



**CITY OF NEW BEDFORD**  
JONATHAN F. MITCHELL, MAYOR

# PLANNING BOARD

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

## SPECIAL PERMIT APPLICATION

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

### 1. Application Information

Street Address: 970 Ashley Boulevard

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

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

Zoning District: Mixed Use Business/Residence B

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

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

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

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

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

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

12/10/18  
Date

[Signature]  
Signature of Applicant

**2. Zoning Classifications**

Present Use of Premises: Hancock Monument Co; Retail

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

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

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

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

**4. Please complete the following:**

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

5. Please complete the following:

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

Existing Proposed

closed for business

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

Daily  Weekly  Monthly  Other: 2x/week  
Small truck

6. OWNERSHIP VERIFICATION

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

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

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

to apply for: Site Plan Review and Special Permit

on premises located at: 970 Ashley Boulevard

in current ownership since: 05/03/1991

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

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

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

by a deed duly recorded in the:

Registry of Deeds of County: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

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

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

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

# Planning Board Special Permit Application Checklist

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

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

- **File Naming:**

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

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

*Example 1.*

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

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

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

\$600

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**Official Use Only:**

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

Review date: \_\_\_\_\_ All materials submitted: Yes No

Signature: \_\_\_\_\_ Fee \_\_\_\_\_

## **NOTICE BY PUBLICATION & ABUTTERS NOTIFICATION**

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

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