



# City of New Bedford

## Department of Planning, Housing & Community Development

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**PATRICK J. SULLIVAN**  
DIRECTOR

# STAFF REPORT

**REPORT DATE**  
January 7, 2019

**PLANNING BOARD MEETING**  
January 9, 2019

**Case #19-01: SITE PLAN REVIEW**  
**Case #19-02: SPECIAL PERMIT**  
 56 Potomska Street  
 Map 31 Lots 232 & 239

**Applicants:** ZGA Realty Trust  
 56 Potomska Street  
 New Bedford, MA 02740

**Owner (Lot 232):** ZGA Realty Trust  
 56 Potomska Street  
 New Bedford, MA 02740

**Owner (Lot 239):** NB 18 Realty Trust  
 56 Potomska Street  
 New Bedford, MA 02740

**Applicant's Agent:** SITEC, Inc.  
 449 Faunce Corner Road  
 Dartmouth, MA 02747



### Overview

Request by applicant for **Site Plan (Case #19-01)** approval for new construction of a 5,000 SF convenience store with gas station and a drive-thru window; located at 56 Potomska Street (Map: 31 Lots: 232 & 239) on a 0.94+ acre site in a Industrial B [IB] zoned district

Additionally, the applicant requests a **Special Permit (Case #19-02)** for a reduction in the number of parking spaces required. **The applicant proposes 18 parking spaces where 25 spaces and 1 loading space are required under ordinance. Therefore the applicant requests a reduction of 7 parking spaces and 1 loading space.**

**Note:** The proposal also requires a Special Permit from City Council for the motor vehicle light service use.

**Existing Conditions**

The project site is a 41,035 SF, corner lot, comprised of two parcels of land located at the southeast corner of the JFK Memorial Highway (Route 18) and Potomska Street intersection. The two parcels are proposed to be combined for the proposed project.

The two parcels combined have 181'± of frontage on Potomska Street, 257'± of frontage on So. Front Street, and 165'± of frontage on March Street.

The northernmost parcel currently has a convenience store and gas station, known as Mutual Mart. The store and fueling stations are all under a single canopy. There are four pump islands on the east side of the store and two pump islands on the west side of the store; for a total of fourteen fueling pumps. A pylon ground sign is located in the northwest corner of the site.



**56 Potomska Street**  
Looking southwest from Potomska Street at Rt. 18



**56 Potomska Street**  
Looking northwest from South Front Street

On the southern parcel is a warehouse building.

Both parcels are completely developed with building, pavement, or gravel; with the exception of an overgrown planting area around the warehouse building.

Combined, the parcels have six curb cuts with: two curb cuts on Potomska Street, three on south Front Street, and one on a discontinued portion of Water Street.

The surrounding neighborhood consists of commercial and industrial businesses. Directly north across Potomska Street are SRTA bus garage and MACCO Collision Repair; east across South Front Street are Carlos Seafood and Ocean Cliff Seafood; to the rear (south) is Guy Cotton warehouse. JFK Memorial Highway (Rt.18) is west of the site and is currently undergoing roadway improvements.

**Proposed Conditions**

The proposal is for new construction of a 5,000 SF convenience store with gas station and a drive-thru window. No tenants are identified on the application. The new convenience store building is proposed in the rear portion of the site with a drive-thru window proposed on the east elevation. A double lane drive-thru is proposed circling the building from the west, around the rear (south), and to east side of the building.

In front of the convenience store, a new fuel station canopy will be erected; slightly east of the current location. Under the canopy will be eight fuel islands with a total of eighteen fueling pumps. New landscaping and drainage is proposed for the site. The existing pylon sign will remain.

Vehicles will enter the site via three full access driveways; two proposed on Potomska Street and one on South Front Street. Vehicles will exit via one of the three full access drives or a fourth limited access “exit only” drive proposed on South Front Street.

**Demolition & Site Preparation.** The applicant proposes to demolish the existing convenience store building, warehouse building, canopy, and the western most pump islands. The existing pavement throughout the site will be removed. The existing fuel storage tanks will remain and not be expanded. The pylon sign will also remain. Perimeter controls and erosion controls will be in place during the project demolition and construction.

**Parking & Loading.** The applicant proposes to provide eighteen (18) off street parking spaces. As shown on plans submitted, the applicant proposes ten (10) parking spaces directly in front of the convenience store and eight (8) in the northwest corner of the site. One (1) handicapped space is proposed directly in front of the building. No bicycle parking accommodations are proposed. A delivery loading space is not proposed.

Under the zoning ordinance the proposal requires twenty-six (26) parking spaces: twenty-five (25) parking spaces and one (1) loading space; therefore the applicant petitions for a Special Permit for a parking reduction. The applicant requests a reduction of seven (7) parking spaces, for a total eighteen (18) parking spaces provided on-site.

**Circulation.** As proposed the site would have four driveways; three full access (entrance & exit) drives and one limited access “exit only” drive. The three full access driveways proposed would be: two on Potomska Street and one on South Front Street. The fourth limited access “exit only” drive is proposed on South Front Street.

Vehicles will therefore access the site via any of the three full access drives and exit via any of the four drives.

The drive-thru will have two lanes along the west side of the building, wrapping around the rear (south) of the building where the by-pass lane will be able exit onto South Front Street via the “exit only” driveway; while the drive-thru lane will continue as one lane on the east side of the building for customer to reach the the drive-thru window for their order, then exit via any of the three full access drives.

Pavement markings are proposed to direct vehicles through the site. Pavement markings include:

- Directional arrows at all along the drive-thru lanes; and at the “exit only” drive;
- Painted lines for the drive-thru lanes;
- Striped parking spaces;
- Marked Handicapped parking space with striped loading zone.

Standard traffic signage is also proposed on site including:

- “Stop” signs at each exit
- “Do Not Enter” signage at “exit only” drive on South Front Street and the end of the drive-thru lane.

**Operations.** The proposed business is expected to have 7 employees. The proposed hours of operation are from 4am-11pm, seven days a week. Deliveries are anticipated between 6am-6pm. The business anticipates serving 300 customers per day.

**Traffic Impact & Access Study.** The applicant has not provided a traffic impact and access study. Traffic studies are not required unless requested by the Board. The board may wish to inquire of the applicant why a traffic study would not be warranted for this proposal.

**Parking and Loading Requirements**

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein	One (1) space per each 200 sq. ft. of gross floor area, but not less than two (2) spaces for each business use intended to occupy the premises. After 20,000 sq. ft. gross floor area, one space per 400 sq. ft.	One loading space for each building containing more than 5,000 and less than 10,000 sq. ft. of gross floor area. Thereafter, one (1) additional loading space shall be required for each additional 25,000 sq. ft. of gross floor area
<b><u>Parking Calculations</u></b>		
<b>25</b> parking spaces (1 per 200 GFA/ min. 2)		<b>1</b> Loading space (1 per >5,000<10,000 SF)
<b>25</b> Total parking spaces required		<b>1</b> Loading space required

**Landscaping.** Landscaped areas are proposed in the northwest corner of the site, along the east property line abutting the drive-thru land and around the buildings. Trees are proposed around the perimeter of the site on east, south, and north side property lines. The proposed plantings throughout the site include shrubbery, perennial flowers, and trees. Specifically the plantings include: A.) twenty-two Korean Boxwoods; B.) fifty-two "Going Bananas" Daylilies; C.) five "Henry Gamet" Virginia Sweetspires; D.) fourteen "Blue Point" Junipers; E.) twenty-one Compact Pifitzer Junipers; F.) four "Blue Arrow" Junipers; G.) three "Sugar Tyme" Crabapple trees; H.) forty "Celtic Pride" Russian Carpet Cypresses; I.) ninety "Blue Wonder" Nepetas; J.) five Bloodgood London Plane trees; and K.) eighteen Double Pink "Knock out" Roses; L.) nineteen "Fine Wine" Weigelas; and M.) four "Green Vase" Zelkovas. See Appendix A: Landscape Exhibit.

**Snow Storage & Waste Receptacles.** Snow storage areas are proposed in the northwest corner of the site adjacent to the parking area; and in the rear (south) landscaped area next to the by-pass lane. Trash and recycling dumpsters are proposed on a concrete slab on the southwest corner of the site. The trash and recycling will be enclosed by a 6'-3" tall white vinyl fence with gates.

**Stormwater.** The applicant proposes a new stormwater management system on-site to include: three new deep sump catch basins with oil/water/sediment filters and three underground recharge systems. The three recharge systems are proposed underground under the drive-thru lane on the west, south, and east sides of the building. The systems will consist of Cultech 300 HD recharge units.

**Signage.** The applicant has not included signage specifications with the site plan application; however sign locations are shown on the site plan. The sign locations shown are:

- Existing pylon sign to remain in the northwest corner of the site
- Drive-thru directional signage in the traffic island near the northwest corner of the building
- Two drive-thru clearance bar on the west side of the building and one near the southeast corner of the building.
- Drive-thru menu board in the rear of the building
- It is unknown is any wall signage is proposed on the building or the fuel station canopy.

The board may wish to condition the approval that all sign specification be submitted for their review and approval. The board may wish to also confirm that the billboards that were on the warehouse building roof will not return to the site. They are not shown on the site plan.

**Lighting.** The applicant has provided a lighting plan and cut sheets for the proposed site lighting. The proposed site lighting includes:

- A. 5 – 18’ tall RAB brand LED area light
- B. 4 - CREE LED wall packs; three on the rear of the building and one on the west side elevation
- C. Under the fuel station canopy lighting is assumed as the highest lighting levels are shown around the canopy. Specifications were not provided for the canopy lighting.

The board may wish to inquire why the lighting levels will not cut-off at property line and sheds beyond the property line.

### **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.

The Department of Public Infrastructure has submitted comments dated January 3, 2019. The comments include a detailed list of 25 numbered items.

Sarah Porter, Conservation Agent, has informed submitted comments noting the project “does not require Conservation Commission approval since no state or local wetlands resources are located on the property”.

Additional 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 “Proposed Convenience Store / Gas Station 56 Potomska Street New Bedford, MA” dated October 28, 2018, date stamped received by City Clerks’ Office December 7, 2018. Plans were prepared by SITEC, Inc., in Dartmouth, MA, and stamped by Steven D. Gioiosa, PE. The plan set consists of the following sheets:

- Cover Sheet
- Sheet 1 Site Layout
- Sheet 2 Locus Map
- Sheet 3 Site Grading
- Sheet 4 Landscaping/Lighting Plan
- Sheet 5 Site Utilities
- Sheet 6 Existing Conditions
- Sheet 7 Demolition Plan
- Sheet 8 Erosion Control Plan
- Sheet 9 Detail Sheet 1
- Sheet 10 Detail Sheet 2

The architectural plans, dated December 3, 2018. Plans were prepared by Upland Architects, in Norton, MA, unstamped. The plan set consists of the following sheets:

- Drawing A100 Floor Plan
- Drawing A300 Exterior Elevations
- Drawing A301 Exterior Elevations

**Waivers.** No waiver requests have been submitted with this application.

## **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.

## **Special Permit**

Per zoning ordinance section 3120 the board may reduce any parking or loading requirement if, the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

- Use of a common parking lot for separate uses having peak demands occurring at different times;
- Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;
- Peculiarities of the use which make usual measures of demand invalid;
- Availability of on-street parking or parking at nearby municipally owned facilities.
- Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

Additionally, under section 5300 of the zoning ordinance the Board must take into account the characteristics of the site and of the proposal in relation to that site, the determination shall include consideration of each of the following:

- **Social, economic, or community needs which are served by the proposal.**
- **Traffic flow and safety, including parking and loading.**
- **Adequacy of utilities and other public services.**
- **Neighborhood character and social structures.**
- **Impacts on the natural environment**
- **Potential fiscal impact, including impact on City services, tax base, and employment**

## 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:
  - Bicycle racks are to be installed on site [*in location specified by board*].
  - Signage specifications are to be submitted to the Planning Board for review and approval.
- 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.

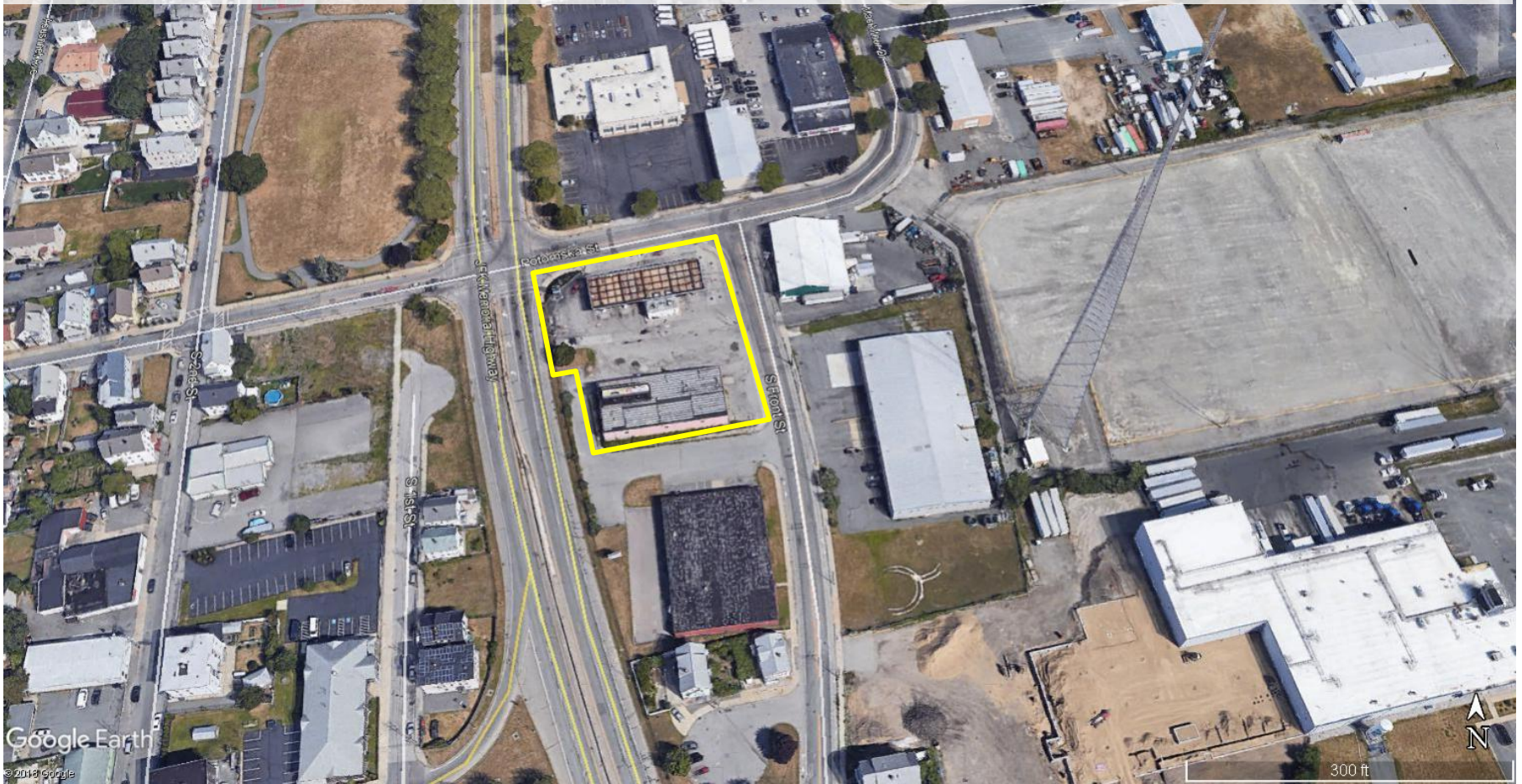
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**Materials Provided by the Applicant** are available at: <http://www.newbedford-ma.gov/planning/planning-board/planning-board-agenda-info-2018/>.



## 56 Potomska Street Map: 31 Lots: 232 & 239

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



Appendix A: Landscape Exhibit

