



City of New Bedford

Department of Planning, Housing & Community Development

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DIRECTOR

STAFF REPORT

REPORT DATE

December 4, 2018

PLANNING BOARD MEETING

December 12, 2018

Case #18-53: SITE PLAN REVIEW
Case #18-54: NEW GROUND SIGN SITE PLAN
2904 Acushnet Avenue,
2914 Acushnet Avenue,
ES Acushnet Avenue
Map: 130D Lots: 117, 247, 248, 447

Applicant: Farland Corp.
401 County Street
New Bedford, MA 02740

Owners: MIH1, LLC
401 County Street
New Bedford, MA 02740

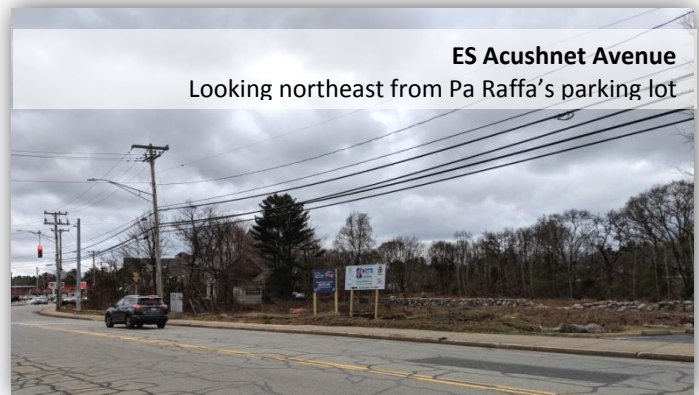
Kevin Burgess
2904 Acushnet Avenue
New Bedford, MA 02745

Neil A. & Erica S. Meunier
2194 Acushnet Avenue
New Bedford, MA 02745

Overview

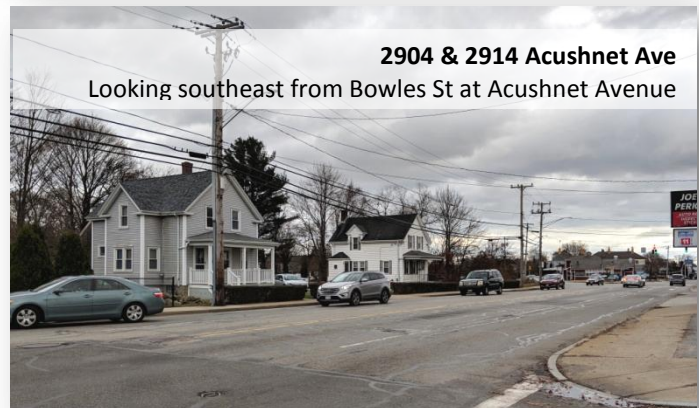
Request by applicant for **Site Plan (Case #18-53)** approval for new construction of a 5,275 SF retail convenience store (Cumberland Farms) with gas station and a 2,640 SF car wash; located at **2904 Acushnet Avenue, 2914 Acushnet Avenue, and ES Acushnet Avenue** (Map: 130D Lots: 117, 247, 248, & 447) on a 2.25± acre site in a Mixed Use Business & Residential A zoned district.

Additionally, the applicant requests a **New Ground Sign Site Plan (Case #18-54)** approval for two pylon signs for a convenience store with gas station and car wash.



ES Acushnet Avenue

Looking northeast from Pa Raffa's parking lot



2904 & 2914 Acushnet Ave

Looking southeast from Bowles St at Acushnet Avenue

Note: The proposal also requires a **Variance** and **Administrative Appeal** from the Zoning Board of Appeals for the size of the signs and the electronic message centers. It also requires a **Special Permit** for shared parking on adjacent lots. The applicant has not filed any applications with the Zoning Board as of the date of this report.

Additionally, the application requires a **Special Permit** from the City Council for Motor Vehicle Light Service as the gas station and car wash use falls under that use category of the zoning code.

Existing Conditions

The project site is currently four separate parcels with three different owners. The existing properties are 2904 Acushnet Avenue, 2194 Acushnet Avenue, and two parcels known as ES Acushnet Avenue. The properties are located on the east side of Acushnet Avenue between the signalized intersections of Acushnet Avenue at Phillips Road and Acushnet Avenue at Ashley Boulevard.

2904 Acushnet Avenue and 2194 Acushnet Avenue are single family residential properties that were originally a single parcel, subdivided in 1975. The parcels share a barn and circular driveway. Abutting directly behind and to the south of the two dwellings are two parcels known as ES Acushnet Avenue. The parcel directly behind the dwellings has an underground storm water drainage system that serves the abutting credit union. The parcel to the south of the dwellings is undeveloped and has recently been cleared. Stone walls are evident throughout the properties. As a compilation of parcels, the proposed site consists of the two dwellings, the grassed area directly behind defined by stonewalls, and the recently cleared site to the south of the dwellings. Combined the parcels are 2.25 acres with 400' of frontage on Acushnet Avenue and a depth of 196'±.

The surrounding neighborhood is predominantly characterized by commercial uses. Directly abutting the site to the north is a credit union (Southeastern Massachusetts Credit Union), directly south is a dentist office, west across Acushnet Avenue is a restaurant (Pa Raffa's Restaurant), a retail plaza (with hair salon, dry cleaner, and restaurant); an auto repair service with gas station (Joe & Perky's), a party rental business, and a grocery store (Trucchi's). Directly abutting the site in the rear is a 27 lot residential subdivision under construction by the applicant.

Proposed Conditions

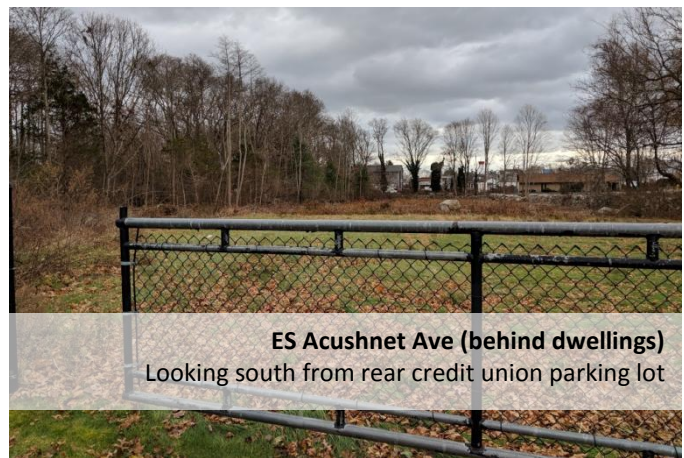
The proposal is for a 5,275 SF retail convenience store (Cumberland Farms) with associated gas station and a 2,640 SF car wash. The canopied gas service island will have 5 service stations; each with 2 fuel pumps, for a



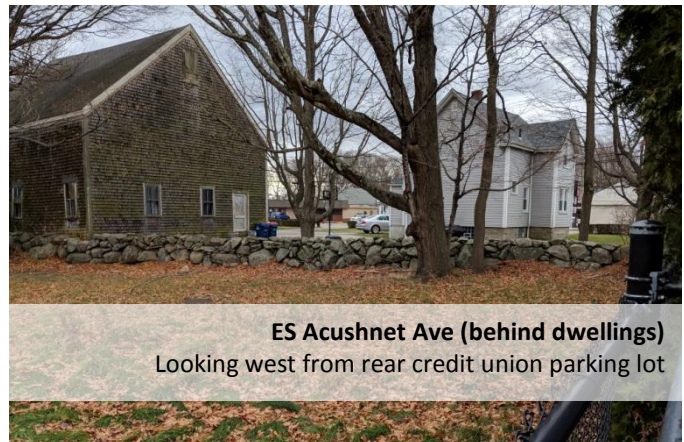
ES Acushnet Ave
Looking northeast from southwest corner of site



2904 & 2914 Acushnet Ave
Looking east from Acushnet Ave



ES Acushnet Ave (behind dwellings)
Looking south from rear credit union parking lot



ES Acushnet Ave (behind dwellings)
Looking west from rear credit union parking lot

site total of 10 fuel pumps. The car wash proposed will have two drive-thru bays and an associated self-service vacuum area. One air filling station is proposed near the south east corner of the convenience store. Forty parking spaces are proposed, including three handicapped parking spaces. Two pylon ground signs are proposed as well as directional and wall signage. The demolition plan notes the existing stonewalls on the north and south property lines are to be retained but walls are not shown on the site plan. The board may wish to have the applicant include the stonewalls on the site plan drawing.

The board should note the existing four parcels will be combined into two parcels as part of this project. The applicant has submitting a Form A plan to create two parcels. One parcel will have the convenience store with gas station. The second parcel will have the car wash. Since the property is located in a mixed use business district only one sign is allowed per parcel. Therefore, one sign is proposed with the car wash parcel and one sign is proposed on the convenience store parcel. As parking will be shared between the two parcels, a Special Permit from the ZBA is required for the shared parking between the two lots.

Additionally, the board should note the two dwellings and barn at 2904 Acushnet Avenue and 2194 Acushnet Avenue were reviewed and approved for demolition by the Historic Commission and City Council in April and May 2018, respectively.

Parking & Loading. The applicant proposes to provide forty (40) off street parking spaces. Under the zoning ordinance this proposal requires thirty-four (34) parking spaces and one (1) loading space; therefore the application meets and exceeds the parking requirements.

As shown on plans submitted, the applicant proposes fourteen (14) parking spaces on the north side of the convenience store building; fifteen (15) including - two (2) handicapped parking spaces - directly in front of the store; six (6) directly abutting on south side of the store; and five (5) dual purpose parking/self-service vacuum spaces - including one (1) handicapped space - in a separate area on the south side, near the car wash. The plans submitted also show the ten (10) fuel service station as counted parking spaces. Staff does not consider these ten spaces as parking spaces. No bicycle parking accommodations are proposed.

Traffic Impact & Access Study. A traffic impact study has been submitted with the application. The report by McMahon Transportation Engineers and Planners includes a manual turning movement count and automatic traffic recorder data collected on April 10, 2018 from 7am-9pm and from 2pm-6pm at two points on Acushnet Avenue adjacent to the site. The report utilizes the collected data in combination with the Institute of Transportation Engineers Institute (ITE) standards for trip generation predictive calculations for the type of proposed uses (convenience store, gas station, and car wash). ITE standards are based on data collected for the same uses across the country.

The automatic traffic recorders (ATRs) were placed on Acushnet Avenue just north of Blair Street and Victoria Street. They recorded traffic volumes of 10,810-17,160 vehicles per day on this segment of Acushnet Avenue. The study observed traffic peaks in this area in the morning from 7:15AM-8:15AM and afternoon from 4:45PM-5:45PM.

The study predicts the proposed development will have 326 total daily trips during the weekday morning peak and 268 total daily trips during the weekday afternoon peak. The board should note trips are counted as both entering and exiting the site. The report notes a caveat that approximately 68% of the total trips will come from existing traffic that passes by the site versus new users being added to the existing roadway network. Therefore, the assessment also includes an adjusted measurement, which deducts a percentage of "pass-by" trips. With the adjustment they predict the site will therefore generate 150 "new trips" during the morning peak and 116 "new trips" during the afternoon peak.

The study concludes that “the capacity analysis indicated that the proposed project would have a negligible impact on the operations of the study area intersections and roadways.”¹ **The board may wish to note Acushnet Avenue and Ashley Boulevard are not predicted to be impacted by traffic generated by the proposed project. Rather, the report predicts the site will experience a reduced level of service at the egresses during the peak times. The exiting vehicles will experience some delay in entering onto the roadways from inside the site.**

Circulation. Vehicles will access the site via one of two driveway entrances. The bi-directional driveways are proposed at the northwest corner of the site and at the southwest corner of the site. The traffic study indicates more traffic will enter and exit the site via the northern drive. The report also notes that the fuel delivery vehicles will be utilizing the northern entrance to enter the site in order to access the underground fuel tanks located along the concrete pad shown just south of the Service Island and then exit via the southern drive.

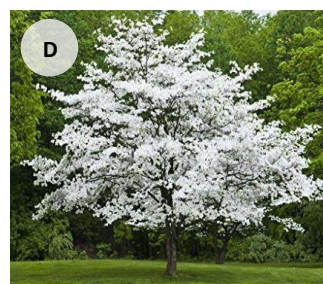
Pavement markings shown on plans include directional arrows at the two driveway entrances and for the by-pass lane around the car wash. The only other pavement markings shown are striped parking spaces. It is unclear if there is a planned circulation pattern for the proposed services and pumps as no striping is shown on plans. Further, staff notes additional pavement markings may be necessary to direct vehicles near the car wash. The board may wish to have the applicant revise the plans to include a more detailed pavement markings plan. Staff also expresses concern for potential vehicular conflicts from the car wash by-pass lane and the northern entrance.

Operations.

According to the Site Plan application, the proposed business is expected to have 20 employees, be open 24 hours, seven days a week. Deliveries are proposed “off-peak”. According to the application they anticipate serving “50+” customers per day. Staff notes this is likely a low estimate given the traffic study predicts nearly 297 vehicles throughout the peak hours of the day. The board may wish to seek further clarification about the business operations such as shift times, employees per shift, and whether the hours of operation apply to all services (convenience store, gas station, and/or car wash). Further, the board may wish to limit the hours of operation to 5am-11pm to be consistent with prior approvals for similar convenience stores with gas stations.

Landscaping. The proposal includes landscaped and grass areas around the perimeter of the site and in the parking lot islands. The proposal includes: (A) 44 – Leyland Cypress trees around the east (rear) and south property lines; (B) 14 - Pyramidal White Pine trees dispersed around the north, east, and south landscaped areas; (C) 9 - Blue Spruce trees dispersed around the north, east, and south landscaped areas; (D) 9 – White Dogwood along the frontage and in the parking lot islands; (E) 8 – Japanese Lilac along the frontage and two in the rear.

The proposal also includes a variety of shrubs, flowering plants, and grasses including: (F) 44 – Inkberry holly bushes, (G) 68 - Blue star juniper shrubs, (H) 14 - Nikko Blue Hydrangea, (I) 8 – American Holly; (J) 18 - Autumn Anthem grass; and (K) 26 – Daylilies.



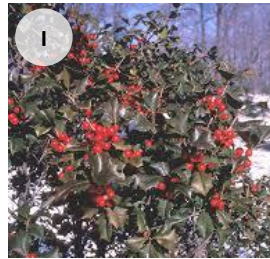
¹ Cumberland Farms Traffic Impact Study, New Bedford, Massachusetts. McMahon Associates, Inc. November 2018. P.29

Snow Storage & Waste Receptacles.

Snow storage and removal areas are identified on the plan on the east rear landscaped areas of the site. Waste and recycling dumpsters are proposed on a concrete slab in the northeast corner of the site. The dumpsters will be enclosed by a 6' tall vinyl fence with gates.



Stormwater. The project proposes roof drains for the two buildings and gas station canopy which will direct roof runoff to a new Cultec subsurface (underground) recharge system proposed under the south side parking area. The recharge system is proposed to be tied into the city sewer system for overflow. Runoff from the parking and landscaped areas will be collected in deep sump catch basins connected to a Contech CDS water quality unit before discharging to the city sewer system.



The board should note that the plan also includes a change to the existing underground recharge system on the northeast corner of the site. The change replaces and relocates some of the chambers. This system is still to serve the credit union exclusively. The new project will not be tied into this system in the northeast corner.

Car Wash Water Collection. No information has been provided with the site plan application about the collection or treatment of the water used for the car wash. The board may wish to have the applicant clarify and submit information about the car wash water collection and treatment system.

Signage. The applicant has included signage with the site plan application. Signage plans include both wall signage and ground signage.

In regards to ground signs the applicant proposes two pylon sign and directional signage:

A **pylon sign** is proposed along the site frontage near the gas service island. The overall sign area is 114.77 SF, with an overall height of 25', 10'3" height from the ground to the base of the sign, width of 10'1.5", and 1' in depth. The sign as proposed includes an internally illuminated cabinet on the top, with an LED price cabinet in the middle, and an Electronic Message Center below. The base of the sign will be surrounded by a raised planter bed (1'-6"H x 6'W x 16'L). The internally illuminated sign face as proposed would be white with blue and green lettering. The sign wording is to include "Cumberland Farms" "SmartPay Member" "Regular" "Diesel" and various electronic messages.

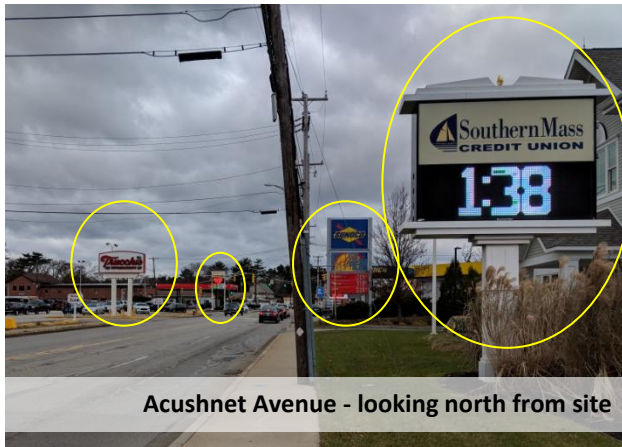
A **second pylon sign** is proposed along the frontage near the south driveway entrance. The overall sign area is 62.98 SF, with an overall height of 20', 12'3" height from the ground to the base of the sign, width of 8'1.5", and 1' depth. The sign as proposed includes an internally illuminated cabinet on top and an Electronic Message Center below.

As noted previously, both pylon signs exceed dimensional requirements and the electronic message center is a prohibited sign type under zoning ordinance, therefore the proposed signage requires a **Variance** and **Administrative Appeal** from the Zoning Board of Appeals.

New Bedford, Code of Ordinances, Chapter 9 Section 3200 – Sign Regulations:

“3255. Area restrictions for ground signs. In Mixed-Use Business districts, no ground sign shall exceed one square foot in area for each linear foot of street frontage of the lot upon which it is erected, but in no event shall such sign exceed twenty-five (25) square feet in area, nor shall there be a distance of more than ten (10) feet from the ground to the bottom of the sign and not more than fifteen (15) feet from the ground to the top of the sign.”

Staff acknowledges the presence of other nonconforming signage in the immediate vicinity of the project site.



Four branded directional signs are proposed; two at each entrance. The signs as proposed will have white metal non-illuminated backgrounds with green and blue push-thru text that will be internally illuminated. The overall sign area of each directional sign is 3.6 SF, with an overall height of 3', width of 1'7" and 8" in depth.

Wall signage includes internally channel lettering in multiple locations. The same signage is proposed on the front (west elevation) and sides (north and south) of the convenience store building. The wall signage proposed is the words "Cumberland Farms" in channel letters with a logo. Each sign would have an overall sign area of 37.6 SF and size of 5'5"H x 11'W. On the car wash building two signs with the words "Auto Spa" and logo are proposed on the rear and west side elevations. The signs as proposed would have an overall sign area of 36.4 SF, and size of 4'9"H x 8'2"W.

Lighting. The applicant has provided a lighting plan and cut sheets for the proposed site lighting. The proposed lighting cuts off at or near the property line. The board should note the underside of the gas station island canopy will be highly illuminated and have higher illumination levels around the parking areas.

Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

Comments were not received as of the publication of this report; any comments received will be made available at the public meeting.

Master Plan Goal

The proposal is consistent with the master plan's goal to expand workforce opportunities and communicates a positive message for business development.

Materials for Consideration

The engineered plan submission is shown as “Site Plan Cumberland Farms 2904 & 2914 Acushnet Avenue Assessors Map 130D Lots 117, 247, 248, and 447 New Bedford, Massachusetts” dated November 7, 2018, and date stamped received by City Clerks’ Office November 16, 2018. Plans were prepared by Farland Corp, in New Bedford, MA and stamped by Christian Albert Farland, PE. The plan set consists of the following sheets:

- Sheet CFG0.0 Cover Sheet
- Sheet CFG1.0 General Notes
- Sheet CFG2.0 Existing Conditions Plan
- Sheet CFG2.1 Existing Conditions Plan
- Sheet CFG3.0 Site Demolition Plan
- Sheet CFG4.0 Site Plan
- Sheet CFG5.0 Site Grading & Drainage Plan
- Sheet CFG6.0 Site Erosion & Sedimentation Control Plan
- Sheet CFG7.0 Site Utility Plan
- Sheet SL Credit Union Plan
- Sheet CFG8.0 Site Landscaping
- Sheet CFG9.0 Site Construction Details 1
- Sheet CFG9.1 Site Construction Details 2
- Sheet CFG9.2 Site Construction Details 3
- Sheet CFG10.0 Site Lighting Plan
- Sheet CFG12.0 Canopy Elevations
- Sheet CFG13.0 Sign Drawings
- Sheet CFG13.1 Sign Drawings
- Sheet CFG13.2 Sign Details
- Sheet A101 Floor Plan
- Sheet A130 Exterior Reflected Ceiling Plan
- Sheet A200 Exterior Elevations
- Sheet A201 Exterior Elevations
- Sheet X101 Utility Coordination
- Sheet CW-A-100 Floor Plan and Exterior Reflected Ceiling Plan
- Sheet CW-A-200 Exterior Elevations
- Sheet CW-X-101 Utility Coordination Plan

In addition to the foregoing submitted materials, the Planning Board may also wish to consider:

- **Waivers**
No waivers of site plan requirements have been requested.

Site Plan Approval

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City's (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6" caliper trees and larger, removal of stone walls, displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site;
 - Minimize the obstruction of scenic views from publicly accessible locations;
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
 - Minimize glare from vehicle headlights and lighting fixtures;
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances;
 - Ensure compliance with the Zoning Ordinance;
 - Minimize damage to existing adjacent public ways;
 - Promote orderly and reasonable internal circulation within the site so as to protect public safety.

Staff Recommendations



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

- That the following specific conditions be applied to this decision:
 - The stone walls to be retained on the north and south property line are to be shown on the site plan.
 - Bicycle racks be installed on site [*in location specified by board*];
 - Pavement marking plan to be updated for site circulation;
 - Information about the car wash water collection and treatment system be submitted;
 - Hours of operation be limited to [*time to be determined by board*];
- That the following general conditions also be applied to this decision:
 - The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
 - The applicant shall submit final plan revisions to the Planning Division in the following formats: one (1) -11" x 17" 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.
 - The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Planning Division Case file folder.
 - That 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.

- The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.
- The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before this Board for further review.
- 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.

Materials Provided by the Applicant are available at: <http://www.newbedford-ma.gov/planning/planning-board/planning-board-agenda-info-2018/>).

2904, 2914 & ES Acushnet Avenue Map: 130D Lot: 117, 247, 248, 447

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

