



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

**PLANNING BOARD**  
City Hall, Room 303  
133 William Street,  
New Bedford, MA 02740  
(508) 979-1488  
[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

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2018 NOV 27 P 12:49

CITY CLERKS OFFICE  
NEW BEDFORD, MA

## NOTICE OF DECISION

Case Number:	18-46			
Request Type:	Special Permit			
Address:	75 MacArthur Drive			
Zoning:	Waterfront Industrial Zoning Districts			
Recorded Owners:	Streetside Realty, LLC			
Owner Address:	16 Hassey Street New Bedford, MA 02740			
Applicant:	Farland Corp.			
Applicant Address:	401 County Street New Bedford, MA 02740			
<b>Application Submittal Date</b>		<b>Public Hearing Date(s)</b>		<b>Decision Date</b>
October 12, 2018		November 14, 2018		November 14, 2018
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
31	248 & 255	10031	308	108519

**Application:** Farland Corp. (401 County Street New Bedford, MA 02740) on behalf of Streetside Realty, LLC c/o Michael T. Fernandes (16 Hassey Street New Bedford, MA 02740) for a **Special Permit** for a reduction in the number of parking spaces required for a warehouse and distribution facility located at **75 MacArthur Drive** (Map 31 Lot 248 & 255) on a 1.59± acre site in a **Waterfront Industrial [WI]** 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 Special Permit has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 17 of Chapter 40A of the General Laws of Massachusetts.

11/27/2018  
Date

Kathryn Duff, Chairperson  
City of New Bedford Planning Board

### 1) APPLICATION SUMMARY

Farland Corp. (401 County Street New Bedford, MA 02740) on behalf of Streetside Realty, LLC c/o Michael T. Fernandes (16 Hassey Street New Bedford, MA 02740) for a **Special Permit** for a reduction in the number of parking spaces required for a warehouse and distribution facility located at **75 MacArthur Drive** (Map 31 Lot 248 & 255) on a 1.59± acre site in a **Waterfront Industrial [WI]** zoned district.

The request is for the number of required parking spaces to be reduced from thirty-three (33) spaces to twenty-seven (27), a reduction of six (6) spaces.

### 2) MATERIALS REVIEWED BY THE PLANNING BOARD

#### Plans Considered to be Part of the Application

- ❑ Plan Set - "Site Plan #75 MacArthur Drive Assessors' Map #31 Lots #248 & 255 New Bedford, Massachusetts" dated October 12, 2018, date stamped received by City Clerks' Office October 12, 2018. Plans were prepared by Farland Corp, in New Bedford, MA and stamped by Christian Albert Farland, PE.; including:
  - Sheet 1 Cover Sheet
  - Sheet 2 Existing Conditions
  - Sheet 3 Demolition
  - Sheet 4 Site Layout & Landscape Plan
  - Sheet 5 Grading & Drainage Plan
  - Sheet 6 Erosion & Sediment Control Plan
  - Sheet 7 Notes
  - Sheet 8 Construction Details
- ❑ Architectural plan set material - "Building Addition 75 MacArthur Drive New Bedford, Massachusetts 02740", dated October 2, 2018, date stamped received by City Clerks' Office October 12, 2018. Plans were prepared by CMC Design Build, unstamped; including:
  - Sheet PA1.01 Overall Proposed Plan
  - Sheet PA4.00 Existing Building Elevations
  - Sheet PA4.01 Proposed Building Elevations
  - Sheet PA4.02 Proposed Building Elevations

#### Other Documents and Supporting Materials

- ❑ Special Permit Application, stamped received by City Clerk's Office October 12, 2018
- ❑ Certified Abutters List
- ❑ Department of Planning, Housing & Community Development Staff Report dated November 2, 2018
- ❑ Department of Public Infrastructure (DPI) Comments dated November 6, 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. Christian Farland (401 County Street New Bedford, MA) of Farland Corp. along with Mr. Michael T. Fernandes of Streetside Realty, LLC (16 Hassey Street New Bedford, MA 02740) presented the project to the board. Mr. Farland presented that the project was before the board for Site Plan review and a Special Permit request for a reduction in parking requirements. He displayed the existing conditions site plan while describing the site as a vacant warehouse building with an asphalt parking lot surrounding. He then

displayed the proposed site plan, explaining the proposal is for an addition to accommodate a larger freezer space. The plan proposes twenty-seven (27) parking spaces, which is six (6) shy of the requirement, he noted. Per the note in the Planning division staff comments, he agreed to add a bike rack. Roof runoff would recharge in the back southwest corner of the site where he noted a recharge system will be installed. Any overflow would run to the existing system in the southwest corner of the site and then to the city system. He noted that the existing green space is 6.9% and the proposal brings the green space up to 14%. He explained while they are adding green space it would still require a variance from the Zoning Board of Appeals as it does not meet the 20% requirement.

In response to an inquiry from Chairperson Duff, Mr. Farland showed where the green space is proposed on the plan; noting a landscaped area in the northeast corner, grass areas around the perimeter of the site, and grassed area over the drainage system in the southwest corner of the site. He also pointed out the existing street trees.

Mr. Farland alerted the board that a compactor dumpster would be located along the loading dock area but was not shown on plans. The board and applicant briefly discussed whether or not to screen the dumpster/compactor. Later in the meeting it was determined that screening was not necessary as the dumpster/compactor is a self-contained unit that would be attached to the building and similar look to a tractor trailer container. It would be loaded from the inside, sealed via a door, and then hauled off-site for emptying.

In response to questions from the board, Mr. Farland confirmed they would relocate the handicapped parking space to be near the entrance door on the east side of the building.

In regards to signage, he noted the applicant would simply be changing out the facing of the existing pylon sign. He noted the only new lighting is proposed over the doorways and confirmed they would submit a cut sheet for lighting.

Mr. Farland agreed that they could increase the green space along the easterly and southerly sides of the proposed addition where excavation will disrupt the existing asphalt anyway. Further, it was agreed that additional hydrangea and ornamental grasses would be continued in the green areas shown along the site edges along the roadway frontage.

Mr. Fernandes responding to an inquiry from the board explained the condensers would be on the roof or in the engine room shown on the plans. It was confirmed the roof material would be of a light color to match the existing roof.

Mr. Glassman made a motion, seconded by Mr. Cruz 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, no one in attendance spoke in opposition of the petition or wished to be recorded in opposition of the petition.

Mr. Glassman 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.

In response to a question about the storage capacity of the proposal, Mr. Fernandes informed the board that it could hold up to 4.5 million pounds of seafood.

The board noted the proposal would reactivate a vacant building in the waterfront industrial area.

#### 4) DECISION

Board Member Glassman made the motion, seconded by Mr. Kalife to approve Case #18-46: 75 MacArthur Drive – Request by applicant for Special Permit for a reduction in the number of parking spaces required for a warehouse and distribution facility located at 75 MacArthur Drive (Map 31 Lot 248 & 255) on a 1.59+ acre site in a Waterfront Industrial [WI] zoned district. Applicant: Streetside Realty, LLC c/o Michael T. Fernandes (16 Hassey Street New Bedford, MA 02740). Applicant's Agent: Farland Corp. (401 County Street New Bedford, MA 02740). For a reduction of six (6) parking spaces, from thirty-three (33) spaces to twenty-seven (27). The approval is subject to:

##### General Conditions:

1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
2. 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.
3. 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.
4. 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.
5. The applicant shall ensure that a copy of the recorded decision be provided for the Planning Division Case file folder.
6. 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.
7. 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

Board Chairperson Duff – Yes  
Board Member Glassman – Yes

Board Member Khazan – Yes      Board Member Kalife – Yes  
Board Member Cruz – Yes

Filed with the City Clerk on:

11/27/2018  
Date

  
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Kathryn Duff, Chairperson  
City of New Bedford Planning Board