



City of New Bedford

Department of Planning, Housing & Community Development

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DIRECTOR

STAFF REPORT

REPORT DATE

October 10, 2017

PLANNING BOARD MEETING

October 18, 2017

Case #35-17: SITE PLAN REVIEW

ES Bolton Street

Map: 19 Lot: 1 and

WS Orchard Street

Map: 23 Lot 158

Applicant: Howland Place Realty Trust
651 Orchard Street
New Bedford, MA 02744

Applicant's Agent: Prime Engineering
P. O. Box 1088
Lakeville, MA 02347

Owner: Clark's Cove Devt. Co LLC
651 Orchard Street
New Bedford, MA 02744



LOOKING SOUTHEAST TOWARD SITE FROM BOLTON STREET

Overview

Request by applicant for **Site Plan Approval** for construction under Chapter 9 Comprehensive Zoning, §5400-5490B of a 44,654+/- SF parking lot located between the ES of Bolton Street (Map 19, Lot 1) and WS of Orchard Street (Map 23, Lot 158) in the Mixed Use Business (MUB) zoning district. Applicant's agent: Prime Engineering, P. O. Box 1088, Lakeville, MA 02347.

The applicant proposes the clearing and regarding of a site in order to develop it as a commercial parking lot providing additional spaces for uses associated with the Howland Mills directly adjoining the site to the south. The use of a parking lot is permitted by-right under the city ordinance in the MUB zoning district.

Existing Conditions

Clark Cove Development owns the entirety of Map 23 lot 158 and Map 19 lot 1, all of which was, at one time, part of the larger Good Year site. As such, the existing parcel stretches from the northern property line with Howland Place to Bolton, Swift and Orchard Streets.

The area of the subject parcel (44,645 SF is currently in an undeveloped state, with vegetation of varying heights, sizes and condition. It slopes southeasterly from a highpoint of roughly 21' at its northwestern most corner near Bolton Street to a low point just below 10' at its southeast corner off of Orchard Street. A chain link fence edges the site and several junction/conduit boxes sit on Bolton Street abutting the existing parking lot.

The subject parcel directly adjoins the Howland Place parking lot and the United Fishermen Club to its south and is across the street from a densely populated residential neighborhood.

A distinctive element of this site is that it has AULs or "Activity Use Limitations" placed upon it stemming from its historical use as a site for the manufacturing of tires. The applicant's agent notes, "the site is a listed "Massachusetts Contingency Plan (MCP) site due to impacted soil" from the former operation of the Goodyear plant. The AUL recorded for this site requires that access to the existing (impacted) soil be prevented by either fencing the site, covering it with pavement or covering it with a three foot depth of clean soil.

Given the activity within Howland Place and the density of the existing neighborhood, it is not uncommon to find a significant number of vehicles parking directly on Bolton Street in this area during the day. Staff found multiple vehicles parking on-street throughout the work week in addition to finding the Howland Place Parking Lot filled to capacity. (See photos). SRTA does maintain a bus stop with bus shelter/canopy on Bolton Street in the location of the site.

With the exception of the existing on-street parked cars, visual clearance from the site is considered to be excellent.



Approximate location of proposed parking lot.



**LOOKING SOUTHEAST TOWARD SITE SHOWING
PARKING ON BOLTON STREET**



**LOOKING NORTHEAST SHOWING
EXISTING PARKING CONDITIONS AT HOWLAND PLACE**

Proposed Conditions

The proposed parking lot parcel has not yet been created, meaning, an ANR (Approval Not Required) plan has not yet been submitted for the City Planner's review nor has one been recorded. The applicant's agent has indicated that if the proposed parking lot plan is approved, they will then proceed with the ANR and the recording of the specific parking lot parcel as a lot, unto itself. Given the absence of the actual defined lot, staff recommends that the applicant submit and record an approved ANR for the identified lot, contingent on the City Planner's approval.

The applicant is proposing a 44,645 SF site with 119 off-street parking which will have access from an existing lot to its immediate south as well as a new curb cut along Bolton Street. Both ingress/egress points will allow for two way traffic. This new lot is intended to better accommodate those using space within the Howland Place. Given the existing 131 parking spaces at Howland Place, the addition of the proposed spaces would bring the new total to 250 parking spaces.

With respect to ADA requirements, according to Section 521 CMR: Architectural Access Board, Section 23.00 states that any improved or enclosed private property used as off-street parking for "businesses...general public use," etc. shall necessitate compliance with 521 CMR which requires a minimum of 5 accessible spaces for lots totaling between 101-150 parking spaces, as is the case here. No striped or otherwise designated accessible spaces are noted on the proposed plan. While such spaces need not be provided in a particular lot and can be provided in a different location if equivalent or greater accessibility in terms of distance from an accessible entrance, cost and convenience is ensured. According to the City's Commissioner of Inspectional Services, those five (5) additional ADA spaces are required in the proposed lot, something not currently showing on the plans.

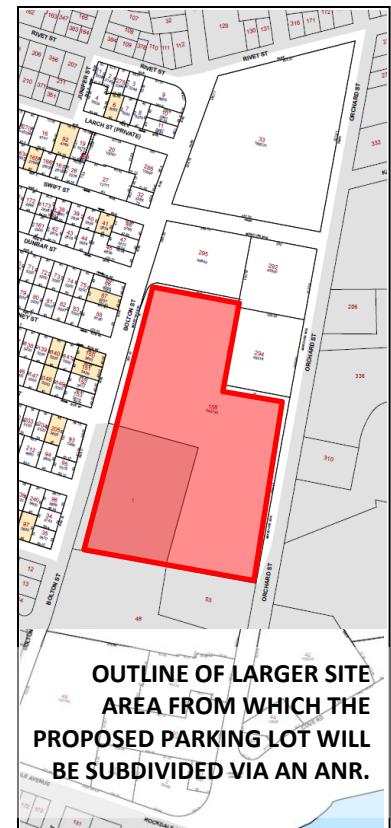
With respect to the AULs noted under the "Existing Conditions" section of this report, the majority of the site will be paved and the remaining landscaped areas will have a three foot depth of clean soil, therefore ensuring compliance with the recorded AUL.

The proposal would require the removal of the existing saplings/shrubs/vegetation along with a stripping of the top soil which would be spread on the adjacent parcel. Because of the size of the proposed parking lot and amount of impervious area, the site would be left with 19% greenspace. Given the conditions of the recorded AUL and the applicant's declaration that clean soil to a depth of three feet would be used, such a proposal would not necessarily be contrary to the expectation for this site.

Anticipated project completion timeline is to have the lot constructed by the end of 2017 and plantings installed in the spring of 2018 at an estimated cost of \$180,250.

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 proposed project is not in or within 100' of Local or State Wetland Resource Areas. Therefore, no permit is required from the Conservation Commission"*. Outside of this, no further comments from city offices were received in this matter.

Master Plan Goal

Insofar as this proposal would support the active and ongoing use of a renovated mill space and support business while off-setting parking demand for a dense neighborhood, staff finds that 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

Although the Board reviewed and approved of the Family Dollar Store on the larger "GoodYear" site late last year, this is the first development on the Bolton Street side of this broad parcel and directly faces/interacts with the residential neighborhood across from which it is proposed. Given this proximity it is important to ensure a quality development that is well-designed, well-landscaped and appropriately lit as it has the potential of setting a tone for future development on the larger site.



Materials For Consideration

The submittal is shown as the Off Street Parking Lot Bolton Street New Bedford Massachusetts (Assessors Map 23 Lots 1 and 158) on behalf of Howland Place Realty Trust and dated August 25, 2017. Plans were prepared by Prime Engineering located in Lakeville, MA. The plan set consists of the following sheets:

- ❏ **Cover Sheet** including a zoning summary table, locus plan, schedule of drawings and ownership details.
- ❏ **Existing Conditions and Demolition Plan** providing all existing man-made and natural conditions on and affecting the site, topographic information, and an outline of the area which the applicant's propose to carve out for the intended parking lot. Staff finds that there is most likely a typo with respect to the written length (east-west) of the proposed site as it notes "134'" but measures using the given scale to three times that size. Staff recommends the engineer revisit those measurements to ensure accuracy. *(Sheet EX-1)*
- ❏ **Overall Site Layout Plan** depicting overall proposed conditions of newly developed site showing travel aisles, parking spaces and landscaped areas. Similar concerns exist here as regards the site measurements as previously noted on sheet EX-1. *(Sheet LO-1)*
- ❏ **Grading and Drainage/Layout Plan** providing notes and two illustrations of the proposed site, one showing proposed grading contours with intended drainage easements and stormwater solutions and the second providing greater detail as to aisle width, landscaped island width and areas of snow storage. *(Sheet GD-1)*

- ❏ **Landscaping and Lighting Plan** that includes some details for planting, a plant schedule and relevant landscape notes as well as lighting specs, luminaire locations and a plan showing resulting light measurements. *(Sheet LS-1)*
- ❏ **Erosion Control Plan** includes a plan and details describing the two construction entrances, details as to the handling of sediment and erosion at catch basins and erosion and sediment control notes. *(Sheet EC-1)*
- ❏ **Detail Sheet #1 & Detail Sheet #2** *(Sheets D-1 and D-2, 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 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



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 parking lot as proposed:

- ☐ That all general conditions be applied to this decision, including reference to the anticipated DPI memo in this matter.
- ☐ That the plans be updated to reflect the required accessible ADA compliant spaces per the Commissioner of Inspectional Services.
- ☐ That the applicant obtains written approval from the Traffic Commission for all work associated with the proposed curb cut 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 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 the site entrance shall be verified as acceptable by the Traffic Commissioner and so noted on the plans.

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

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| 1. Development Impact Statement | 6. Recorded Form 1075 AUL |
| 2. Site Plan Review Application | 7. Certified Abutters List |
| 3. Plan Set | 8. Site Photographs |
| 4. Parking Lot Plan | 9. Bristol County (S.D) Registry of Deeds |
| 5. Parking Lot Deed | Book 7223, Page 263 |

