



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-MODIFICATION OF SITE PLAN APPROVAL

Case Number:	33-16			
Request Type:	Site Plan Approval			
Address:	200 Theodore Rice Boulevard at New Bedford Business Park			
Zoning:	Industrial C zoning district			
Recorded Owner:	Highland New Bedford Associates Limited Partnership			
Applicant:	Highland New Bedford Associates Limited Partnership			
Applicant Address:	65 Sprague Street , Boston, MA 02136			
Application Submittal Date	Public Hearing Date		Decision Date	
October 21, 2016	November 16, 2016		November 30, 2016	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
136	323, 466 354	8120 9594	58 144	

CITY CLERKS OFFICE
NEW BEDFORD, MA
2016 NOV 30 A 8:40
CITY CLERK

Application: Request by applicant for modification of Site Plan approval for Case #26-13 located in New Bedford Business Park at 200 Theodore Rice Boulevard (Map 136, Lots 323, 354 & 466) on a 27.36+/- acre site in the Industrial C zoning district.

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 November 30, 2016 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.

11/29/16

Date

Colleen Dawicki, Chair
City of New Bedford Planning Board

1) APPLICATION SUMMARY

Owner/applicant Highland New Bedford Associates Limited Partnership submitted an application for consideration by the Planning Board for New Ground Sign under Chapter 9 Comprehensive Zoning, §3250 and 5427, and a concurrent application for Modification of Site Plan approval for Case 26-13 located at 200 Theodore Rice Boulevard (Map 136, Lots 323, 354 & 466) on a 27.36+/- acre site in the Industrial C zoning district.

The Planning Board is charged with reviewing modification of site plan approval under §5436. *whereby, no deviation from an approved site plan shall be permitted without modification thereof.* Site disturbance was now shown as limited to Map 136, Lots 323 & 354. The applicant sought several modifications of the previously granted site plan approval which included:

- Overall reduction in impervious surface on the project site
- Landscape plan modifications
- Modification of stormwater management system
- Elimination of the proposed entrance at Duchaine Boulevard and associated curb cut
- Changes to parking layout & circulation
- Changes to pedestrian access and sidewalk circulation Installation of a loading dock for current tenant Ahead USA
- Additional lighting at the parking lot fronting Theodore Rice Boulevard
- The addition of a bike rack at the front entrance at Theodore Rice Boulevard
- Installation of two (2) ground signs, one at the east and second at the west entrance, off Theodore Rice Boulevard

All development proposals within the New Bedford Business Park require review by the Greater New Bedford Industrial Foundation.

Highland New Bedford Associates Limited Partnership has reduced the scope of the initial project approved as Case 26-13 through which space would be leased to one tenant then named as NStar. The applicant/owner now intends to construct a smaller project and lease allocated space to four tenants: Tenant 1: Ahead Headgear, Tenant 2: Massachusetts State Lottery, Tenant 3: Massachusetts Health & Human Services, and Tenant 4: Massachusetts Registry of Motor Vehicles. These tenants will share the existing building and parking at the site.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

The submittal was presented on the Title Sheet as Proposed Site Improvements, First Highland Management and Development Corporation; 200 Theodore Rice Boulevard, New Bedford, MA dated 10/19/16, as prepared by Field Engineering Co., Inc., 11 D Industrial Drive, P.O. Box 1178, Mattapoisett, MA 02739, consisting of five (5) sheets;

and

First Highland Management and Development Corporation; 200 Theodore Rice Boulevard, New Bedford, MA dated 08.04.16, revised thru 08.29.16, as prepared by Poyant Signs, 125 Samuel Barnet Boulevard, New Bedford, MA 02745, consisting of two (2) sheets.

Other Documents and Supporting Material

Staff Report with attachments:

1. Covenants, Codes and Restrictions
2. Project Memo to the Conservation Commission and Drainage Calculations
3. Approved Case 26-13 Landscaping Plan (Land-1)
4. Decision for Case 26-13
5. Minutes/Agenda of Meeting Dated October 9, 2013, December 11, 2013 and January 8, 2014
6. Amended Order of Conditions dated June 10, 2016
7. Modification for Site Plan Approval Application
8. Site Plan Review Application for New Ground Sign
9. Deed – Bristol County (S.D) Registry of Deeds Book 8120, Page 58 and Bk 9594, Pg 144
10. Approval Not Required Plan (ANR)-Bristol County (S.D) Registry of Plan Book 157, Page 75
11. Memorandum from the Department of Public Infrastructure Dated November 1, 2016
12. Memorandum from the Department of Public Infrastructure Dated September 13, 2013
13. Narrative
14. Approved Site Layout Plan for Case 26-13 NSTAR Dated 07/23/2013
15. Site Comparison for Case 33-16 First Highland Management and Development Corporation Dated 10/19/2016
16. Site Plan Set
17. Directional Sign Graphics

3) DISCUSSION

Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, Peter Cruz and Alexander Kalife were present on the evening of the discussion. Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were also present during proceedings for the subject case review.

Mr. Richard R. Riccio III, P.E., of Field Engineering Co., Inc., represented the applicant/owner Highland New Bedford Associates Limited Partnership before the Planning Board.

Mr. Riccio described the modification of approved site plan which was revised to differentiate the new tenant requirements, and introduced the new, non-illuminated ground signs as designed by Poyant Signs, Inc. The agent described the parking and loading circulation, landscape plan, pavement cuts reserved for spring 2017 planting beds, lighting as shown on the landscape plan, and storm water mitigation plan. The applicant assured the Board that roof improvements shall be phased-in using the stipulated hi-reflective (white) roof material, in continuing to abide by the Department of Infrastructure and Planning Board stipulations for approval of Case #26-13.

Chair Dawicki requested a motion from the Board to open the public hearing; motion moved by Board Member K. Duff, with second by Board Member A. Glassman, 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 stated the Foundation was happy with the full utilization of the building and the Foundation found the proposed landscape plan, while different from the first plan, to be equally as good as the original landscape plan. Mr. Santos noted the proposed vertical signage met with the present use of ground signage at the business park. In regard to lighting for safety at the rear of the building, Mr.

Santos reassured the Planning Board that the Business Park is monitored for safety and security, with weekly security reports submitted for review by the Foundation. Finally, Mr. Santos assured the Board that the Foundation and applicant shall record at the New Bedford Registry of Deeds a certificate describing the provisions for the architecture and type of construction, construction material specifications for all buildings and structures to be erected upon the site, with copy of the final approved plan as an attachment, signed by the Chair, Vice Chair or Executive Director of the Foundation as evidence of approval for memorialization.

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 K. Duff, with a second by Board Member A. Glassman, to close the hearing. Motion carried five (5) to zero (0).

4) DECISION

Chair Dawicki asked for a motion for the modification of site plan approval. Board Member Duff moved to approve, with conditions, a request by applicant for modification of Site Plan approval for Case #26-13 located in New Bedford Business Park at 200 Theodore Rice Boulevard (Map 136, Lots 323, 354 & 466) on a 27.36+/- acre site in the Industrial C zoning district; second by Board Member Glassman.

1. That the applicant agrees to cut the islands in as per the landscaping plan and that the landscaping is installed by June 1, 2017.
2. That the applicant agrees to install curb stops along the front and the side of the building at the proposed parking area.
3. That the applicant agrees to add two (2) additional accessible handicap parking spaces that meet ADA requirements at the northwest corner of the building.
4. That the applicant agrees to all previous conditions as outlined by this Board on the first site plan approval.
5. That the applicant agrees to staff recommendations, to Conservation Commission recommendations and to DPI recommendations.
6. Due to the volume of traffic entering the business park at the gateway and proximity to Phillips Road, site approach visibility lines at the east and west driveways should be evaluated by the City of New Bedford Traffic Commission or similar city authority for public safety reasons before the city planner can sign off on the permanent installation of signage at the east and west entrances.
7. Pedestrian circulation between parking areas and building entrances is not clearly marked or defined on the plan. For pedestrian safety, walkways and circulation pathways should be shown on plans and delineated.
8. Rear parking lot lighting is not shown on the modified plan submittal sheets. The lighting shall be shown on final plan revisions for city planner's review and approval.

9. Lighting tear sheets have not been provided and shall be provided by applicant for the city planner's review and approval.
10. Given the north-south orientation of the site and related parking areas, the heat island created by the hardscape shall be mitigated by the use of robust landscape design, installation of landscape islands, and construction of white, hi-reflective roof.
11. The applicant will provide written clarification of use and intent of loading areas by tenants for the Planning Division case file for historical reference.
12. The applicant is asked to complete landscape installation by June 1, 2017.
13. The Landscape Plan shall have a note stating period of planting to be March 15-May 15 and September 15-November 15, weather permitting.
14. Revised and updated Plan Sheet N-1 listing the name of current owner/applicant shall be presented with the final submittal documents for review and approval by staff.
15. Revised plan Sheet N-1 Notes shall include the standard notes as presented on page seven (7) of the Staff Report for this case.
16. Reference to "hay" bales or use of "hay" shall be changed to "straw" on all Plan notes.
17. Areas prepped for planting should be stabilized with mulch or straw for the winter season.
18. The structure's primary building shall utilize/install a high reflective and/or white membrane roof material, as stipulated in the Notice of Decision for Case 26-13.
19. 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.
20. 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 formatand shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
21. The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward signed by the office of the City Clerk for the Planning division case file folder.
22. 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.
23. The rights authorized by the granted 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.

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

Board Member Kalife – Yes

Board Member Cruz – Yes

Board Member Duff -Yes

Chair Person Dawicki – Yes

Board Member Glassman – Yes

Filed with the City Clerk on:

11/29/16
Date



Colleen Dawicki, Chair
City of New Bedford Planning Board



Department of Public Infrastructure

Ronald H. Labelle
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: Ronald H. Labelle, Commissioner, D.P.I. 

DATE: September 13, 2013

RE: Proposed Site Development – Nstar
200 Theodore H. Rice Boulevard
Plot 136 Lots 323,354 and 466

PLANNING
SEP 16 2013
DEPARTMENT

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

1. Driveway permits are subject to Traffic Commission approval.
2. Permits for driveways 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. The department is requiring the engineer to verify that the existing water services will provide sufficient volume and pressure for your building.
5. Developer to check conditions of existing sewer and water services.
6. The proposed drainage system and storm water management plan should be approved by the City of New Bedford Conservation Commission before final approval by the Engineering Division.
7. This site plan includes 3 different lots, which may need to be combined to meet zoning requirements.
8. The Department of Public Infrastructure requires a final set of approval plans to be submitted that reflects all revisions made prior to the start of construction.
9. Developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to start of construction.
10. Upon completion, Engineer must submit "As Built Drawings" in CADD format prior to Certificate of Occupancy being issued.

/ct

Cc: Department of Inspectional Services
Environmental Stewardship
Field Engineering Co, Inc.
Nstar

ATTACHMENT 1