



## City of New Bedford

### Department of Planning, Housing & Community Development

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DIRECTOR

## STAFF REPORT

### REPORT DATE

November 2, 2018

### PLANNING BOARD MEETING

November 14, 2018

Case #18-45: SITE PLAN REVIEW

Case #18-46: SPECIAL PERMIT

75 MacArthur Drive  
Map 31 Lots 248 & 255

**Applicant/** Streetside Realty, LLC  
**Owner:** c/o Michael Fernandes  
16 Hassey Street  
New Bedford, MA 02740

**Applicant's** Farland Corp.  
**Agent:** 401 County Street  
New Bedford, MA 02740



75 MacArthur Drive

North elevation - looking south from South Street

### Overview

The request by the applicant is for **Site Plan approval (Case #18-45)** for a **21,600 SF expansion of an existing warehouse and distribution facility** with associated site improvements at 75 MacArthur Drive (Map 31 Lot 248 & 255) on a 1.59± acre site in a Waterfront Industrial [WI] zoned district.

Additionally, the applicant requests a **Special Permit (Case #18-46)** for a reduction in the number of parking spaces required for a warehouse and distribution facility on this site. **The applicant proposes 27 parking spaces where 33 spaces are required under ordinance. Therefore the applicant requests a reduction of 7 parking spaces.**

**Note:** The proposal also requires a Variance from the Zoning Board of Appeals for green space. The applicant proposes 14.3% green space where 20% is required under ordinance. The site currently has 6.9% of green space. The variance petition is scheduled to be heard November 15, 2018.

### Existing Conditions

The project site is a 69,318± corner lot, with 297'± of frontage on MacArthur Drive and 154'± on the adjacent South Street. There is driveway access from both street frontages. A vacant 13,100 SF warehouse building is present on the site surrounded by a paved parking lot. Almost the entire lot is paved, except for grassed areas around the rear southwest corner of the building and along the outer perimeter of the parking lot along the street frontages.

The parking lot has 68 parking spaces: eleven (11) spaces along the east side of the building and fifty-seven (57) parking spaces on the south side of the lot. On the north side elevation there are five loading bays. The pavement is cracked and vegetation has begun to grow in the cracks.

Chain link fencing approximately 6' in height is present along the south and west property lines. Shorter fence posts without any fencing are located along the north and east perimeter of the site.

The surrounding neighborhood is predominantly commercial and industrial uses. Price Rite grocery store is located directly north across South Street from the site. Directly abutting to the south is Macco Collision & Auto Paint and the Southeastern Regional Transit Authority (SRTA) overnight bus parking lot is directly abutting to the west. Foley Fish and Hercules Marine Supply are located directly east across MacArthur Drive. A bicycle lane is present on MacArthur Drive along the frontage this site.

#### **Proposed Conditions**

The proposal is for a 21,575 SF addition (115.5' x 186.8') on the south side of the building. The proposal would enlarge the existing facility in order to provide a larger refrigerated/freezer storage area for fish product processing and storage on site.

**Parking & Loading.** The applicant proposes to provide twenty-seven (27) off street parking spaces. As shown on plans submitted, the applicant proposed ten (10) parking spaces on the east side of the building and seventeen (17) parking spaces on the north side of the building.

As the application requests a reduction in parking requirements the board may wish to request a bicycle rack be added to the site plan to provide bicycle parking for employees or visitors utilizing the bike lane on MacArthur Drive to encourage alternative modes of transportation to the site.

The area shown around the transformer pad on the east side should be clearly striped as a "no parking" area as well as the space in front of the entrance door. Additionally, the plan shows only the existing wheel stops as remaining. All parking spaces abutting the building should have wheel stops. No handicapped parking spaces are shown on the plan, rendering the main entry inaccessible. The board may wish to condition the approval to include a handicapped parking space and access into the building.

**Circulation.** Vehicles will access the site via one of two driveway entrances. The employee and visitor vehicles will predominantly be entering and exiting the site via the driveway from MacArthur Drive. The South Street drive will predominantly be utilized for the delivery trucks loading and unloading at the five bay overhead doors.



East side of site looking north



Location of proposed addition  
Looking southwest from MacArthur Drive driveway

**Operations.**

The proposed business is expected to have 10-15 employees, with 10 employees working per shift. There will be one shift per day with the hours of operation being 6am-5pm. The business expects to have 8-12 trucks loading/unloading per day during the hours of operation. They anticipate no more than two trucks to be docked at the same time. No tractor trailer trucks will allowed to park overnight at the site. The five existing loading docks on northern façade will be used exclusively for loading/unloading products. The overhead door shown on the proposed addition is only intended for maintenance purposes of the engine/mechanical room.

**Parking and Loading Requirements**

| USE   | PARKING REQUIREMENTS   | LOADING REQUIREMENTS   |
|---|--|--|
| Businesses engaged in the warehousing and distribution of goods & materials including building & construction contractors, equipment & supplies on premises, motor freight terminal, facilities for storing & servicing of motor vehicles used in conducting a business or public transportation, industrial machinery & equipment, grain, petroleum products & junkyards | One (1) space per 1500 sq. ft. of gross floor area up to 15,000 sq. ft. Thereafter, one (1) additional space for each 5,000 sq. ft. or portion thereof in excess of 15,000 sq. ft., plus one (1) space for each vehicle utilized in the business | Two (2) loading spaces for each building containing 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 or for each fifteen (15) feet of dock, platform or opening in the building where the loading or unloading of commodities is intended to occur, whichever is the greatest |
| Businesses engaged in the manufacturing, processing, assembly, fabrication of products, including research and testing laboratories and facilities  | One (1) space per each 500 sq. ft. of gross floor area plus one (1) space for each vehicle used in conducting the business   |  |

| Parking Calculations                     |  |
|--|--|
| 10 parking spaces (15,000 SF / 1,500 SF) |  |
| 3 parking spaces (10,097SF / 5000 SF)    |  |
| 20 parking spaces (9,717 SF / 500 SF)    | 3 Loading space (2 for 10,000 SF + 1 per 15ft) |
| 33 Total parking spaces required         | 3 Loading space required                       |

**Landscaping.** The proposal revives the landscape area in the northeast corner of the site by proposing to plant A) four (4) nikko blue hydrangea, and B) three (3) tall switch grasses. A new grassed lawn area is proposed in the southwest corner of the site over the area proposed for the underground stormwater basin.





**Snow Storage & Waste Receptacles.** Snow storage and removal areas are identified on the plan on northwest corner on the site and the northern edge of the parking area. No outdoor waste or recycling areas are shown on the plans. The board may wish to confirm that all waste is handled and stored inside the facility.

**Stormwater.** The applicant proposes a new subsurface infiltration basin (40'x38') consisting of forty Cultec recharger 330XLHD chambers in the rear southwest corner of the site. The roof drains will send the stormwater collected from the roof to this subsurface system. Staff notes the detail section shows pavement on top of the cultec chambers, while the site plans shows a grassed area above. This should be corrected in the plans.

The plans also note an existing catch basin near the loading dock area which sends the driveway runoff in this area to an existing underground recharge area shown near the driveway entrance on South Street.

**Signage.** No information about signage has been submitted with the application. There is an existing pylon sign located in the northwest corner of the site. The site plan shows it remaining on site. As the sign exists it would not require review by this board unless it was changed in size or height.



Pylon sign

**Lighting.** The applicant has requested a waiver of the lighting plan requirement. Eight (8) overhead pole dual-head flood lights exist on site and seven (7) will remain as currently positioned around the northeast corner of the site. The architectural plans show on the south elevation three wall mounted flood lights; on the west elevation two wall mounted flood lights and two small wall mounted lights; on the north elevation three small wall mounted lights; and on the east elevation one small wall mounted light is shown.



East elevation  
Looking west from MacArthur Blvd

The board may wish to request lighting specification for the light fixtures proposed and for the existing lighting if any retrofitting of the existing flood lighting is proposed.

### **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 reactivates a vacant site in the waterfront area for a waterfront related service. The proposal is consistent with the master plan's vision for a vibrant seaport community that "embraces our connection to the sea by...supporting a sustainable and diverse working harbor."<sup>1</sup>

<sup>1</sup> A City Master Plan 2020, City of New Bedford. 2010. Chapter 3. p 3-1.

### **Materials for Consideration**

The engineered plan submission is shown as “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. The plan set consists of the following sheets:

- 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

The following architectural plans were also provided titled “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. The plans consist of the following sheets:

- Sheet PA1.01    Overall Proposed Plan
- Sheet PA4.00    Existing Building Elevations
- Sheet PA4.01    Proposed Building Elevations
- Sheet PA4.02    Proposed Building Elevations

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

- **Waivers**

The applicant submitted the following waiver petitions for consideration by the Planning Board:

- **Lighting Plan**

The applicant has requested a waiver of this requirement stating, “As a redevelopment there is existing lighting located on site that will reduce the need for additional fixtures.” These existing fixtures include ground mounted light poles and wall lighting on the building.”

- **Parking for number of parking spaces**

The applicant has requested a waiver of this requirement. Staff notes this is encompassed by the special permit request, not a waiver.

- **Development Impact Statement (DIS)**

The applicant has requested a waiver of this requirement stating, “the proposed work is minimal compared to development already done on site, and similar businesses surround the property, which operate the same hours. Development Impact Statements are not required unless requested by the Board.

- **Traffic Impact & Access Study**

The applicant has requested a waiver of this requirement stating, “[It is] an existing industrial use with two existing curb cuts. The site will be used as it was in the past with similar frequency. With no additional curb openings proposed or increase in traffic volume in and out of the site, a traffic impact & access study should not be necessary.” Traffic Impact and Access studies are not required unless the Board requests it.

## **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 be installed on site [*in location specified by board*].
  - Lighting specification for proposed fixture be provided for review by the City Planner, for approval and/or a determination whether they must be reviewed and approved by the board.
  - Plan cover sheet be corrected as follows: the index of the sheet descriptions are corrected to match the sheet titles as they appear on each sheet; and the reference to a waiver request for number of parking be changed a Special Permit request for a parking reduction.
  - Plan detail sheet (page 8 of 8) be corrected to depict grass and loam groundcover over cultech chamber.
- ☐ 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/>).



## 75 MacArthur Drive Map: 31 Lot: 248 & 255

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

