



Planning Board
City Hall, Room 303
133 William Street,
New Bedford, MA 02740
(508)979-1488
www.newbedford-ma.gov

City Clerk Use Only:

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number:	32-17			
Request Type:	Site Plan Approval			
Address:	100 Duchaine Boulevard at New Bedford Business Park			
Zoning:	Industrial C (IC) and Residence A (R-A) Zoning Districts			
Recorded Owner:	SMRE 100, LLC			
Applicant:	SMRE 100, LLC, (C/O Ruberto, Israel & Weiner, PC and Tim Cusson)			
Applicant Address:	255 State Street, 7 th fl, Boston, MA 02109			
Application Submittal Date	Public Hearing Date		Decision Date	
August 11, 2017	September 13, 2017		September 27, 2017	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
134	5			24201

Application: Request by applicant for Site Plan approval for construction of a 15,000+/- SF addition to an existing structure for a recycling facility and parking area solar canopy located in New Bedford Business Park at 100 Duchaine Blvd (Map 134, Lot 5) on a 65.1 +/- acre site in the Industrial C (IC) and Residence A (R-A) zoning districts.

Action: **GRANTED, WITH WAIVERS AND 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 September 27, 2017. 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.

9/27/2017
Date


Kathryn Duff, Vice Chair
City of New Bedford Planning Board

1) APPLICATION SUMMARY

Applicant Parallel Products (SMRE 100, LLC, 255 State Street, 7th Fl, Boston, MA 02109) submitted a request under **Chapter 9 Comprehensive Zoning, §5400-5490B** thru its agent Farland Corp., (401 County Street, New Bedford, MA 02745) for Site Plan approval for construction of a 15,000+/- SF addition to a 92,218+/- existing structure, for a recycling facility and parking area with solar canopy, located in New Bedford Business Park at 100 Duchaine Blvd (Map 134, Lot 5) on a 65.1 +/- acre site in the Industrial C (IC) and Residence A (R-A) zoning districts.

The Planning Board has considered several applications for site redevelopment at this nexus formerly known as the Polaroid campus. **Case 23-14**: Site Plan review for proposed renovation of a 92,000+/- SF existing structure for a seafood distribution and warehouse at 100 Duchaine Boulevard received approval on June 25, 2014; **Case 03-16**: Site Plan review for construction of additional parking and loading facilities at an existing developed site at 50 Duchaine Blvd (A/K/A 50 Phillips Rd) for Parallel Products was approved on January 22, 2016; **Case 37-16**: Site Plan Modification of **Case 03-16** for approved Site Plan from a liquid waste disposal and recycling facility [Parallel Products] to an energy supplier [Eversource] corporate office was granted on January 11, 2017; and **Case 01-17**: Site Plan review for the construction of a 28,000+/- SF warehouse and distribution building at 100 Duchaine Boulevard received the consent of the Planning Board on March 21, 2017.

At the time of this approval, Land Plan 36318D [adjusting lot lines for parcels 7 and 8 (shown as Map 134, Lot 5), filed on February 17, 2017] where development is proposed was still under scrutiny by Massachusetts Land Court Department.

Manufacturing and Light Manufacturing defining this proposal are uses permitted by right in the Industrial C zoning district.

The applicant requested three (3) waivers for consideration by the Planning Board:

1. Code of Ordinances - Chapter 9, **§5350** and **5455** [Development Impact Study]
2. Site Plan Review Checklist – Item 3g. Landscape Plan

A Waiver from Landscape Plan should be with written approval from the GNBIF. An important aspect of the Foundations' decision on whether or not to approve the new building plans or plan for expansion to an existing building shall be the attractiveness of the building and the associated landscaping plans including an initial and ongoing commitment for landscaping and upkeep to improve the appearance of the property such as special planting and flowers, regular grass mowing and other maintenance actions to keep the appearance of the buildings and property in excellent condition [as per Item 5 of the GNBIF Regulations].

3. Site Plan Review Checklist – Item 8. Traffic Impact & Access Study

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

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

The submittal is shown as the Site Plan for 100 Duchaine Boulevard (Assessors Map 134, Lot 5) New Bedford, MA dated August 10, 2017 prepared for Parallel Products of New England, 401 Industry Road, Louisville, KY 40208 by Farland Corp., 401 County Street, New Bedford, MA 02740, consisting of nine (9) sheets; and Architectural Plans for 100 Duchaine Boulevard, New Bedford, Ma dated 07.31.2017 prepared for Parallel by South Coast Architecture, 34 Slocum Farm Drive, Dartmouth, MA 02747, consisting of two (2) sheets.

- **Cover Sheet-Sheet 1 of 9**
- **Notes & Legend-Sheet 2 of 9**
- **Existing Conditions-Sheet 3 of 9**
- **Layout-Sheet 4 of 9**
- **Utilities & Grading-Sheet 5 of 9**
- **Pre-Subcatchment-Sheet 5a of 9**
- **Post-Subcatchment-Sheet 5b of 9**
- **Lighting-Sheet 6 of 9**
- **Details-Sheet 7 of 9**

Architectural Drawings

- **Scheme 1.1**
- **Untitled**

Other Documents and Supporting Material

A Staff Report was provided for the September 13, 2017 Planning Board meeting with the following attachments:

1. Site Plan Review Application
2. Letter of Authorization
3. Deed of Ownership - Bristol County (S.D) Registry of Deeds: Book 8931, Page 199; Book 7665, Page 48; Book 1769, Page 1060
4. ANR Land Plan Book 142, Page 27
5. Request for Waivers
6. Stormwater Management Report
7. Greater New Bedford Industrial Foundation Regulations
8. Greater New Bedford Industrial Foundation Comments Dated August 30, 2017
9. Conservation Commission Peer Review Letter from Nitsch Engineering Dated September 1, 2017
10. Plan Set

3) DISCUSSION

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, Alexander Kalife, and Associate Member George Smith were present on the evening of the discussion. Chairman Colleen Dawicki was not in attendance. Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were present during proceedings.

Christian Farland, P.E., of Farland Corp, represented the applicant, SMRE 100, LLC, before the Planning Board and confirmed the project had been introduced to the Greater New Bedford Industrial

Foundation, as stipulated by the GBIF regulations. Mr. Farland described the site improvements proposed for the recycling facility that is expanding and relocating to the Business Park which includes integration of a solar canopy above the east parking area, recycling process, and stormwater mitigation.

Vice Chair Duff requested a motion from the Board to open the public hearing; motion moved by Board Member A. Glassman, with second by Board Member A. Kalife, by vote of five (5)-zero (0).

Speaking in favor of the project on behalf of the management entity, New Bedford Industrial Foundation, was Derek Santos, Executive Director of the New Bedford Economic Development Council. Mr. Santos confirmed the project as submitted was supported by GNBIF. Abutter Eric Braitmayer (30 Samuel Barnet Blvd) sought clarification regarding noise output and site location.

No one asked to be recorded in favor of the project submittal; no one asked to speak or be recorded in opposition of the proposal.

With no other comments received, a motion was made by Board Member A. Glassman, with a second by Associate Board Member G. Smith, to close the hearing. Motion carried five (5) to zero (0).

4) DECISION

Board Member A. Glassman made the motion, seconded by Board Member A. Kalife, to approve the Site Plan (set) entitled Site Plan for 100 Duchaine Boulevard, New Bedford, MA, prepared for Parallel Products of New England, dated August 10, 2017, by Farland Corp and filed by the applicant in Case #32-17 for SMRE 100, LLC for the site located at 100 Duchaine Blvd (Map 134, Lots 5), New Bedford, MA 02745 and Architectural Plans for 100 Duchaine Boulevard, New Bedford, Ma dated 07.31.2017 prepared for Parallel by South Coast Architecture, 34 Slocum Farm Drive, Dartmouth, MA 02747 WITH WAIVERS AND THE FOLLOWING CONDITIONS:

List of Specific Conditions:

- ☐ The applicant shall verify map and lot numbers for the two (2) lots that have been created by adjusting the lot lines of Map 134 and correct plans as may be needed for accuracy.
- ☐ Inconsistencies shall be corrected between plan sheets [to include architectural renderings], Project Summary, and application form for number of parking spaces and loading docks.
- ☐ Update Owner of Record to reflect new deed book and page number as Certificate #24201.
- ☐ Because warehouse and distribution facilities are uses permitted by right under zoning district I-C, but are not permitted under R-A zones, and given that the site is a combination of those two zoning districts, the applicant shall ensure that all such development be limited to the area of the project site within the I-C zoning district according to city zoning requirements.
- ☐ The Zoning Matrix on the Cover plan sheet shall be amended to note the GNBIF Regulations for building coverage for first floor square footage shall not exceed 40% of the total area of the premises[as per Item 1 of the GNBIF Regulations].
- ☐ The Zoning Matrix on the Cover plan sheet shall be amended to note the GNBIF Regulations for lot coverage, to include all uses on a lot which include, but are not limited to, buildings, driveways, parking areas, impermeable surfaces, etc., shall not cover more that 65% of the total area of the premises [as per Item 2 of the GNBIF Regulations].
- ☐ The Zoning Matrix on the Cover plan sheet shall be amended to note the GNBIF Regulations for setbacks, which are fifty (50) feet from any street or lot line [as per Item 7 of the GNBIF Regulations].

- ☐ The typo on the Cover plan sheet shall be corrected to read **§5455** under **Waivers Requested**.
- ☐ As per **§5471**, the applicant shall minimize: the volume of cut and fill, the number of removed trees six-inch caliper or larger, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and the threat of air and water pollution.
- ☐ General Construction Note #9, as per **§5471**, shall be amended to read: the applicant shall minimize the number of removed trees six-inch caliper or larger.
- ☐ General Construction Note #20 shall be amended to read: and City Planner.
- ☐ Revise Hay bales/Hay to read Straw bales/Straw in Notes & Legend plan sheet 2 of 9.
- ☐ All requirements and stipulations of the City of New Bedford Conservation Commission including the Order of Conditions are to be honored and completed as a condition of project approval.
- ☐ Identify and note Snow Storage areas on plans.
- ☐ The applicant shall provide the City Planner with a construction schedule or cost estimate as required under **§5452**.
- ☐ Any Waiver from the Landscape Plan submittal shall be with written approval from the GNBIF.
- ☐ The applicant ensures and maintains a landscaped buffer zone between the Business Park and residential neighborhood along Phillips Road.
- ☐ Drawings and specifications for the solar canopy shall be provided for review and consideration by the designated agent of the Planning Board.
- ☐ Cut sheets for all lighting fixtures shall be provided for review and approval by the Planning Board or its designated agent.
- ☐ Show all structural building elevations (front, sides and rear façades) that will be affected by the proposed project.
- ☐ For additions/alterations: label existing and new construction, as well as items to be removed.
- ☐ Identify all existing and proposed exterior materials, treatments, and colors including building and hardscape elements.
- ☐ Show details of proposed new exterior elements.
- ☐ Show any exterior mechanical, duct work, and/or utility boxes.
- ☐ Include dimensions for building height, wall length, and identify existing and proposed floor elevations.
- ☐ That the applicant resolve any outstanding issues regarding Petroleum Storage tanks at the site through the City Clerk's Office either by requesting to have their permit revoked (if the storage is no longer present), amended or updated.

List of General Conditions:

- That the project shall be undertaken according to the plans submitted with the application with adherence to all notes on plans as reviewed by the Planning Board on this date as modified by the conditions of this decision.
- The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure dated September 11, 2017 and that the Planning Board incorporates the DPI memo as part of these conditions (Attachment 1).
- The applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents.
- The applicant shall submit final plan revisions to the Planning Division in the following formats:
 - One (1) -11" x 17" Plan Set
 - 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.

- The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the office of the City Clerk for the Planning division case file folder.
- 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.
- The rights authorized by the granted Site Plan 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 they were granted or they will lapse.

The Planning Board found this request to be in accordance with City of New Bedford Code of Ordinances Chapter 9 §5400 Site Plan Review. As a result of such consideration, the Board moved approval on the subject application with the conditions so noted, with motion seconded by Board Member A. Kalife. A roll call vote was taken and unanimously approved five (5) to zero (0).


Associate Member Smith – Yes
Board Member Glassman – Yes

Board Member Kalife – Yes
Vice Chair Duff – Yes

Board Member Cruz – Yes

Filed with the City Clerk on:

9/27/2017
Date



Kathryn Duff, Vice-Chair
City of New Bedford Planning Board



CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

Department of Public Infrastructure

Manuel H. Silva
Acting Commissioner

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance
Forestry
Energy

MEMORANDUM

TO: City of New Bedford Planning Board

FROM: Manuel H. Silva, Acting Commissioner, D.P.I. *MHS*

DATE: September 11, 2017

RE: Site Plan- Duchaine Boulevard
Plot 134 Lot 5

The Department of Public Infrastructure has reviewed the proposed site plan referenced above and recommends approval with the following conditions:

1. All utilities to be constructed in accordance with the City of New Bedford standards.
2. Permits for sewer, water and drainage must be obtained from the Department of Public Infrastructure Engineering Division.
3. Drainage design must comply with phase II Mass Department Stormwater management standards.
4. Owner must contact DPI to assign a new address for the proposed building.
5. Truck Traffic to stay away from using Phillips Road.
6. Plans must show what to do with the existing water and sewer services under proposed building.
7. Lot Shown as 460 on plans should be revised to 462.
8. The Department of Public Infrastructure requires a final set of approval plans to be submitted that reflect all revisions made prior to the start of construction.
9. Developer and site contractor must schedule a pre-construction meeting with Department of Public Infrastructure prior to the start of construction.
10. Upon completion engineer must submit "as built drawings" in CADD format prior to the Certificate of Occupancy being issued.

/ct

Cc: Department of Inspectional Services
Environmental Stewardship
Farland Corp.
SM Real Estate, LLC

PLANNING

SEP 11 2017

DEPARTMENT

CASE 32-17

1105 Shawmut Avenue, New Bedford, MA 02746 Telephone 508-979-1556 Fax 1-508-961-3054

ATTACHMENT 1