



City of New Bedford

Department of Planning, Housing & Community Development

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DIRECTOR

STAFF REPORT

REPORT DATE

October 11, 2017

PLANNING BOARD MEETING

October 18, 2017

**Case #37-17: SITE PLAN REVIEW FOR
A GROUND SIGN**

1169 Braley Road
Map 136A Lot 927

Applicant: Poyant Signs
125 Samuel Barnet Blvd.
New Bedford, MA 02745

Owner: Moniz Properties
70 Lambeth Street
New Bedford MA 02745

Overview

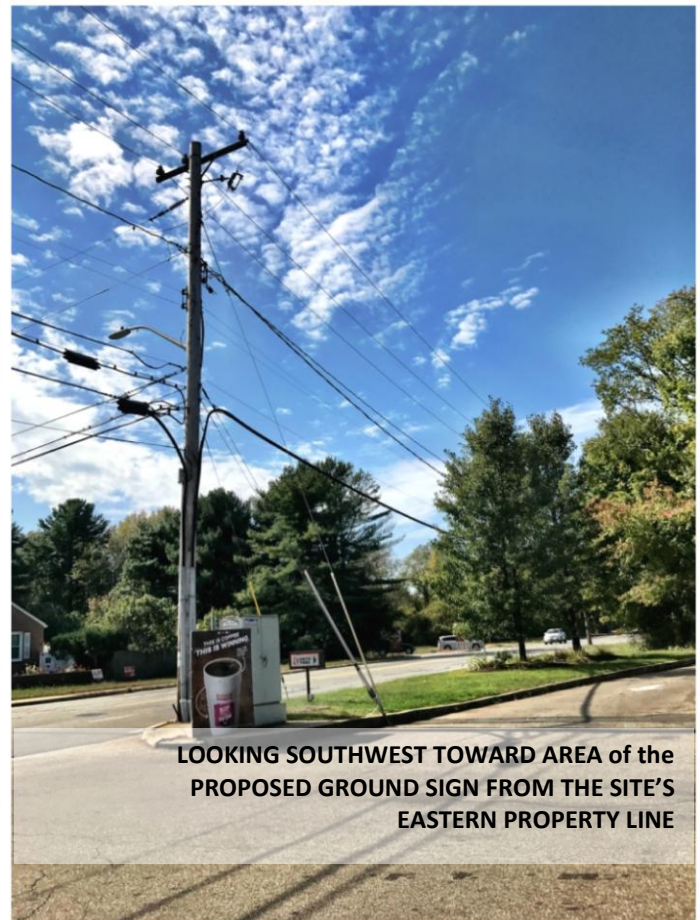
Request by applicant for **Site Plan Approval for a New Ground Sign** for Dunkin Donuts located at 1169 Braley Road (Map 136A, Lot 927) on a 1.64+/- acre parcel in the Mixed Use Business zoning district. Applicant's agent: Poyant Signs, Inc., 125 Samuel Barnet Boulevard, New Bedford, MA 02745.

The applicant proposes to install a new ground sign for the purpose of advertising a commercial business.

Existing Conditions

The existing site is just over an acre and a half of land directly off of Route 140 at Exit 7. It is roughly located halfway between the Greater New Bedford Industrial Park to its west and the Pulaski School to its east with frontage directly on Braley Road, a heavily traveled road.

There is a Dunkin Donuts franchise situated within the existing 1,800 SF retail building that was built around 1996. Although the business currently has wall signage and signage associated with its drive-thru operation already in place, there is no ground sign at this location (See photos, page 2).



LOOKING SOUTHWEST TOWARD AREA of the
PROPOSED GROUND SIGN FROM THE SITE'S
EASTERN PROPERTY LINE

The subject parcel is zoned as Mixed Use Business (MUB) and is, outside of the highway onramp it abuts, and an odd narrow sliver of MUB just along its western property line, otherwise surrounded on its remaining perimeter by Residential A (RA) zoning. (See zoning map, below).

Proposed Conditions

The applicant's agent, Poyant Signs, has submitted the application for site plan review for a ground sign on behalf of the property owner, Moniz Properties. The request is straightforward in that a ground sign is requested in order to better advertise and advise people as to the store location using standard corporate images.

The applicant is proposing a sign with a total sign area of 37 SF where only 25 SF is allowed by ordinance. In light of this, the applicant is also required to seek a variance from the Zoning Board of Appeals (ZBA). Because of this, staff recommends that any approval of the proposed sign be conditioned such that it is contingent on ZBA approval—and that should any alterations to the sign material/size be made by the ZBA, the City Planner shall be responsible for determining whether the change is minor and therefore acceptable, or whether it requires additional review from the Planning Board.

Although the presence of the highway, on/off ramps and speeds typically traveled on Braley Road would suggest otherwise, this sign is proposed within an area largely populated by single family housing. There is no immediate commercial abutter.

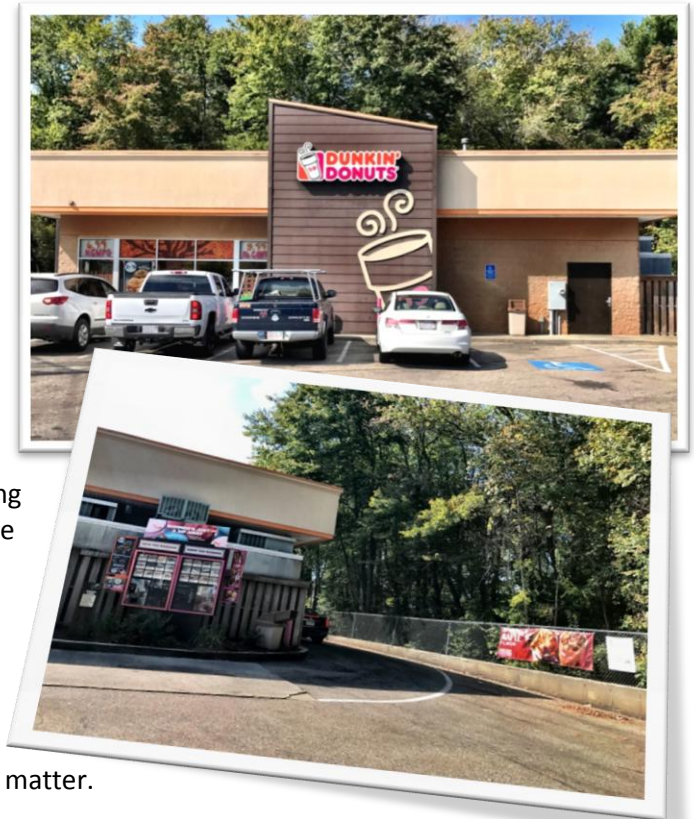
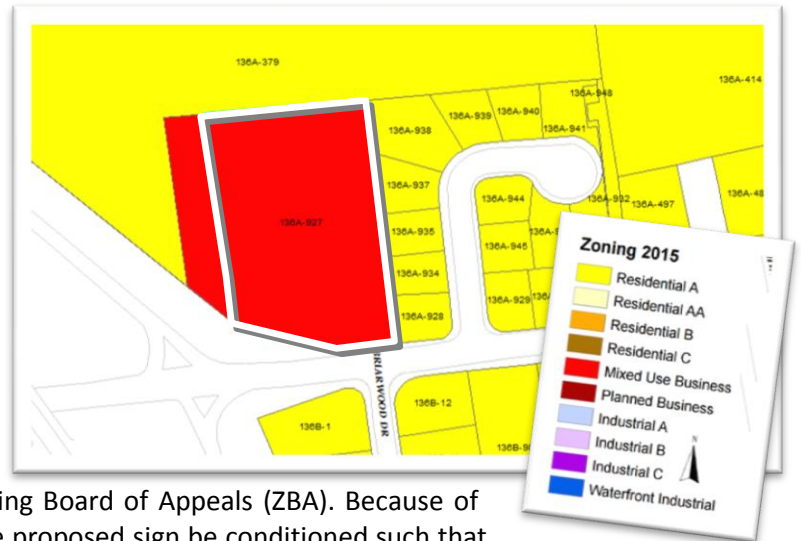
Review Comments

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 have been provided and note that because they recommend approval with the following condition: that the proposed sign be located on private property.

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 use of an existing commercial building, staff finds that a request for a ground sign in this location is not inconsistent 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.

Materials For Consideration

The submittal is shown as the Dunkin' Donuts, 1169 Braley Road, New Bedford, MA (Assessors Map 136A Lot 927) on behalf of Daniel Moniz, for Moniz Properties. Plans were prepared by Poyant Signs in New Bedford, MA. The plan set consists of the following sheets with a date of September 20, 2017:

- ❏ **Pylon Sign Option A** depicting specs, design and notes associated with the proposed Ground Sign. *(Sheet 1A.1, 1 of 3)*
- ❏ **Pylon Sign Option A** depicting the effect of the proposed sign superimposed over a photograph which Staff notes does not appear to scale.. *(Sheet 1A.2, 2 of 3)*
- ❏ **Pylon Sign Option A** depicting an aerial view of the site with the location of the proposed pylon sign indicated. *(Sheet 1A.3, 3 of 3)*



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

Waivers

The applicant has submitted a waiver petitions for consideration by the Planning Board. A waiver is sought from Section 5450 Contents of Plan under Site Plan Review. The applicant notes that the request is for a “limited review of a new ground sign that is being installed at an existing Dunkin Donuts.” The waiver notes that the request does not include any other work on the premises.

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

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 project as proposed:

- ☐ That all general conditions be applied to this decision.
- ☐ That the lighting for the sign shall be turned on up to an hour prior to store opening and up to an hour after store closing.
- ☐ That this approval is contingent on ZBA approval; should any alterations to the sign material/size be made by the ZBA, the City Planner shall be responsible for determining whether the change is minor and therefore acceptable as modified, or whether the change requires additional review from the Planning Board.
- ☐ That the applicant ensure, through a professional survey or in working with the City's Department of Public Infrastructure, that the sign is to be located on private land and not within the public right of way.
- ☐ That the applicant provides a coversheet for the project meeting the requirements of the site plan review application standards for such sheets to the satisfaction of the City Planner.
- ☐ That with the exception of the coversheet so noted, the applicant's request for a waiver from Section 5450 as presented is granted.

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

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|---------------------------------|--|
| 1. Site Plan Review Application | 5. Certified Abutters List |
| 2. Plan Set | 6. Bristol County (S.D) Registry of Deeds Book |
| 3. DPI Memorandum Dated 10.4.17 | 3857, Page 122 |
| 4. Waiver Request | |