



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

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NEW BEDFORD, MA
2017 MAR 21 A 11:15
CITY CLERK

NOTICE OF DECISION

Case Number:	01-17			
Request Type:	Site Plan			
Address:	100 Duchaine Blvd			
Zoning:	Industrial C (IC), Residence A (RA) & Mixed-Use Business Zoning Districts			
Recorded Owners:	LOGAL, LLC c/o Eric Decosta			
Applicant:	Farland Corp			
Applicant Address:	401 County Street, New Bedford, MA 02745			
Application Submittal Date	Public Hearing Date	Decision Date		
January 13, 2017	February 8, 2017 & March 8, 2017	March 21, 2017		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
134	Proposed Lots 7 & 8 (Land Court Case 36318)	134	60	23339

Application: Request for Site Plan approval for new construction of a 28,000+/- SF food packaging and distribution warehouse and office building located in New Bedford Business Park at 100 Duchaine Blvd [Map 134, Proposed Lots 7 & 8 (Land Court Case 36318)] on a 7.26 +/- acre site in the Industrial C (IC), Residence A (RA), and Mixed-Use Business (MUB) zoning districts.

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 March 21, 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.

3/20/17
Date

Colleen Dawicki, Chair
City of New Bedford Planning Board

1) APPLICATION SUMMARY

Farland Corp. submitted Case 01-17: Site Plan Review under Chapter 9 Comprehensive Zoning, \$5400 for new construction of a 28,000+/- SF food packaging and distribution warehouse and office building located in New Bedford Business Park at 100 Duchaine Blvd [Map 134, Proposed Lots 7 & 8 (Land Court Case 36318)] on a 7.26 +/- acre site in the Industrial C (IC), Residence A (RA), and Mixed-Use Business (MUB) zoning districts on behalf of LOGAL, LLC, in care of Eric Decosta.

The proposed 7.26+/- acre parcel is part of the former 127 +/- acre Polaroid site located at the terminus of Duchaine Boulevard bordering the Acushnet Cedar Swamp. The applicant intends to construct a 28,000 SF insulated cooler warehouse with loading bays for transportation vehicles. Associated parking for tractor trailer parking, employee parking, and ADA compliant spaces were shown on plans.

The application before the Planning Board indicated the 7.26+/- area of the land proposed under an Approval Not Required (ANR) plan is the area of disturbance for new construction. The applicant included with submittal documents a proposed ANR land plan dated December 7, 2016 showing a lot line adjustment to create Lot 20, consisting of 7.26+/- acres, and Lot 21, consisting of 61.52 +/- acres from Lot 6 [as shown on Land Court Plan 36318C]. The December ANR plan was rejected by the Massachusetts Land Court when submitted for recording as it did not conform to the format required for Land Court Case #36318 which governs this land area under the deed. Subsequently, a new plan was filed on February 17, 2017. A letter of assurance from Farland Corp was provided for the Planning Board's information stating the plan (for Lots 7 and 8) had been approved for filing. Of additional note, the land plan was reviewed and accepted by the Greater New Bedford Industrial Foundation, as stipulated under the Foundation's regulations.

The proposed project has the same address (100 Duchaine Blvd) as the existing trucking company on site. At the time the Order of Conditions (SE49-0702) was issued for the trucking company, the property was identified as Map 135, Lot 15. Outstanding issues mainly related to the construction of the stormwater facilities were identified by the Conservation Commission for the trucking company, many of which were resolved. The Order on the trucking company project is still valid and the applicant's representative (at that time, Field Engineering) stated the outstanding drainage items, which include undersized stormwater basins, would be addressed when the Certificate of Compliance was applied for. No Certificate of Compliance application has been submitted to the Conservation Commission prior to the meeting of the Planning Board.

The new site plan for the 7.26 acres requires an Order of Conditions for work proposed in the Buffer Zone. As this portion of the development site appears to be within the site layout of the original trucking company Order of Conditions, a Notice of Intent application was submitted on 2/23/2017 and a hearing scheduled with the New Bedford Conservation Commission on March 7, 2017. Farland Corp informed the Planning Board at their March 8 meeting the Conservation Commission continued the case for Peer Review by the Conservation Commission's engineering consultant.

At the time of this proposal, no application for new Ground Sign Site Plan review had been presented for consideration by the Planning Board. The applicant opined the existing signage at the entrance of the ring road will be utilized for the facility.

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 January 13, 2017 prepared for Parallel Products of New England, 401 Industry Road, Louisville, KY 40208 by Thompson Corp., 401 County Street, New Bedford, MA 02740, consisting of eight (8) sheets:

- **Cover Sheet-Sheet 1 of 8**
- **Notes & Legend-Sheet 2 of 8**
- **Existing Conditions-Sheet 3 of 8**
- **Layout-Sheet 4 of 8 (Dated 02/17/2017)**
- **Truck Circulation-Sheet 4A of 8 (Dated February 14, 2017)**
- **Utilities & Grading-Sheet 5 of 8 (Dated February 14, 2017)**
- **Detail –Sheet 7 of 8 (Dated February 14, 2017)**
- **Detail-Sheet 8 of 8**

And

Lighting Plan [Page 1 of 1] prepared for 10 (sic) Duhaine (sic) Blvd, New Bedford, MA, dated 01/13/2017 prepared by Reflex Lighting.

Other Documents and Supporting Materials

A Staff Report was provided for the February 8 and March 8, 2017 Planning Board meetings with the following attachments:

- Letter of Assurance from Farland Corp regarding ANR plan of land.
- Deed of Ownership - Bristol County (S.D) Registry of Deeds Cert #23339
- Greater New Bedford Industrial Foundation Regulations
- City of New Bedford Variance #3057
- Minutes of April 26, 1990 Meeting of the ZBA
- Floor Plan
- Site Plan Review Application
- Narrative& Stormwater Analysis
- City of New Bedford Stormwater Ordinance
- Plan Set
- Department of Public Infrastructure Memoranda dated February 23, 2017 and January 30, 2017

Additional case submittals received into the record March 8, 2017:

- **Presentation Plan [Sheet 1 of 1]** for 100 Duchaine Boulevard (Assessors Map 134, Lot 5) New Bedford, MA dated February 14, 2017 prepared for Parallel Products of New England, 401 Industry Road, Louisville, KY 40208 by Farland Corp., 401 County Street, New Bedford, MA 02740.
- **Proposed Exterior Elevations [Sheet SD1.1]** prepared for Parallel Products, 100 Duchaine Blvd, New Bedford, MA 02745, dated 03/08/2017 by VISI3N Architects, 225 Chapman Street, Providence, RI 02905.

3) DISCUSSION

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Associate Member George Smith were present on the evening of the discussion.

Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were present during proceedings.

This project was originally scheduled to be heard by the Planning Board at its February 8, 2017 meeting but at the applicant's request, the Board voted to continue the hearing until their March 8, 2017 meeting.

Christian Farland, P.E., described the New Bedford Business Park development project. Accompanying Mr. Farland was Project Manager Matthew White, P.E. of Farland Corp. Owner Eric Decosta provided responses to questions from the Planning Board regarding hours of illumination at the site. The site plan, buffer zone between Phillips Road and the area of disturbance, building elevations, roof, landscaping and preservation of forested area, storm water & drainage and conservation commission involvement, parking & traffic circulation, wall pack lighting and existing lighting, and signage, were all discussed and issues addressed.

Chairperson Dawicki asked for a motion to open the Public Hearing which was moved by Board Member K. Duff then seconded by Board Member A. Glassman. Motion carried unanimously five (5) to zero (0).

Speaking in favor of the proposal on behalf of the Greater New Bedford Industrial Foundation was Derek Santos, Executive Director of the New Bedford Economic Development Council. Mr. Santos advised the applicant should new signage be proposed, the design and specifications must be reviewed and approved by the Foundation for recommendation to the Planning Board.

No one asked to be recorded in favor of the project.

No one asked to speak or be recorded in opposition of the project.

Hearing no further comment, the public hearing was closed on a motion by Board Member K. Duff, with second by Board Member A. Glassman. Motion carried unanimously five (5) to zero (0).

4) DECISION

Board Member K. Duff made the motion that the Planning Board approve the Site Plan (set) entitled Site Plan 100 Duchaine Boulevard, dated January 15, 2017, prepared by Farland Corp and filed by the applicant in Case #01-17 for LOGAL, LLC, c/o Eric Decosta for the site located at 100 Duchaine Boulevard, New Bedford (Map 134 Lots 7 and 8 under Land Court Case 36318) with the following conditions:

List of Specific Conditions:

- ☐ That the applicant accommodate all of the staff comments [from Staff Report prepared for the March 8, 2017 Planning Board meeting].
- ☐ That the applicant understands and maintains all existing buffers around the property, in particular the wooded buffers.
- ☐ That the applicant understands that the project must receive full approval from the Conservation Commission, which is currently pending in the approval process.

List of General Conditions:

1. That the project shall be undertaken according to the updated plans submitted on the evening of the meeting with adherence to all notes on plans as reviewed by the Planning Board on this date as modified by the conditions of this decision.
2. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure dated February 23, 2017 and January 30, 2017 and that the Planning Board incorporates these DPI memorandums as part of these conditions (Attachment 1).
3. 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.
4. 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.
5. 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.
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 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.

This motion to approve with conditions is for Site Plan approval for new construction of a 28,000+/- SF food packaging and distribution warehouse and office building located in New Bedford Business Park at 100 Duchaine Blvd on a 7.26 +/- acre site in the Industrial C (IC), Residence A (RA), and Mixed-Use Business (MUB) zoning districts.

The Planning Board finds 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 moves approval, with motion seconded by Board Member Glassman, on the subject application with the conditions so noted.

A roll call vote was taken and unanimously approved five (5) to zero (0).

Board Member Duff -Yes
Chair Person Dawicki – Yes

Board Member Glassman – Yes
Associate Member Smith - Yes

Board Member Cruz – Yes

Filed with the City Clerk on:

3/20/17
Date



Colleen Dawicki, Chair
City of New Bedford Planning Board



Department of Public Infrastructure

Euzebio Arruda
Commissioner

CITY OF NEW BEDFORD

Jonathan F. Mitchell, Mayor

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance

MEMORANDUM

TO: City of New Bedford Planning Board

FROM: Euzebio Arruda, Commissioner, D.P.I.

DATE: February 23, 2017

RE: Site Plan- Duchaine Boulevard
Plot 134 L 5

PLANNING
FEB 28 2017
DEPARTMENT

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

1. That all conditions from the memorandum of January 30, 2017 are still valid.

/ct

Cc: Department of Inspectional Services
Environmental Stewardship
Farland Corp
Logal, LLC



Euzebio Arruda
Commissioner

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance
Forestry
Energy

CITY OF NEW BEDFORD

Jonathan F. Mitchell, Mayor

MEMORANDUM

To: City of New Bedford Planning Board

From: Euzebio Arruda, Commissioner, D.P.I.

Date: January 30, 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 installed in accordance with 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 Storm water 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. Install gate valve at location of capped domestic service.
7. Install gate valve on fire supply at reroute point on main.
8. Install gate valve on fire supply entering the building.
9. Install water meter at point of entry into the building.
10. Install backflow preventer on fire supply.

11. The owner or owner's engineer to verify in writing that the existing fire and domestic services will provide sufficient volume and pressure for proposed building.
12. 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.
13. Developer and site contractor must schedule a pre- construction meeting with the Department of Public Infrastructure prior to the start of construction.
14. Upon completion engineer must submit "as built drawings" in CADD format prior to the Certificate of Occupancy being issued.

CC: Department of Inspectional Services
Environmental Stewardship
Farland Corp.
Logal, LLC