNATORY	JAY R. PEABODY ESQ.	128 UNION ST., SUITE 500 NEW BEDFORD, MA 02740 USA
SOC SIGNATORY	CHRISTIAN A. FARLAND	401 COUNTY STREET NEW BEDFORD, MA 02740 USA
<b>The name and business address of the person(s) authorized to execute, acknowledge, deliver, and record any recordable instrument purporting to affect an interest in real property:</b>		

## Development Impact Statement

Cumberland Farms Inc.  
2904 and 2914 Acushnet Avenue, New Bedford, MA  
Assessors Map 130D, Lots 117, 247, 248 and 447

### I. Physical Environment (Section 5351)

Currently, the site which is shown on the ALTA/NSPS Land Title Survey CFG02.0 is approximately 98,041 sq. ft. +/- being Lot 28 and Parcel D-1 on an approved Form A plan. The site is currently improved with two single family residential dwellings, a U-shaped parking lot with a barn and subsurface drainage system. There is no unusual topography, geologic archaeological or scenic features. The City of New Bedford City Council voted unanimously to allow the demolition of the two single family structures and barn. The barn, given its age, is a historic structure, but given its location, it is not a significant historic structure and thus was allowed to be razed. There are no wetlands on the locus and no significant vegetation, trails or open space. There is a stone wall which runs in essentially a north-south direction bisecting the rear portion of the lot.

The project will result in the demolition of the two homes and barn. The project will also require the relocation of curb cuts in order to minimize interference with existing traffic conditions. The proposed project will contain a Cumberland Farms convenience store (5,275 sq. ft.) and an outdoor seating area, with associated parking (50 parking spaces), a five island fuel dispensing area and a 2,640 sq. ft. car wash with associated stacking que and parking. In addition to the foregoing, there will be various landscaping amenities proposed and signage.

The proposed development is in the mixed use business district and is appropriate for that district as are the surrounding businesses. There are no proposed alterations of any marshes or seasonal wet areas. There are no limitations on the project due to soil conditions or water conditions. As mentioned before, the land area is approximately two and a quarter acres upon which there will be a 5,275 sq. ft. Cumberland Farms convenience store, and a 2,640 sq. ft. car wash. There will be 50 parking

spaces provided where the zoning regulations require 34. The lot area is significantly greater than the minimum lot area required by zoning (98,044 sq. ft. vs. 15,000 sq. ft.). Zoning doesn't require a minimum frontage in this district, however, the project will have 414.05 feet of frontage. The building height will be 32.85 feet at its height and the zoning district allows seven stories or 100 feet. The maximum lot coverage required is 70% and this project will meet that requirement. No front yard setback is required in the district. This project will provide 35.1 feet of front yard setback. Zoning requires 10 feet of side yard and rear yard setback. This project will provide 28.7 feet of side yard setback and 49.7 feet of rear yard setback.

Ground and surface water will be protected using a cultec subsurface recharge system, with inspection port, a level spreader, catch basins, and water quality infiltration systems. The construction plan calls for erosion control measures as shown on the erosion control plan (CFG06.0) to protect during construction. There will be permanent infiltration basin installed which will not be used for construction sediment control. This will protect adjacent off-site properties. There will be during construction staked wattles and silt fencing as well as a construction entrance pad.

The landscaped areas on the property are minimal given the size of the lot. The impact upon ground and surface water quality and recharge related to phosphate and nitrogen loading are negligible. Public water and sewer is available.

Most of the landscaping will include shrubs such as Leyland cypress, pyramidal white pine, white dogwood, nikko blue hydrangea, inkberry, Japanese lilac. The majority of the landscaping will be on the east and west portions of the lot. Please refer to the site landscape plan (CFG08.0).

The car wash will have an oil water separator. A 1,500 grease trap will service the convenience store. In addition, there are sanitary sewer manholes, catch basins, drain manholes, Contech CDS water quality unit, a water trench, the aforesaid Cultec Recharger, V8 HD heavy duty; and various inspection ports.

## **II. Circulation Systems (Section 5353)**

It is estimated that the convenience store/fueling island will generate approximately 280 "trips" per peak weekday morning hour. That is 140 trip into the site, and 140 out. Meanwhile, the car wash will generate 46 trips, 23 in and 23 out. These trips will be on and from Acushnet Avenue (Route 18). Not all of the trips are new generated trips. Most of them are pass by trips. Reference is made to the McMahon & Associates traffic study which is appended to the application.

## **III. Support Systems (Section 5354)**

Water for this site will be municipal water. They do not anticipate utilization of private wells nor is it anticipated that there will be any problem providing water for firefighting. Sewerage disposal is by way of public sewer. Refuse disposal will be by private contractor with dumpster storage onsite. It is not anticipated that hazardous materials will be onsite.

The fire protection system onsite is robust, from dispenser island foam to hand operated fire extinguishers. These canopy area fire prevention mechanisms are designed to fully contain and extinguish any fires which may occur on or about the fuel islands. The convenience store facility will meet Commonwealth of Massachusetts building and City of New Bedford building codes for fire suppressant. So too will the car wash structure. Fire hydrants to which the City of New Bedford Fire Department can connect are within seventy-five feet of the locus.

There will be no recreational facilities, public or private, provided onsite. There will be outdoor seating for consumption of purchased foods onsite. That small area is located on the south side of the convenience store building and will be fenced in and accessible through the convenience store.

As this is a retail facility, it will have no impact on the population of nursery, elementary, junior high or high school students.

## **IV. Phasing (Section 5355)**

The site development will not be phased. It will take far less than one year to complete.

