



Planning Board
City Hall, Room 303
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CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE
NEW BEDFORD, MA
2016 SEP 22 A 9:11
CITY CLERK

NOTICE OF DECISION-MODIFICATION OF GROUND SIGN SITE PLAN APPROVAL

Case Number: 29-16				
Request Type: Site Plan Approval for New Ground Sign				
Address: 385 County Street				
Zoning: Residence-A zoning district				
Recorded Owner: Kennedy-Donovan Center, Inc.				
Applicant: Kennedy-Donovan Center, Inc.,				
Applicant Address: One Commercial Street, Foxboro, MA 02035				
Application Submittal Date		Public Hearing Date		Decision Date
August 12, 2016		September 14, 2016		September 22, 2016
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
41	289	10946	138	

Application: Request by applicant for modification of Ground Sign approval for **Case #26-14**, under Chapter 9 Comprehensive Zoning, §3250 and 5427, located at 385 County Street (Map 41, Lot 289), in the Residence-A 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 September 22, 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.

9/21/16

Date



Colleen Dawicki, Chair
City of New Bedford Planning Board

1) APPLICATION SUMMARY

This was a request by applicant for modification of Ground Sign approval for **Case #26-14**, under Chapter 9 Comprehensive Zoning, §3250 and 5427, located at 385 County Street (Map 41, Lot 289), in the Residence-A zoning district.

On July 9, 2014 the Planning Board approved a KDC proposal to renovate the existing school and Ahavath Achim synagogue buildings into a cohesive office campus and associated parking with a new entrance addressing County Street.

Initially approved by the Planning Board on July 9, 2014 the applicant has modified the sign plan to bring brand awareness to the Kennedy-Donovan Center in keeping with their eight program centers and offices in southeastern Massachusetts and northern Connecticut.

As a condition of the previously-granted site plan approval for the development of the site for the KDC, "additional landscaped screening, consisting of low shrubs and trees" were to be installed "along the northern, eastern and southern sides of the property, with a revised final landscape plan design to be approved by Board Member Kathryn Duff and Planning Staff." Neither Ms. Duff nor Planning had been provided with such a plan. Although the landscape plan was a condition of the overall site approval and was not part of the ground sign site plan approval the applicant sought to modify, a landscape plan had been submitted for review with the sign modification request.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

Landscape Plan for 385 County Street (Plat 41, Lot 289), New Bedford, MA prepared for Kennedy Donovan Center dated June 10, 2014, revised through November 19, 2014, by JMBA + Architects, 47 North Second Street, 4th Floor, New Bedford, MA 02740.

Site Plan showing proposed sign location prepared for Kennedy-Donovan Center, 385 County Street, New Bedford, MA dated May 26, 2016 by Boucher & Heureux, Inc, Civil Engineers/Land Surveyors.

Kennedy-Donovan Center Ground Sign graphics, Signs by Tomorrow, 08/11/2016.

Other Documents and Supporting Material

Staff Report with attachments:

1. Site Plan Review Application for Ground Sign
2. Deed - Bristol County (S.D) Registry of Deeds Book 10946, Page 138
3. Decision Dated July 21, 2014
4. Department of Public Infrastructure Comments Dated July 15, 2014
5. Minutes of the July 9, 2014 Planning Board Meeting
6. Dedication of Segall Square
7. Site Plan and Sign Graphics
8. Landscape Plan

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. David Quinn, of Signs by Tomorrow, represented the applicant before the Planning Board. Mr. Thomas Cianci also spoke on behalf of Kennedy-Donovan Center in discussion of the Landscape plan.

Mr. Quinn described the proposal to modify approval previously received for a pylon sign with stone veneer to a double-face, internally illuminated pylon cabinet sign supported by steel poles. Signage will be installed in compliance with the minimum six (6) foot setback code stipulation.

The applicant disclosed construction of the previously approved sign is cost prohibitive for the 501c(3) human service organization. Furthermore, the revised design is in keeping with branding recognition Kennedy-Donovan Center is striving to advance in addition to fostering awareness of services the organization offers, by installing a "marquee-style design" that lists services provided at this center. Mr. Quinn concluded his presentation by stating visibility and site line distances will be improved at the intersection of Hawthorne and County Street with the modified design proposal, rather than introducing a potential for site line obstruction created by the previous version of the sign design.

Mr. Cianci was asked by the Board to elaborate on completion of the Landscape Plan, as Kennedy-Donovan Center has been operating under a temporary certificate of occupancy, due to the outstanding condition of approval of the landscape plan. Discussion ensued to the satisfaction of all parties regarding acceptance and implementation of the plan.

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).

No one spoke or 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 on the approval of Modification of Ground Sign and final acceptance of Landscape Plan. Board Member Duff moved to approve with conditions, a request by applicant for modification of Ground Sign approval and Landscape Plan for Case #26-14, located at 385 County Street (Map 41, Lot 289), in the Residence-A zoning district as presented by Applicant's Agent Signs by Tomorrow, 400 Old Colony Road, Norton, MA 02766. Board Member Kathryn Duff offered the following motion:

The Planning Board finds this request to be in accordance with the City of New Bedford's Code of Ordinances Chapter 9 §5400 Site Plan Review, 5427 and 3250. As a result of such consideration, the Board approved the application with the following conditions:

- ☐ That the Planning Board require the applicant to delete reference to Note #15 on the Landscape Plan which addresses Layout Plan Note #15 applicable to Case 26-14.
- ☐ That the Landscape Plan be approved as having now satisfied the previously issued condition #7 relative to the original site plan approval for this project.

- ☐ 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.
- ☐ That any recommendations made in the planning staff report not otherwise noted here shall be honored by the applicant.
- ☐ That 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.
- ☐ That 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.
- ☐ That 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.
- ☐ That 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.

Motion seconded by Board Member Glassman. Motion carried unanimously five (5) to zero (0).


Board Member Kalife – Yes
Chair Person Dawicki – Yes

Board Member Cruz – Yes
Board Member Glassman – Yes

Board Member Duff -Yes

Filed with the City Clerk on:

9/21/16
Date



Colleen Dawicki, Chair
City of New Bedford Planning Board