



**PATRICK J. SULLIVAN**  
**DIRECTOR**

# *City of New Bedford*

## **Planning Board**

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### **NEW BEDFORD PLANNING BOARD**

**New Bedford Public Library**  
**Pleasant Street**  
**New Bedford, MA**

**February 13, 2019**

**MEETING MINUTES**

CITY CLERKS OFFICE  
NEW BEDFORD, MA  
2019 APR 11 A 10:11  
CITY CLERK

**PRESENT:** *Kathryn Duff, Chairperson*  
*Arthur Glassman, Vice-Chairperson*  
*Alex Kalife, Clerk*  
*Peter Cruz*  
*Kamile Khazan (at 6:10 p.m.)*

**ABSENT:** *None*

**STAFF:** *Tabitha Harkin, City Planner*  
*Jen Carloni, Staff Planner*

#### **1. CALL TO ORDER**

Chairperson Duff called the meeting to order at 6:06 p.m.

#### **2. ROLL CALL**

A formal roll call was conducted confirming members present as listed above.

#### **3. APPROVAL OF MINUTES**

A motion was made (AG) and seconded (PC) to approve the minutes of December 2018.  
Motion passed unopposed.

#### **3. APPROVAL OF MINUTES**

Chairperson Duff noted for the board that the January minutes were not included in this evening's packets.

#### **CONTINUANCES**

**Case #18-49:** - Request by applicant for Special Permit for a reduction in the number of parking spaces required for a 1,040 SF hair salon establishment located at WS Acushnet Avenue (Map98Lot278) on a 2,592SF site in a Mixed Use Business[MUB] zoned district. Applicant: Beira Properties, LLC (12 Plumleigh Drive Dartmouth, MA 02747). Applicant's Agent: Architectural Consulting Group, Inc.(2206 Acushnet Avenue New Bedford, MA 02745). Note: Continued from the November 14, 2018 meeting.

Chairperson Duff read into the record a related letter from the applicant.

A motion was made (AG) and seconded (PC) to accept the letter.

Motion passed unopposed.

A motion was made (AG) and seconded (PC) to continue the hearing to the April 2019 meeting.

Motion passed unopposed

**CASE # 18-53/Case # 18-54**

**Case #18-53:**— Request by applicant for Site Plan approval for new construction of a 5,275 SF retail convenience store with gas station and a 2,640SF carwash; located at 2904 Acushnet Avenue, 2914 Acushnet Avenue, and ES Acushnet Avenue (Map: 130D Lots: 117, 247, 248, & 447) on a 2.25+ acre site in a Mixed Use Business & Residential A zoned district. Owner: MIH1, LLC (401 County Street New Bedford, MA 02740), Kevin Burgess (2904 Acushnet Avenue New Bedford, MA 02745), and Neil A. & Erica S. Meunier (2194 Acushnet Avenue New Bedford, MA 02745). Applicant: Farland Corp. (401 County Street New Bedford, MA 02740).

Note: Continued from the December 12, 2018 meeting.

**Case #18-54: 2904—** Request by applicant for New Ground Sign Site Plan approval for two pylon signs for a convenience store with gas station and car wash; located at 2904 Acushnet Avenue, 2914 Acushnet Avenue, and ES Acushnet Avenue (Map: 130D Lots: 117, 247, 248, & 447) on a 2.25+ acre site in a Mixed Use Business & Residential A zoned district. Owner: MIH1, LLC (401 County Street New Bedford, MA 02740), Kevin Burgess (2904 Acushnet Avenue New Bedford, MA 02745), and Neil A. & Erica S. Meunier (2194 Acushnet Avenue New Bedford, MA 02745). Applicant: Farland Corp. (401 County Street New Bedford, MA 02740). Note: Continued from the December 12, 2018 meeting.

Chairperson Duff read a related letter requesting a continuance into the record.

A motion was made (AG) and seconded (PC) to accept the request for a continuance to the hearing to the March 2019 meeting.

Motion passed unopposed

**PUBLIC HEARINGS:**

**CASE #19-03/#19-04 –**

**Case # 19-03-** Request by applicant for Site Plan approval for new construction of 2,002 SF fast-food restaurant with drive-thru window; located at 970 Ashley Boulevard (Map: 127D, Lots: 89 & 98) on a 0.45 + acre site in a Mixed Use Business [MUB] and Residential B [RB] zoned district. Owners: John T. Ricciuti, Trustee of the Ricciuti Realty Trust II (970 Ashley Boulevard New Bedford, MA 02745). Applicant: Yearly Grind II Realty, LLC (PO Box 51147New Bedford, MA 02745). Note: Continued from the January 9, 2019 meeting.

**Case #19-04:**— Request by applicant for a Special Permit for a reduction of the number of parking spaces required for a proposed 2,002 SF fast-food restaurant with drive-thru window; located at 970 Ashley Boulevard (Map: 127D, Lots: 89 & 98) on a 0.45+ acre site in a Mixed Use Business [MUB] and Residential B [RB] zoned

district. Owners: John T. Ricciuti, Trustee of the Ricciuti Realty Trust II (970 Ashley Boulevard New Bedford, MA 02745). Applicant: Yearly Grind II Realty, LLC (PO Box 51147 New Bedford, MA 02745). Note : Continued from the January 9, 2019 meeting.

A motion was made (AK) and seconded (AG) to open the public hearing.  
Motion passed unopposed

Jim Bernardino, Bohler Engineering, applicant's civil engineer, gave an overview of the proposed location and the surrounding area, and noted their scheduled appearance before the zoning board. He stated the building location was a former gravestone sales facility, which will be razed. Mr. Bernardino then explained the project, to include access points, site circulation, drive-thru and bypass lanes, inside seating, et cetera. He then addressed site parking, as related to the parking reduction request.

Mr. Bernardino then explained the loading template for delivery vehicles. He stated the applicant had a neighborhood meeting and received feedback, addressing deliveries and times/parking of the same, along with screening/landscaping. Mr. Bernardino explained the changes made to address the neighborhood concerns including the dumpster and fencing. Mr. Bernardino then referenced the drainage plan, including erosion control. He stated they had received the staff report mentioning lighting and bicycle racks. He stated the comments will be addressed.

Mr. Bernardino then addressed public access plans, including existing sidewalks and planned direct connections into the front of the property. He then discussed architecture and materials, as well as signage. He stated they had conducted a traffic study and provided results for the same. Mr. Bernardino invited questions.

Chairperson Duff expressed her feeling that the site as planned is too tight, noting the effects on residential neighbors. Mr. Bernardino stated that was the reason for relocating the dumpster while not losing any parking spaces. Chairperson Duff also raised concern about the safety of the pedestrian access, the proposed two-way traffic and bypass lane, as well as the lack of a snow storage area. She suggested eliminating the bypass lane as well as an "enter only" from Ashley Blvd with exit onto the side street. Board Member Glassman concurred, expressing his similar concerns with regard to the bypass lane and sharing the suggestion of one way in and out. Board Member Cruz expressed the same concerns, as well as concern with the truck turning radius and site movement and the size of the accessible parking space.

Mr. Bernardino stated they had looked at different orientations for the building.

There was board discussion with Mr. Bernardino on the setup of the Dunkin Donuts on Kings Highway.

In response to Chairperson Duff, Mr. Bernardino stated hours of operation are proposed for 4:00 a.m. to 9:00 p.m. seven days a week. Chairperson Duff expressed concern about headlights facing out to traffic on Ashley Blvd.

Board Member Khazan agreed.

There was discussion on the building's materials. Chairperson Duff covered the board's suggestions and concerns again.

Board Member Cruz added a request for silt sacks during construction, as well as noted the large tree near the storage/drainage. Mr. Bernardino assured the board they would examine that issue further during the site redevelopment plans. Board Member Cruz addressed an additional tree at the corner that he inquired about being saved. Mr. Bernardino stated they requested removal due to the roadway construction and size of the root ball, and had looked at replacing a number of trees to establish a substantial canopy on the rear property line.

At Board Member Cruz's request, Maureen Chlebek, McMahon Associates, covered the details of the 24 hour site traffic assessment. There was board discussion with Ms. Chlebek regarding the same.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Rui Alexandre, 25 York Street, expressed concerns about the traffic, as well as access from his street given there another business across the street that will generate traffic. He also expressed concerns about the noise and lighting, as well as the effect on his house's value.

There was brief board discussion on the same, including traffic associated with the nearby school.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Wayne Wolcott, 20 York Street, stated the Dunkin Donut website states they require their site to be 1,200 – 2,600 s/f on a quarter acre to two acres. He stated he did not understand why the building had to be so large. He expressed concern with the hours of operation and his ability to get sleep, with the 3:00 a.m. dumpster emptying, the traffic, the drive-thru speaker, et cetera. He noted for Chairperson Duff where his property is located. He was concerned about the plantings being maintained, the proposed loading zone and truck parking, as he was a truck driver making deliveries. He then read from a January 4<sup>th</sup> prepared statement, expressing reasons for his opposition, including traffic, overflow parking, a requested a left turn only onto York Street, noise and hours of operation, project size, et cetera.

Chairperson Duff expressed her gratitude for Mr. Wolcott's statement and commented on his concerns.

The board discussed their concerns and explored their desired changes with Mr. Bernardino. Mr. Bernardino was amenable to a continuance.

A motion was made (AG) and seconded (PC) to continue the hearing on both cases to the March 13, 2019 meeting again at the public library.

Motion passed unopposed.

#### **6. OLD/NEW BUSINESS:**

Election of officers was discussed and a slate of officers was included for board member consideration as follows: namely Kathryn Duff as Chairperson; Arthur Glassman as Vice-Chair; Alex Kalife as Clerk.

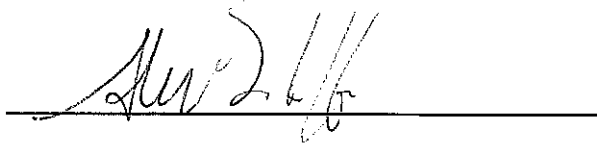
A motion was made (AG) and seconded (PC) to accept the slate of officers.

Tabitha Harkin provided updates for the board on recent ANR plans approved; a Mass Trails grant submission for bike path funding south to north; a sports arena/conference center study; a Saturday Southcoast open-air market; sign ordinance status; and Waterfront Plan status.

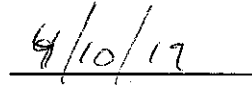
Board Member Glassman provided updates on CPC funding allocations.

**7. ADJOURNMENT:**

A motion was made (AG) and seconded (PC) to adjourn at 7:46 p.m.  
Motion passed unopposed.



Alexander J. Kalife, Clerk



Date

