



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

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Registry of Deeds/City Clerk Use Only:

CITY CLERKS OFFICE
NEW BEDFORD, MA
2018 NOV 27 P 12:49
CITY CLERK

NOTICE OF DECISION

Case Number:	35-17			
Request Type:	Modification to Site Plan			
Address:	ES Bolton Street			
Zoning:	Mixed Use Business Zoned District			
Recorded Owners:	Howland Place, LLC			
Owner Address:	283 Sawyer Street, Suite #1E New Bedford, MA 02746			
Applicant:	Howland Place, LLC			
Applicant Address:	283 Sawyer Street, Suite #1E New Bedford, MA 02746			
Application Submittal Date		Public Hearing Date(s)	Decision Date	
October 11, 2018		November 14, 2018	November 14, 2018	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
19	1	12319	317	

Application: Howland Place, LLC (283 Sawyer Street #1E New Bedford, MA 02746) for Modification of Site Plan approval for the construction of two solar carports (5,400 SF & 8,400 SF) over an off-street parking lot; located at ES Bolton Street (Map 19 Lot 1) on a 1.02+ acre site in a Mixed Use Business [MUB] zoned district.

Action: GRANTED, WITH CONDITIONS, as described in section four (4).

A copy of this decision was filed with the City Clerk of the City of New Bedford on November 27, 2018. Any person aggrieved by this decision for Site Plan Approval has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 8 of Chapter 40A of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Site Plan Review Ordinance.

11/27/2018
Date

Kathryn Duff, Chairperson
City of New Bedford Planning Board

1) APPLICATION SUMMARY

Howland Place, LLC (283 Sawyer Street #1E New Bedford, MA 02746) for Modification of Site Plan approval for the construction of two solar carports (5,400 SF & 8,400 SF) over an off-street parking lot; located at ES Bolton Street (Map 19 Lot 1) on a 1.02+ acre site in a Mixed Use Business [MUB] zoned district.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

- ❏ Plan Set - "Off Street Parking Lot Bolton Street New Bedford, Massachusetts" dated revised February 5, 2018, date stamped received by City Clerks' Office October 11, 2018 Plans were prepared by Prime Engineering, Inc, in Lakeville, MA and stamped by Richard Rheume, PE. The plan set consists of the following sheets:
 - Sheet 1 Cover Sheet
 - Sheet Ex-1 Existing Conditions and Demolition Plan
 - Sheet L-01 Overall Site Layout Plan
 - Sheet GD-1 Grading and Drainage/ Layout Plan
 - Sheet LS-1 Landscape and Lighting Plan
 - Sheet EC-1 Erosion Control Plan
 - Sheet D-1 Details Sheet 1
 - Sheet D-2 Details Sheet 2
- ❏ The following additional sheet, last revision dated 9/19/2018, and date stamped received by City Clerk's Office October 11, 2018, was also provided to replace Sheet GD-1 listed in the above plan set:
 - Sheet GD-1 Grading and Drainage/ Layout Plan – last revision dated 9/19/2018
- ❏ Foundation and framing plans - "Bolton Street Parking Solar Project – Bolton Street New Bedford, Massachusetts", dated 7/13/2018, date stamped received by City Clerk's Office October 11, 2018, prepared by Structural Solar, LLC, unstamped. The plans consist of the following sheets:
 - Sheet S1.01 Solar Canopy Foundation Plan
 - Sheet S1.02 Solar Canopy Framing Plan
 - Sheet S2.01 Typ. Frame Section
 - Sheet S2.02 Typ. Frame Section
 - Sheet S3.01 Details
 - Sheet S500 Foundation Plan Canopy A
 - Sheet S501 Foundation Plan Canopy B
- ❏ Additional materials - "Renderings, Sketches, and Information prepared of Solar Canopy Project Off Street Parking Lot Bolton Street New Bedford, Massachusetts", not dated, prepared by Structural Solar, LLC; including a cover page and five pages of drawings.

Other Documents and Supporting Materials

- ❏ Site Plan Review Application, stamped received by City Clerk's Office October 11, 2018.
- ❏ Certified Abutters List
- ❏ Bristol County (S.D) Registry of Deeds Book 7223 Page 263
- ❏ Department of Planning, Housing & Community Development Staff Report dated October 29, 2018.

- ❑ Department of Public Infrastructure (DPI) Comments dated November 6, 2018
- ❑ Communication from Richard J. Rheume, P.E., dated October 26, 2018

3) DISCUSSION

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, Kamile Khazan, and Alexander Kalife were in attendance at the November 14, 2018 meeting. City Planner Tabitha Harkin and Staff Planner Jennifer Carloni were present during the discussion.

Mr. Kevin Welch, Howland Place, LLC (283 Sawyer Street New Bedford, MA) presented the project to the board. Mr. Welch explained the project is a modification to a previous site plan approval that was granted for a parking lot. The modification proposed is to install two solar canopies over the proposed parking lot.

Board members inquired about the changes to stormwater runoff and snow removal on the site as a result of the solar panel canopy structure. Mr. Welch explained the drainage was approved in the previous approval and there is no change to impervious area as a result of this proposal. The water will still drain to the proposed drainage basins on the east side of the parking lot and he noted the panels will be spaced one and one-half inch apart so the rain will be able to flow through in between. In response to concerns about keeping the runoff impacting the parcel to the north, Mr. Welch explained the site is pitched easterly and the panels will be facing south; therefore the water would still be running to the proposed catch basins on the east side of the site.

In response to a question about lighting, Mr. Welch explained that lighting would be installed under the canopy. All other proposed lighting would remain unchanged from the previous plans submitted. Chairperson Duff noted a revised lighting plan would need to be submitted for review by the City Planner.

In response to an inquiry about the reflectivity of the solar panels, Mr. Welch explained that the solar panels are a deep bluish/black color and therefore a low reflectivity.

Mr. Cruz noted engineer stamped structural plans had not being provided to the board and inquired about the foundations. Mr. Welch said engineered structural plans had been submitted to the building department and that the foundations would be set in 40"- 42" sonotubes. He also confirmed a decking system would not be installed on the steel structure. The panels would be attached directly to the steel structure.

Chairperson Duff expressed a need for signage to mark the height clearance. Mr. Welch indicated the height clearance is consistent with standard clearances needed for vehicles that would be using the parking lot but would be amenable to posting signage if the board required it.

The board and applicant briefly discussed landscaping in relation to the proposed solar panels. It was determined no changes were needed to be made to the landscape plan.

It is anticipated that some breakage of the panels may occur. Mr. Welch explained that in another location in the city, panels have broken due to baseballs and seagulls dropping shells. He explained that the panels are made of tempered glass with a safety sheet backing that holds the glass in place in the instances where it gets broken. Pieces of glass have not fallen off in his previous experience he explained.

Mr. Welch explained the number of parking spaces would not be impacted. The framing poles would be located such that is it equally distributed to impact only a small corner of each parking space they are installed at. Therefore, there is no change to the number of parking spaces proposed, he explained.

He confirmed the structure was designed with the consideration of potential vehicular impacts to the structure.

Mr. Welch provided an image to the board of a similar structure he has at another site. Mr. Cruz made a motion, seconded by Ms. Khazan, to accept the example image. With all in favor the motion carried.

Mr. Welch informed the board the metal would be painted all white. He explained he had taken care in the design of the structure for visual appeal. Such as the footings would be in the ground, metal painted all white, the railing system chosen was of a better aesthetic than others, and the structure is designed to prevent birds from nesting under it. He noted he had learned from prior installations and this was a better design.

He explained the parking lot is proposed for the employees at Howland Mill. Parking issues arose last winter due to additional tenants at the mill. This would provide off street parking in a secure area with lighting and security cameras.

He noted the proposed panels are expected to produce 220KW, directly to the grid, no battery pack onsite.

Mr. Cruz made a motion, seconded by Mr. Glassman to open the public hearing. Motion passed unopposed.

In response to Chairperson Duff's invitation to speak or be recorded in favor, no one in attendance spoke in favor of the petition or wished to be recorded in favor of the petition.

In response to Chairperson Duff's invitation to speak or be recorded in opposition, Mr. Ronald Flanders (11 Jenkins Street New Bedford, MA) inquired about pedestrian walkways, the level of reflection off the solar panels, timing of the lighting, the purpose of the panels, and snow removal.

Chairperson Duff explained that the project was before the board for a modification therefore some items such as the pedestrian walkways and snow removal had previously been reviewed and approved by the board. She noted the applicant will need to submit reflectivity and lighting information to the City Planner for review. She also explained the board will set their standard condition for site lighting to be limited to one hour before opening and one hour after business close. Ms. Duff also noted that solar energy generation is another form of business and may not be associated with another future building proposed for the site.

No one else in attendance spoke in opposition of the petition or wished to be recorded in opposition of the petition.

Ms. Khazan made a motion, seconded by Mr. Cruz to close the public hearing. Motion passed unopposed.

The board briefly discussed the case and conditions before voting.

4) DECISION

Board Member Glassman made the motion, seconded by Mr. Cruz to approve Case #35-17: ES Bolton Street - Request by applicant for Modification of Site Plan approval for the construction of two solar carports (5,400 SF & 8,400 SF) over an off-street parking lot; located at ES Bolton Street (Map 9 Lot 1 & Map 23 Lot 158) on a 1.02+ acre site in a Mixed Use Business [MUB] zoned district. Applicant: Howland Place, LLC (283 Sawyer Street #1E New Bedford, MA 02746). The approval is subject to:

Specific conditions:

1. The building department reviews the reflection of the solar panels.
2. Site lighting is limited to one hour before the business opens and one hour after close.
3. Subject to Planning Division Staff Comments on reflectivity.

General Conditions:

4. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
5. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure received and placed on file and the Planning Board incorporates the DPI memo as part of these conditions.
6. 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.
7. 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.
8. The applicant shall ensure that a copy of the recorded decision be provided for the Planning Division Case file folder.
9. 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.
10. 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.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Chairperson called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Chairperson Duff – Yes
Board Member Glassman – Yes

Board Member Khazan – Yes
Board Member Cruz – Yes

Board Member Kalife – Yes

Filed with the City Clerk on:

11/27/2018
Date



Kathryn Duff, Chairperson
City of New Bedford Planning Board