



## 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)

CITY CLERKS OFFICE

Registry of Deeds/City Clerk Use Only:

2018 OCT 24 A 9:21

CITY CLERK

CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

### NOTICE OF DECISION

Case Number:	18-41				
Request Type:	Site Plan				
Address:	127-127D Duchaine Boulevard				
Zoning:	Industrial C Zoning District				
Recorded Owners:	The Milhench 2001 Nominee Trust				
Owner Address:	127 Duchaine Boulevard New Bedford, MA 02745				
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>	
September 14, 2018		October 10, 2018		October 10, 2018	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number	
133	21	4877	287		

**Application:** Submitted by Farland Corp. (401 County Street New Bedford, MA 02740) on behalf of The Milhench 2001 Nominee Trust c/o Heike Milhench (127 Duchaine Blvd. New Bedford, MA 02745) for a Site Plan approval for a 10,680 SF expansion of an existing warehouse, located at 127-127D Duchaine Boulevard (Map 133, Lot 21), on a 5+ acre site in an Industrial C [IC] 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 October 24, 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.

10/24/2018

Date

Kathryn Duff, Chair  
City of New Bedford Planning Board

### **1) APPLICATION SUMMARY**

Plans submitted by Farland Corp. (401 County Street New Bedford, MA 02740) on behalf of The Milhench 2001 Nominee Trust c/o Heike Milhench (127 Duchaine Blvd New Bedford, MA 02745) for Site Plan approval for a 10,680 SF expansion of an existing warehouse, located at 127-127D Duchaine Boulevard (Map 133, Lot 21), on a 5+ acre site in an Industrial C [IC] zoned district.

### **2) MATERIALS REVIEWED BY THE PLANNING BOARD**

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

- ❏ Plan set – Site Plan Milhench 127 Duchaine Boulevard Assessors Map 133 Lot 21 New Bedford, MA; prepared by Farland Corp., in New Bedford, MA and stamped by Christian Albert Farland, PE; dated August 6, 2018, latest revision dated September 13, 2018; date stamped received by City Clerk's Office September 14, 2018; including:
  - Sheet 1 Cover
  - Sheet 2 Notes & Legend
  - Sheet 3 Existing Conditions
  - Sheet 4 Layout
  - Sheet 5 Utilities & Grading
  - Sheet 6 Details
  - Sheet 7 Details Cont.
- ❏ Architectural Plan Set – Milhench Warehouse Addition 121 Duchaine Blvd. New Bedford, MA 02745; prepared by J.M. Booth & Associates Inc., in New Bedford, MA; unstamped; dated August 8, 2018; date stamped received by City Clerk's Office September 14, 2018; including:
  - A-101 Proposed Floor & Roof Plan
  - A-201 Proposed Elevations

#### **Other Documents and Supporting Materials**

- ❏ Site Plan Review Application, stamped received by City Clerk's Office September 14, 2018.
- ❏ Certified Abutters List
- ❏ Bristol County (S.D) Registry of Deeds Book 4877, Page 287
- ❏ Department of Planning, Housing & Community Development Staff Report dated October 5, 2018
- ❏ Communication from Sarah Porter, Conservation Agent dated September 28, 2018
- ❏ Department of Public Infrastructure (DPI) Comments dated October 1, 2018
- ❏ Communication from Derek Santos, Executive Director of the New Bedford Economic Development Council on behalf of the Greater New Bedford Industrial Foundation dated September 27, 2018
- ❏ Communication from Derek Santos, Executive Director of the New Bedford Economic Development Council on behalf of the Greater New Bedford Industrial Foundation dated August 22, 2018

### **3) DISCUSSION**

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, and Kamile Khazan were in attendance at the October 10, 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) presented on behalf of the property owner, The Milhench 2001 Nominee Trust (127 Duchaine Blvd. New Bedford, MA 02745).

Mr. Farland explained the applicant was unsuccessful in securing the necessary access on an adjoining parcel for a site development proposal (Case #18-02), which the board had previously approved in February 2018 for this property. Therefore, the applicant was before the board with this new redesigned proposal.

The current proposal, he described as a 10,680 SF addition on the rear of the building, with a similar style, and similar materials as the existing building. An infiltration basin is proposed on the south side of the addition and two wetlands replication areas are proposed on site. He noted the application had received approval of the Conservation Commission the week prior to this meeting. The Conservation Commission review made some changes to the wetland replication areas. He confirmed they will submit revised plans to the Planning Board case file with those changes. He noted no lighting is proposed in the rear of the addition as this is a wetlands area that will remain as such. The foundation of the building is actually designed to work as a retaining wall. He noted the site is well maintained and there are no changes proposed to the existing landscaping. He confirmed the site has the required number of parking spaces under the zoning ordinance.

Ms. Heike Milhench (127 Duchaine Blvd. New Bedford, MA), President of Milhench, presented a brief history and synopsis of business operations over the past 86 years to today. She noted the business has always been located in New Bedford. Currently their business is primarily a paper and janitorial supplies distributor. Their workforce has expanded by 30%, and they are in need of more storage space. They are currently renting space at another facility in the business park but it is inefficient for business operations. The proposed addition allows for the business operations to be streamlined into one location. They wish to remain in the City given their history, strong personal ties, and employees that are here in the area. This proposal allows them to stay.

Mr. Robert Smith, J.M. Booth & Associates (47 North Second Street New Bedford, MA) presented the architectural plans. He explained the proposal is for a prefabricated metal building, insulated and with sky lights for day lighting in order to meet energy code requirements. The building width will match the existing building. The additional will be taller in height so as to provide the opportunity for an expanded stacked storage area for the business operations. He noted ventilation in the rear, egress doors on the north and south elevations, and the placement of lights above the egress doors.

The board concurred that the plans were relatively straight forward. The addition proposed in the rear has limited visual or other impacts on abutters given the heavily wooded area. They noted the plans needed to be updated to match the Conservation Commission comments. They also noted the proposal keeps an existing business in New Bedford.

Mr. Cruz made a motion, seconded by Ms. Khazan to open the public hearing. Motion passed unopposed. In response to Chairperson Duff's invitation to speak or be recorded in favor, Brad Markey, City Councilor Ward 1 (133 William Street New Bedford, MA), spoke in favor of the proposal noting it would keep a thriving business in New Bedford. Chair Duff read a communication from Derek Santos, Executive Director of the New Bedford Economic Development Council on behalf of the Greater New Bedford Industrial Foundation dated September 27, 2018 that noted the project was approved by the Greater New Bedford Industrial Foundation. No one else 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.

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

#### 4) DECISION

Board Member Glassman made the motion, seconded by Mr. Cruz to approve Case #18-34, for a Site Plan approval for a 10,680 SF expansion of an existing warehouse, located at 127-127D Duchaine Boulevard (Map 133, Lot 21), on a 5± acre site in an Industrial C [IC] zoned district. Applicant: The Milhench 2001 Nominee Trust c/o Heike Milhench (127 Duchaine Blvd. New Bedford, MA 02745). Applicant's Agent: Farland Corp. (401 County Street New Bedford, MA 02740). The approval is subject to:

##### Specific conditions:

1. Applicant to provide the Planning Division with final plans as revised per Conservation Commission approval.

##### General Conditions:

2. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
3. 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.
4. 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.
5. 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.
6. The applicant shall ensure that a copy of the recorded decision be provided for the Planning Division Case file folder.
7. 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.
8. 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 Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

Board Chair Duff -- Yes

Board Member Khazan-Yes

Board Member Glassman -- Yes

Board Member Cruz -- Yes

Filed with the City Clerk on:

10/24/2018  
Date

  
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Kathryn Duff, Chair  
City of New Bedford Planning Board