



## PLANNING BOARD

City Hall, Room 303  
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New Bedford, MA 02740  
(508) 979-1488

[www.newbedford-ma.gov](http://www.newbedford-ma.gov)

Registry of Deeds/City Clerk Use Only:

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

### NOTICE OF DECISION

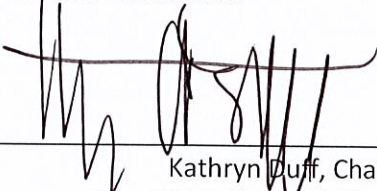
Case Number:	18-15			
Request Type:	Site Plan Review for a Ground Sign			
Address:	510 Belleville Avenue			
Zoning:	Industrial B (IB) Zoned District			
Recorded Owners:	Tires R Us, LLC			
Owner Address:	510 Belleville Avenue New Bedford, MA			
Applicant:	Tires R Us, LLC c/o Michael Frates			
Applicant Address:	510 Belleville Avenue New Bedford, MA			
<b>Application Submittal Date</b>	<b>Public Hearing Date(s)</b>	<b>Decision Date</b>		
March 16, 2018	April 11, 2018	April 11, 2018		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
100	115	11230	29	

**Application:** Request by Tires R Us, LLC c/o Michael Frates (510 Belleville Avenue New Bedford, MA) for New Ground Sign Site Plan approval for M&M Tire located at 510 Belleville Avenue (Map: 100, Lot 115) on a .29+ acre parcel in an Industrial B [IB] zoning 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 April 25, 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.

4/25/2018  
Date

  
Kathryn Duff, Chair  
City of New Bedford Planning Board

### **1) APPLICATION SUMMARY**

Tires R Us, LLC c/o Michael Frates (510 Belleville Avenue New Bedford, MA) for New Ground Sign Site Plan approval for M&M Tire located at 510 Belleville Avenue (Map: 100, Lot 115) on a .29+ acre parcel in an Industrial B [IB] zoning district.

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

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

- ❑ The plan set consists of the following sheets, prepared by Image Signs & More:
  - Sign Elevation (front view)
  - Sign Elevation (front view) and Placement Rendering
  - Site Plan, initialed by DY, dated March 15, 2018
  - Aerial rendering

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

- ❑ Site Plan Review Application for New Ground Sign, stamped received by City Clerk's Office March 16, 2018
- ❑ Certified Abutters List
- ❑ Bristol County (S.D) Registry of Deeds Book 11230, Page 29
- ❑ Department of Planning, Housing & Community Development Staff Report dated April 5, 2018

### **3) DISCUSSION**

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, George Smith, and Alexander Kalife were in attendance at the April 11, 2018 meeting. Acting City Planner Kirsten Bryan and Staff Planner Jennifer Carloni were present during the discussion.

Mr. Derek Yates, Image Signs Inc. (126 River Road New Bedford, MA) presented that his company has been hired to move the existing sign that the owner previously installed on top of a storage unit, without a permit. The proposal is to remove the sign from the storage unit, and place the sign in the middle of the lot to bring it into compliance. Mr. Yates detailed it will be placed six feet (6') from the front property line, and be installed at thirteen feet (13') from the ground.

In response to questions from the board, Mr. Yates confirmed that electricity would be supplied from an overhead cable and would meet electrical code requirements. He confirmed that the proposal includes moving the existing sign which is internally illuminated with an LED lamp. He noted the businesses hours of operation are from 7am-5pm, and the petitioner would like to have the sign illuminated until at least 8pm. The board briefly discussed the signage of surrounding businesses and agreed to have the sign lit from dusk to 9pm.

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

In response to Chairperson Duff's invitation to speak or be recorded in favor, no one spoke or was recorded in favor.

In response to Chairperson Duff's invitation to speak or be recorded in opposition, no one spoke or was recorded in opposition.

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

The board briefly discussed the case. The board briefly discussed conditions before voting.

#### 4) DECISION

Board Member A. Glassman made the motion, seconded by P. Cruz, to approve Case #18-15, for New Ground Sign Site Plan approval for M&M Tire located at 510 Belleville Avenue (Map: 100, Lot 115) on a .29± acre parcel in an Industrial B [IB] zoning district. Applicant: Tires R Us, LLC c/o Michael Frates (510 Belleville Avenue New Bedford, MA). The approval is subject to:

##### Specific conditions:

1. Sign is lit from Dawn to Dusk no later than 9pm.

##### 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. 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.
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 Chair called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Chair Duff -- Yes

Board Member Glassman -- Yes

Board Member Kalife-Yes


Board Member Smith -- Yes

Board Member Cruz -- Yes

Filed with the City Clerk on:

1/25/2019

Date

  
Kathryn Duff, Chair  
City of New Bedford Planning Board