



City of New Bedford

Department of Planning, Housing & Community Development

608 Pleasant St, New Bedford, Massachusetts 02740

Telephone: (508) 979.1500 Facsimile: (508) 979.1575

PATRICK J. SULLIVAN
DIRECTOR

STAFF REPORT

REPORT DATE

October 10, 2017

PLANNING BOARD MEETING

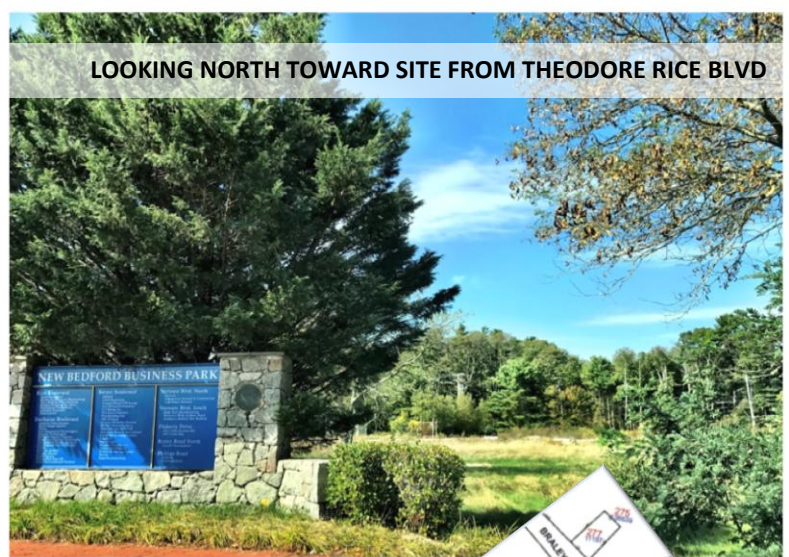
October 18, 2017

Case #33-17: **SITE PLAN APPROVAL**
Case #34-17: **SITE PLAN GROUND SIGN**
209 Theodore Rice Blvd.
Map: 136 Lot: 322

Applicant: South Coast Devt. LLC
280 Ayer Road
Harvard, MA 01451

Applicant's Agent: SITEC, Inc.
449 Faunce Corner Road
Dartmouth, MA 02747

Owner: Cornish Partners, LLC
P.O. Box 4023
New Bedford, MA 02741

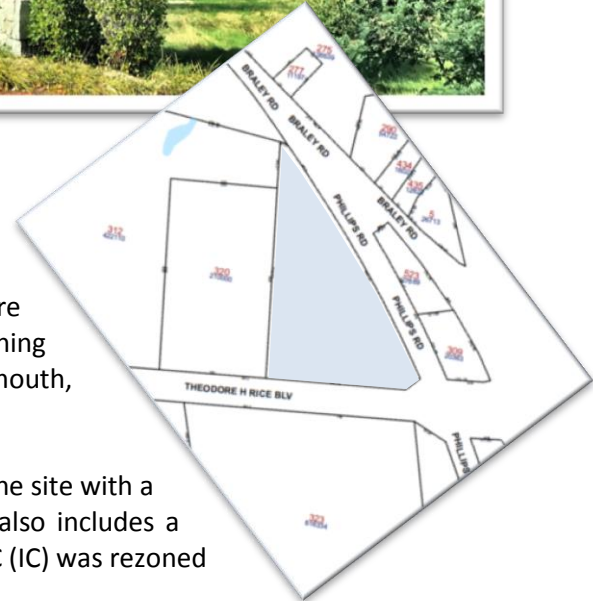


Overview

Request by applicant for **Site Plan Approval for new construction** under Chapter 9 Comprehensive Zoning, §5400-5490B of a 4500+/- SF convenience store/gas station with drive-thru and for a **Site Plan Approval for a Ground Sign** on a 4.9+/- acre site located at 209 Theodore Rice Boulevard (Map 136, Lot 322) in the Mixed Use Business (MUB) zoning district. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747.

The applicant is the potential buyer who proposes the development of the site with a new convenience store with drive-thru and gas station. This project also includes a proposal for a new ground sign. The site, previously zoned as Industrial C (IC) was rezoned to Mixed Use Business (MUB) in September of 2013.

The use of this business is permitted by-right under the city ordinance in the MUB zoning district. To accommodate the use, the applicant is required to provide 23 (twenty-three) parking spaces; 27 (twenty-seven) off-street parking spaces are depicted under the proposed site plan design.



Existing Conditions

This project site is comprised of one parcel, a 212,294 SF corner lot, located at the northwest of the intersection of Theodore Rice Boulevard and Phillips Road in the city's north end at the entrance of the New Bedford Business Park. (The New Bedford Business Park is strategically located along a Primary Corridor off Route 140 Exit 7 in north New Bedford.) Although the site had been previously developed, only the remains of an entrance drive and low building footings remain [See photos]. The site formerly housed an industrial building; surface runoff directly ran off overland to an adjacent wetland/drainage ditch.

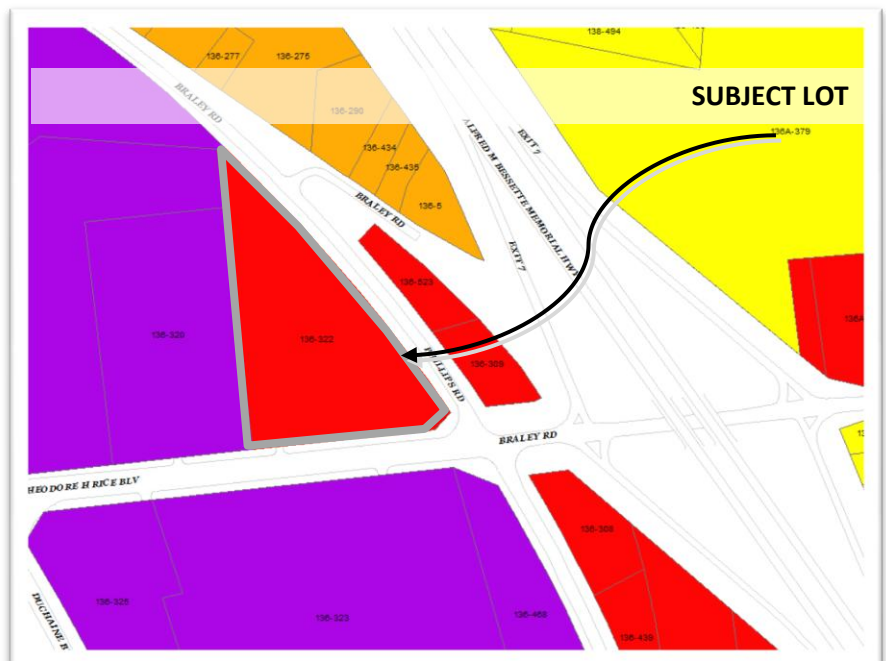
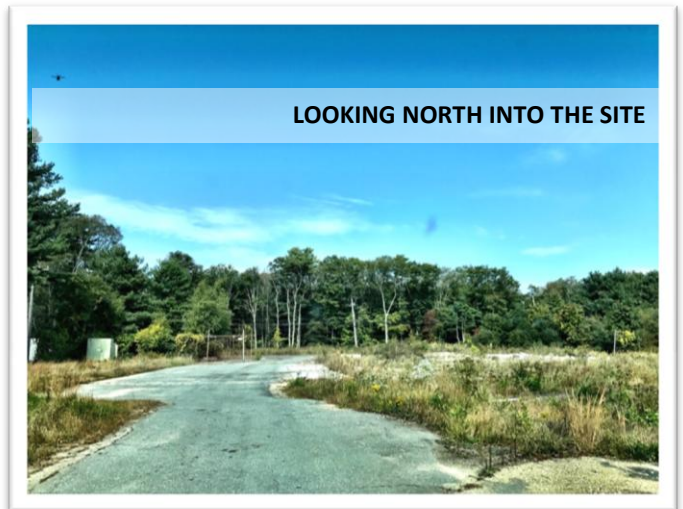
All development proposals within the New Bedford Business Park require review by the Greater New Bedford Industrial Foundation (GNBIF). Staff has been in contact with Derek Santos as representative of the GNBIF who has noted that he has notified the Foundation Chair about the plans and that "in our review we feel they meet all GNBIF regulations." All plans are being submitted to the full Executive Committee on October 11th. While no concerns are anticipated, Mr. Santos did indicate that if there are any, he will report those to the Planning Board at its meeting on October 18th.

The Southeastern Regional Transit Authority (SRTA) does have service in this general area although no bus shelter exists.

The site sits directly across the street from the MA Lottery and MA Registry of Motor Vehicles.

The lot, itself, is fairly level and includes mature vegetation along much of its perimeter. Vegetated wetland areas are indicated primarily along the eastern edge of the site.

There is a single existing curbcut opening out onto Theodore Rice Blvd along the site's southern border and the business park's main entrance signage and pull-over space further defines the property's southern line.



Proposed Conditions

The project involves the construction of a commercial convenience store with associated fast food space that includes a drive thru window, the construction of a five pier gas station canopy and a large directory-style ground sign with associated parking, landscaping, and installation of new stormwater recharge system following best management practices (BMPs) to mitigate stormwater drainage at the site.

The project requires the complete demolition of the site including all pavement and building footings currently existing. This demolition and clearance will provide the area for a new 4,500 SF retail building and 27 off-street parking spaces. A drive thru along the western elevation of the new building will accommodate customers being served by a yet-to-be determined fast food tenant. A dedicated drive-thru way will provide an access lane for those customers using the one-window drive-up.



In addition to the drive-thru and retail building, a large canopied gas station with five pump islands is proposed for the site just to the south of the proposed retail space, oriented on an east-west axis. A car vacuum/air tower is proposed along the southeast corner of the paved area/parking lot as a customer convenience. The opposite corner of the developed area, that being the northwestern most section of the parking/driveway space provides for a 13'-6" x 23' concrete dumpster pad with screening. The site calls for a mix of Cape Cod berm and precast concrete curbing. An internal pedestrian walkway connects the proposed building with a proposed concrete sidewalk along Theodore Rice Blvd.

A roof drain recharge system that will accept/recharge 100% of runoff from the building and pump island canopy for storm events up to and exceeding a 100 year storm has been included with the design. Additionally, three new deep sump catch basins with sediment hydrocarbon filters for stormwater treatment represent significant upgrades to previous site stormwater management. The proposed roof is noted as asphalt roofing in charcoal.

The existing curbcut to the south will be improved and a new curbcut accommodating ingress/egress from Braley Road/Phillips Road along the site's eastern property line is proposed. This new curbcut will cross vegetated wetlands. Plan notes on sheet SL-1 Site Layout acknowledge that a driveway permit is subject to Traffic Commission approval; SITEC has now confirmed such approval has now been granted by the Commission.

Significant landscaping is similarly included with the development plans. Where 20% of sites zoned as MUB must be greenspace, this development proposes to achieve a greenspace level of 76%. A snow disposal area has been indicated to the west of the developed portion of the site.

Proposed Ground Sign. The sign proposed for this development is akin to the large style directory signs the board has previously seen with projects such as the Market Basket. The sign proposed depicts a sign area of 103 SF. Because only 25 SF are allowed under the zoning ordinance, the applicant will be required to secure relief from the ZBA in order to have the sign as proposed. The sign structure, itself, would measure 224 9/16" from grade to the top of the sign frame and would be 116 15/16" in overall width. Depth of the sign would be 16". The sign is proposed as showing space for the name of the plaza, the address, three retail signs representing the individual tenants in the retail store and two sign slots for traditional gas pricing. A 72" x 36" concrete footing is proposed for the sign structure.

The proposed development is estimated to cost between \$1.5 million - \$2million and will take between 8 – 10 months to complete.

Demand and Operations

The applicant anticipates two full time (2 FTE) and five part time employees will work on-site. Business hours operate from 5:00 a.m. to 12:00 midnight seven days a week. Deliveries are unscheduled and according to pick up.

City 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. DPI comments were unavailable at the time of the compilation of this report and are forthcoming.

Conservation noted: *The applicant is proposing work within the 100' Buffer Zone and the crossing of a stream with associated Bordering Vegetated Wetland (BVW) impacts with associated wetland mitigation. The applicant has filed a Notice of Intent with the Conservation Commission and the initial hearing is scheduled for October 18th, 2017. [The proposed sign is not in or within 100' of Local or State Wetland Resource Areas.]*



Outside of this, no further comments from city offices were received in this matter; any additional reports that are received will be provided to the board at the public hearing in this matter.

Master Plan Goal

This proposal is consistent with the master plan's goal [of establishing a sound foundation for future growth that builds upon its coastal location, preserves its historic legacy, and expands cultural and workforce opportunities] as it restores blighted property, improves the neighborhood, and attracts emerging businesses and commercial enterprise.

For Board Member Consideration

The proposals for Site Plan approval are consistent with the master plan's goal to expand workforce opportunities and communicates a positive message for business development.

Materials For Consideration

The submittal is shown as the Proposed Convenience Store/Gas Station at 209 Theodore Rice Blvd, New Bedford Massachusetts (Assessors Map 134, Lots 456, 457, 458 and 459) on behalf of South Coast Development, LLC and dated August 15, 2017. Plans were prepared by SITEC located in Dartmouth, MA. The plan set consists of the following sheets:

- ❏ **Cover Sheet** including a site summary, zoning requirements table, locus map, plan index and ownership details.
- ❏ **Site Layout** depicting overall proposed conditions of newly developed site with notes. *(Sheet 1 of 12)*
- ❏ **Locus Map** overlaying proposed site development with vegetative tree line onto an aerial map. *(Sheet 2 of 12)*
- ❏ **Site Grading** depicting the extent of sitework to be undertaken including drainage measures, wetland areas, the 100' buffer zone, replication areas, existing pavement areas to be removed and proposed structures related to earthen work. *(Sheet 3 of 12)*
- ❏ **Landscaping Plan** that includes siting details for plant materials, planting details, plant schedule and relevant landscape notes. *(Sheet 4 of 12)*
- ❏ **Site Utilities** that provides information as to existing and proposed utility lines. *(Sheet 5 of 12)*
- ❏ **Lighting Plan** from Red Leonard Associates indicating the luminaire locations, height and effective measure of light throughout the developed area. *(Unnumbered, sheet 5 of 12)*
- ❏ **Existing Conditions** providing all existing man-made and natural conditions on and affecting the site, an identification of utility companies with contact numbers, the presence of vegetated wetlands and the locations of test pits onsite. *(Sheet 7 of 12)*
- ❏ **Demolition Plan** which includes reference to the pavement areas, guardrails, former loading areas, notes, and retaining walls to be removed from the site prior to construction. *(Sheet 8 of 12)*
- ❏ **Erosion Control Plan** includes both detailed illustration as to proposed grading conditions, stockpile area, location of silt fencing, etc. and accompanying notes. *(Sheet 9 of 12)*
- ❏ **Wetlands Delineation** includes detailed information as to the location of wetlands and results from text pit data. *(Sheet 10 of 12)*
- ❏ **Detail Sheet #1 & Detail Sheet #2** *(Sheets 11 and 12 of 12, respectively)* provide a range of details and notes for the execution of the project.

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

Waivers

There are no waiver petitions submitted by the applicant for consideration by the Planning Board.

Development Impact Statement (DIS)

The applicant has not provided a DIS for the proposed development.

Traffic Impact & Access Study

The applicant has not provided a traffic analysis for the proposed development.

Staff Recommendation

1

Site Plan Review. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it move to approve the requested site plan approval for the development of the convenience store/gas station as proposed:

- ❑ That all general conditions be applied to this decision, including reference to the anticipated DPI memo in this matter.
- ❑ That because screening materials to visually obscure the trash enclosure have not been specified on plan sheet, that a member of the Planning Board render final approval for such an enclosure prior to the issuance of a Certificate of Occupancy for the project.

- ☐ That the applicant provide evidence of approval from the Traffic Commission for all work associated with the curb cuts as presented and provide evidence of such approval for Planning Division files once such action has been taken.
- ☐ That the applicant provide plans & specs for review and approval by Planning Board or City Planner for any additional ground signs intended, i.e. directional signs.
- ☐ That the plant list be revised to indicate all trees within the plant list (including red maple and sycamore) as being no less than 3" caliper at 36" above grade and that the city planner approve of a revised landscape plan.
- ☐ That all site distances at both site entrances shall be verified as acceptable by the Traffic Commissioner and so noted on the plans.
- ☐ That building elevation drawings will be provided and shall include lighting locations and specs as to lighting type; lighting information relative to the gas station canopy shall also be provided and approved by a member of the Planning board prior to the beginning of building construction.
- ☐ That the applicant shows any exterior mechanical, duct work and/or utility boxes on the final plan set.
- ☐ That the gas station canopy structure shall utilize/install a white membrane roof material.

2

Site Plan Review for a Ground Sign. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it move to approve the requested site plan approval for a ground sign as proposed:

- ☐ That all general conditions be applied to this decision.
- ☐ That the Planning Board approves all waivers from Site Plan Review unrelated to the development of a ground sign.
- ☐ That the Planning Board's decision is entirely contingent on the applicant receiving the required relief from the City's Zoning Board of Appeals.
- ☐ That the final sign colors and finishes, if any changes are made to the materials submitted and reviewed by the Planning Board, are to be clearly defined for final review and approval by the city planner.

Materials Provided by the Applicant (available at: <http://www.newbedford-ma.gov/planning/planning-board/agenda-item-info-2017/>)

- | | |
|---|---|
| 1. Project Narrative | 11. Construction Erosion and Sediment Control Plan Dated September 14, 2017 |
| 2. Site Plan Review Application | 12. MA DEP Checklist for Stormwater Report |
| 3. Site Plan Review Application Checklist | 13. Lighting Cut Sheets |
| 4. Special Permit Application | 14. Plan Set |
| 5. Certified Abutters List | 15. Site Plan Review Application for new Ground Sign |
| 6. Site Photographs | 16. Site Plan Review Application Checklist |
| 7. Bristol County (S.D) Registry of Deeds Book 7612, Page 348 | 17. Certified Abutters List |
| 8. Lighting Specifications | 18. Sign Detail |
| 9. Building/Canopy Rendering | |
| 10. Stormwater Management Report Dated September 14, 2017 | |