



City of New Bedford

Department of Planning, Housing & Community Development

608 Pleasant St, New Bedford, Massachusetts 02740
Telephone: (508) 979.1500 Facsimile: (508) 979.1575

PATRICK J. SULLIVAN
DIRECTOR

STAFF REPORT

PLANNING BOARD MEETING
September 14, 2016

**Case #29-16: GROUND SIGN APPROVAL
MODIFICATION**

Kennedy-Donovan Center
385 County Street
Map 41, Lot 289

Owner/Applicant:

Kennedy-Donovan Center, Inc
One Commercial Street
Foxboro, MA 02035

Applicant's Agent:

Signs by Tomorrow
David Quinn
400 Old Colony Road
Norton, MA 02766



Overview of Request

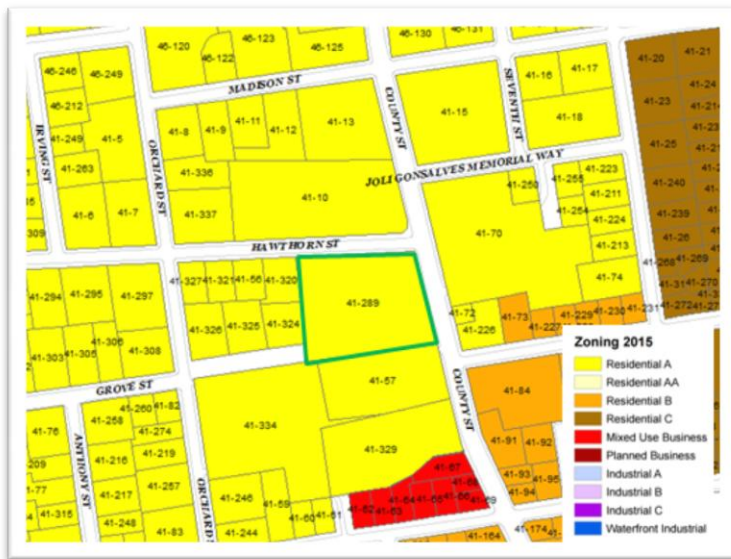
Request by applicant for modification of Ground Sign approval for **Case #26-14**, under Chapter 9 Comprehensive Zoning, §3250 and 5427, located at 385 County Street (Map 41, Lot 289), in the Residence-A zoning district.

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.

Applicant, Kennedy-Donovan Center [KDC], is a 501(c)(3) human service organization serving individuals and families in 160 towns, providing a wide range of services for individuals and families. 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.

Existing Conditions

The KDC South Campus is positioned at the southwest corner of County and Hawthorne Streets. The use is by-right for a non-profit educational corporation under Residence A zoning district regulations. This is particularly relevant because signage is not typically allowed in the RA zone. In this case it is allowed because of the by-right use associated with the signage.



The location is within the County Street Historic district, roughly bounded by Acushnet, Page, Middle, and Bedford streets (both sides), named to the National Historic District¹ in 1976. Surrounding the site are single family residential dwelling units of architectural significance. Neighboring commercial uses include the Rotch-Jones-Duff House and Garden Museum; William Rotch-Rodman house (professional building), the Grinnell Mansion and Brandon Woods.

A monument memorializing the life and service of World War II Ensign Joseph Irving Segall is placed in close proximity to the anticipated ground sign installation on the former grounds of the Ahavath Achim Congregation.

Proposed Conditions

The applicant asks to modify approval previously received for a pylon sign with stone veneer to a double-face, internally illuminated pylon cabinet sign supported by six (6) inch steel poles. Signage will be installed seven (7) feet back from the lot line in compliance with the minimum six (6) foot code stipulation. Color specifications for the arch top proposed sign are blue and white, framed in black finish. The five (5) foot by eight (8) foot shape sign measures 40+/- SF with an overall height from grade at eleven (11) feet six (6) inches.

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. The Department of Public Infrastructure's response dated July 15, 2014 is attached for review. No further comments from other departments were received at the time of the compilation of this report.

Site Plan Review

Plans and graphics submitted for consideration:

- 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. *(NOTE: 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 has been provided with such a plan until this time. 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 is now seeking to modify, this has nonetheless been submitted for review within this sign modification request. As such, staff recommends the board's review and action on this.)*

¹ Although the proposed ground sign is located within a national historic district, only signage within the Bedford Landing Chapter 40C Historic District requires approval from the New Bedford Historical Commission.

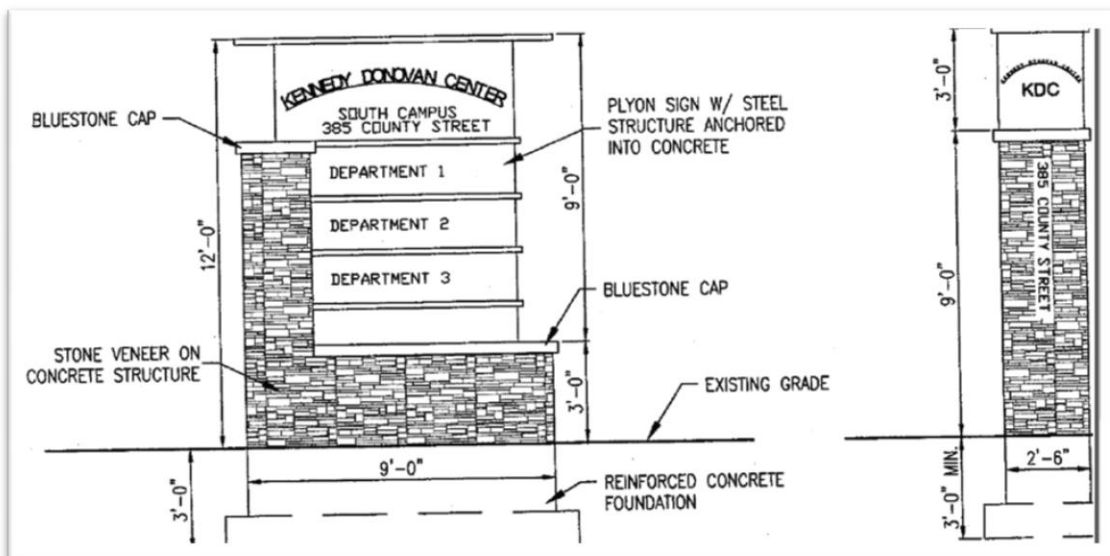
- Site Plan Showing Proposed Sign Location prepared for Kennedy Donovan Center, 385 County Street, New Bedford, MA dated May 26, 2016 by Boucher & Heureux, Inc, Civil Engineers/Land Surveyors.
- Kennedy-Donovan Center Ground Sign, Signs by Tomorrow, 08/11/2016.

Master Plan Goal

The application for modification of commercial ground sign under consideration by the Planning Board as part of the development proposal by Kennedy-Donovan Center meets the criteria set forth under A City Master Plan: New Bedford 2020 in that the proposal brands the Kennedy-Donovan Center and fosters sustainable development projects that have the ability to catalyze economic growth within the district through permanent jobs created by existing businesses for New Bedford citizens.

For Board Member Consideration

Although the application and plans for a ground sign are professional in design and scope, the modified ground sign is significantly different from the original design concept.



Staff Recommendation

In light of the nature of this request, the project scale, the existing character of surrounding properties, the thresholds required for modification to Ground Sign approval and its consistency with the city's Master Plan, staff recommends approval of this modification to include 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.
- 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.
- 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 concurrently 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 from the office of the City Clerk for the Planning division case file folder.
- The rights authorized by the granted Site Plan Modification for New Ground Sign 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.

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





PLANNING BOARD

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 02740

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

*modification
OF CASE 26-14*

SITE PLAN REVIEW APPLICATION FOR NEW GROUND SIGN

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled:
Kennedy Donovan Center Ground Sign by: Signs By Tomorrow dated: 08/11/2016

1. Application Information

Street Address: 385 County Street

Assessor's Map(s): 41 Lot(s) 289

Registry of Deeds Book: 10946 Page: 138

Zoning District: RA

Applicant's Name (printed): David Quinn, Signs By Tomorrow

Mailing Address: 400 Old Colony Road Norton MA 02766
(Street) (City) (State) (Zip)

Contact Information: 508-272-6561 norton@signsbytomorrow.com
Telephone Number Email Address

CITY CLERKS OFFICE
NEW BEDFORD, MA
2016 AUG 12 A 9:41
CITY CLERK

Applicant's Relationship to Property: ☐ Owner ☒ Contract Vendee ☐ Other _____

List all submitted materials (include document titles & volume numbers where applicable) below:

Email from Building Inspector Dated May 16, 2016
Segall Square Monument Information (2 pages) Date 8/11/2016
Abutters List
Civil Engineered Site Plan Dated May 26, 2016
Sign Design Concept with Measurements from Signs By Tomorrow, Dated 2/11/2016
Previously Approved Sign Concept and Landscape Plan, Dated November 19, 2014

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

8/11/16

Date

Signature of Applicant

Case 29-16
08/12/2016

ATTACHMENT 1

2. Zoning Classifications

Present Use of Premises: Kennedy Donovan Center

Proposed Use of Premises: Kennedy Donovan Center

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):

3. Will sign be illuminated? Yes, How? Internally, Lamps

4. Will sign overhang a public sidewalk? No, If yes, an indemnification certificate must be obtained from the City Council Clerk's Office, City Hall Room 215

5. Briefly Describe the Proposed Project:

Request for a modification to the previously approved freestanding ground sign. The modification is to install a new 5' wide x 8' tall double sided sign with Kennedy Donovan Center logo, list of the services for that location, and the street address on two steel supports rather than on stone veneer.

6. Please complete the following:

	<u>Existing</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Total Sign Area (sq ft)	0		40
Sign Height (ft)			11'-6"
Total Number of Signs at Subject Parcel(s)			1
Front Setback (ft)			7'
Side Setback (ft)			7'
Side Setback (ft)			170'

7. ZBA Variances and Special Permits:

NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.

☐ The applicant is also requesting a special permit from the ZBA:

Specify zoning code section & title:

☐ The applicant is also requesting a variance from the ZBA:

Specify zoning code section & title:

8. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: David Quinn, Signs By Tomorrow

at the following address: 400 Old Colony Rd, Norton MA 02766

to apply for: Modification to Ground Sign

on premises located at: 385 County Street

for which the record title stands in the name of: Kennedy-Donovan Center

whose address is: One Commercial St, Foxboro, MA 02035

by a deed duly recorded in the:

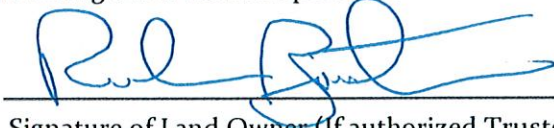
Registry of Deeds of County: Bristol Book: 10946 Page: 138

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

8/10/2016

Date



Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

CITY CLERK

2016 AUG 12 A 9 41

CITY CLERKS OFFICE
NEW BEDFORD, MA

After recording, please send to:
Attorney Henry J. Sousa, Jr.
P. O. Box 416
Norton, MA 02766

BK 10946 PG 138
11/07/13 03:05 DOC. 27328
Bristol Co. S.D.

QUITCLAIM DEED

AHABATH ACHIM CONGREGATION also known as **AHAVATH ACHIM CONGREGATION**, a religious corporation organized under the laws of the Commonwealth of Massachusetts of New Bedford, Bristol County, Massachusetts, for consideration paid and in full consideration of **THREE HUNDRED FIFTY THOUSAND (\$350,000.00) DOLLARS** grants to **KENNEDY-DONOVAN CENTER, INC.**, a Massachusetts not for profit corporation, with a principle place of business at One Commercial Street, Foxboro, MA 02035, with *quitclaim covenants* the land with the buildings thereon in New Bedford, Bristol County, Massachusetts, bounded and described as follows:

Beginning at the intersection of the south line of Hawthorn Street with the west line of County Street; thence westerly in said south line of Hawthorn Street, two hundred fifty-five and 88/100 (255.88) feet to a stake; thence southerly in line of other land of Charles M. Carroll two hundred twenty-nine and 92/100 (229.92) feet to a drill hole; thence easterly in line of land of one Grinnell two hundred eighty-seven and 98/100 (287.98) feet running through a drill hole 68/100 feet from the southeast corner of said land to County Street; thence northerly in said west line of County Street two hundred six and 39/100 (206.39) feet to the point of beginning.

Containing two hundred sixteen and 64/100 (216.64) square rods, more or less.

FOR TITLE SEE deed recorded in the Bristol County (S.D.) Registry of Deeds in Book 825, Page 211.

IN WITNESS WHEREOF, the said Ahabath Achim Congregation, also known as Ahavath Achim Congregation, has caused its seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Jeffrey Horowitz, its President, and Lloyd Felder, its Treasurer, hereto duly authorized, this 30th day of October, 2013.

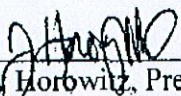
AHABATH ACHIM CONGREGATION,
also known as AHAVATH ACHIM CONGREGATION
By:

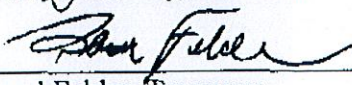
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Jeffrey Horowitz, President


Lloyd Felder, Treasurer

29-16

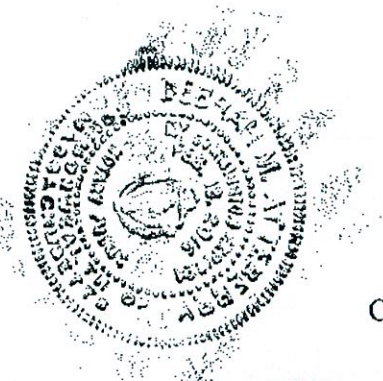
ATTACHMENT 2

Property Address: 385 County Street, New Bedford, MA 02740

COMMONWEALTH OF MASSACHUSETTS
County of Bristol

On this 30 day of October, 2013, before me, the undersigned Notary Public, personally appeared JEFFREY HOROWITZ, proved to me through satisfactory evidence of identification, which was MA drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as President for Anabath Achim Congregation.

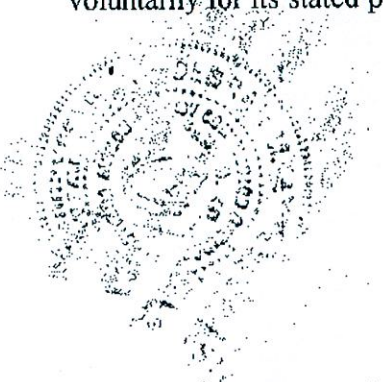
Debrah M. Otteberry
NOTARY PUBLIC Debrah M. Otteberry
My commission expires: 2/18/16



COMMONWEALTH OF MASSACHUSETTS
County of Bristol

On this 29 day of October, 2013, before me, the undersigned Notary Public, personally appeared LLOYD FELDER, proved to me through satisfactory evidence of identification, which was MA drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Treasurer for Anabath Achim Congregation.

Debrah M. Otteberry
NOTARY PUBLIC Debrah M. Otteberry
My commission expires: 2/18/16





PLANNING BOARD

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE
NEW BEDFORD, MA
2014 JUL 21 P 2:56
CITY CLERK

July 21, 2014

Ms. Stephanie Macomber, Acting City Clerk
133 William Street
New Bedford, MA 02740

RE: Site Plan Review & Special Permit Official Decision,
Case # 26-14, 385 County Street (Map Plot 41 Lot 289)

Dear Ms. Macomber,

Please be advised that the New Bedford Planning Board held a public hearing on July 9, 2014 to discuss an application Site Plan Review for proposed Conversion of Existing Buildings to Office Use and New Construction of an Off-Street Parking Area, Site Plan Review for a Proposed Ground Sign and Special Permit for Reduction of the Minimum Off-Street Parking Requirement at the property known as 385 County Street, New Bedford, MA, 02740 in a Residential A zoned district.

Plans submitted with the application were stamped by City Clerk on June 12, 2014, submitted by Alan J. Heureux, P.E., Boucher & Heureux, Inc., 648 American Legion Highway, Westport, MA, 02790, on behalf of Kennedy Donovan Center, Inc., 1 Commercial Street, Foxboro, MA, 02035.

Board Members Colleen Dawicki, Arthur Glassman, Janine Da Silva, Kathryn Duff and Peter Cruz were present on the evening of the public hearing.

Mr. Alan J. Heureux (Boucher & Heureux, Inc.) and Mr. Joseph Booth (JMBA Architects, 47 N. Second Street, New Bedford, MA, 02740) presented information on the proposed project on behalf of the applicant. Mr. Heureux and Mr. Booth described the proposed sitework and provided detail on the proposed operations at the property and impacts on the surrounding community.

Chairman Dawicki then called for a motion to open the public hearing. A motion was made by J. Da Silva, seconded by P. Cruz, to open the public hearing. Chairman Dawicki then invited to the podium anyone wishing to speak in favor of the application. No one spoke in favor or wished to be recorded in support of the petition.

Chairman Dawicki then invited to the podium anyone wishing to speak in opposition of the petition. No one spoke in favor or wished to be recorded in opposition of the petition. On a motion by J. Da Silva, seconded by A. Glassman, the public hearing was closed.

ATTACHMENT 3

After due deliberation and consideration of all testimony, the Planning Board considered a motion by J. Da Silva, seconded by A. Glassman, to approve the request for Special Permit for a reduction of the Minimum Off-Street Parking Requirement from 87 to 57 parking spaces.

This motion carried 5-0. (CD, JD, PC, AG, KD)

After further deliberation and consideration of all testimony, the Planning Board considered a motion by J. Da Silva, seconded by A. Glassman, to approve the Site Plan Review (for proposed Office use and proposed Ground Sign), based on the plan set dated June 10, 2014, with conditions:

1. That all DPI Comments, as detailed in their forthcoming memorandum to Planning Board, be accepted / completed by the applicant;
2. That the applicant abide by all conditions of approval issued by Traffic Commission as part of their upcoming review of proposed curb cuts;
3. That a "Do Not Exit" sign be installed at the newly constructed Hawthorn Street curb cut;
4. That the Hawthorn Street curb cut width be reduced from 22 feet to 18 feet;
5. That the applicant install erosion control measures, including straw bales, along the southeastern perimeter of the subject property;
6. That the applicant work with Planning Staff to determine the acceptable type and number of on-site lighting fixtures;
7. That additional landscaped screening, consisting of low shrubs and trees, 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;
8. That an automatic shutoff timer be installed to control the new internally-lit ground sign, and that the sign illumination be shut off no later than 1 hour after the close of office hours at the subject property;
9. That granite curbing be installed along the edges of both newly installed driveways from the street up to the turn radius;

This motion carried 5-0. (CD, JD, PC, AG, KD)

Sincerely,



Jill Maclean, City Planner
Agent for the Planning Board

Cc: Danny Romanowicz, Commissioner DIS
A. Heures, Boucher & Heures, Inc.
Ronald Labelle, Commissioner DPI
Scott Downing, Executive Secretary, Traffic Commission
Kerry Winterson, Ward Five Councilor



CITY OF NEW BEDFORD

Jonathan F. Mitchell, Mayor

Department of Public Infrastructure

**Ronald H. Labelle
Commissioner**

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance

MEMORANDUM

TO: City of New Bedford Planning Board

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

DATE: July 15, 2014

RE: Site Plan – Kennedy Donovan Center
385 County St
Plot 41 Lot 289

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. Driveways to be built in accordance with City of New Bedford regulations and with 4 foot transition curb on both sides.
3. Replace all existing sidewalk on the County Street side with cement concrete.
4. Permits for sidewalk, driveways, drainage and water must be obtained from the Department of Public Infrastructure Engineering Division.
5. Drainage design must comply with Phase II, Mass Department of storm water Management standards.
6. Is the existing sewer service north of the proposed SMH #1 still being used?
7. Trees proposed for County Street side of the project should be planted inside private property, due to handicapped accessibility regulations.
8. Proposed sewer service must be located outside the limits of the underground recharge system.
9. The 1 1/2- inch domestic water service: Install a curb stop 1.5 feet from the face of curb.

10. The department is requiring that you or your engineer verify in writing that the proposed domestic water and fire service will provide sufficient volume and pressure for the proposed commercial building. Should there be a need for greater water pressure, booster pump(s) shall be installed.
11. Owner to submit fire supply backflow plan for department approval.
12. All work and construction shall be in accordance with the City of New Bedford Department of Public Infrastructure construction specifications.
13. Developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure, and provide a full set of the most recent version of the site construction plans prior to the start of construction.
14. Upon completion, Engineer must submit "As Built Drawings" on CADD format prior to the certificate of Occupancy being issued.

Cc: Department of Inspectional Services
Environmental Stewardship
Boucher & Heures, Inc.
Kennedy Donovan Center

NEW BEDFORD PLANNING BOARD
New Bedford Public Library
July 9, 2014
133 Williams Street

MEMBERS PRESENT:

Colleen Dawicki, Chairperson
Janine DaSilva, Vice Chairperson
Kathryn Duff, Clerk
Peter Cruz
Arthur Glassman

ALSO IN ATTENDANCE:

Jill Maclean, City Planner

Chairperson Dawicki called the meeting to order at 6:00 p.m.

After review of the June meeting minutes, Ms. Duff noted a correction to the spelling of her name. At Chairperson Dawicki's request, a motion was made (JD) and seconded (AG) to approve the minutes.

Motion passed unopposed.

PUBLIC HEARINGS:

CASE #25-14 – Sidewalk café permit

Jeff Goggin of New Bedford, addressed the board. He stated he is looking to have outdoor service of alcohol at his restaurant.

Ms. Duff inquired as to whether the board had always allowed the outdoor service of alcohol. Ms. Maclean explained that an applicant needs to come into the planning board for a sidewalk café permit, as well as the licensing board for a permit to serve alcohol.

Mr. Goggin stated they were in process with the licensing board.

Ms. Duff confirmed that the board's approval of the site plan does not give approval to serve alcohol. Ms. Duff further inquired whether the front foliage on Union Street is maintained by the applicant. The applicant explained he did not, but the landlord did some maintenance.

Ms. Duff confirmed there were plantings in the area, and the applicant confirmed that there were and that he would be maintaining those.

Ms. Dawicki suggested the board have the planning staff review the final design.

Mr. Glassman felt it was a class operation with top shelf performance. He also reiterated his suggestion that an applicant returning year after year for such a permit could be dealt with by a staff determination as opposed to an appearance before the board.

Mr. Cruz inquired as to the installation of the temporary fence. The applicant explained that it is not a permanent installation and there is no ground anchor.

A motion was made (JD) and seconded (PC) to open the public hearing, which passed without opposition.

In response to Ms. Dawicki's invitation to speak or be recorded in favor, Ward 1 Councilor Jim Oliveira addressed the board. He stated he is intimately familiar with the Goggin family, having been a downtown worker for the past 35 years. He noted the family's County Street business which operated for some 40 years as a neighborhood business, as is Brick. He felt both the father and son will do an impeccable job.

There was no response to Ms. Dawicki's invitation to speak or be recorded in opposition.

Ms. Dawicki suspended the public hearing. She also noted the letter in support. A motion was made (JD) and seconded (KD) to close the public hearing which passed unopposed.

A motion was made (JD) and seconded (AG) that the planning board approve the sidewalk café permit for Brick Pizzeria Napoletana at 163 Union Street (Map Plot 53, Lot 134) with a portion of north side of Union Street (Map Plot 53, Lot 133) to provide outdoor seating within Wings Court for a restaurant, with a final review and style approved by planning staff. Motion passed 5-0.

CASE #26-14 – Site plan review

Alan Heures, a civil engineer with Boucher & Heures Inc. of Westport, addressed the board, accompanied by architect Joseph Booth of JMV Architects, and Rich Bornstein, CFO for the Kennedy Donovan Center. The proposed site is located at the southwest corner of County and Hawthorn Street, bounded by commercial properties north and south and across the street, with residential properties to the west and the St. John/St. Joseph Catholic School to the southwest. He displayed an aerial exhibit showing the proposed site layout. The property has approximately 200' of frontage on County Street and approximately 250' frontage on Hawthorn Street.

The project plans to renovate the existing school and synagogue buildings into a cohesive office campus, with a new entrance addition in the front of the building and completely new off-street parking facility. Mr. Heroux stated they had met with department heads and city officials seeking input and presenting a preliminary parking facility layout. He stated they had responded to their concerns.

Mr. Heureux showed the existing condition with highlighted areas of proposed demolition. He stated they would remove and dispose of the front stairway/porch area and the concrete patio. He noted that all front pavement would be removed and disposed of, and stated he had submitted Mr. Booth's detailed demolition plan to the planning staff.

Mr. Heureux then went over the layout plan, showing the new entrance and parking facility, which will not disturb any street trees along County Street but will remove three wrought iron fence sections. He stated there were 57 proposed spaces, all designed in accordance with City of New Bedford standards. The applicant is proposing a Hawthorn Street entrance as a second means of access to the site for employees and emergency vehicles.

Mr. Heureux displayed the existing entrance on Hawthorn Street to a small service area, which they propose to use for employee parking spaces and seek to leave as is.

He went over the proposed main entrance, sidewalks and the handicap ramp to the temple elevation with the handicap spaces.

Mr. Heureux next addressed the grading utilities plan and pointed out the drainage system designed to meet all DEP standards for recharge, treatment and solids removal. He stated there will be two leeching facilities, the parking area site running down southeasterly towards County Street. He noted three catch basins that flow to a storm ceptor. He noted existing water service on Hawthorn Street and an existing sewer line at Russell Street, the proposal being to replace the entire sewer at the easterly end of the property up to the renovated building. The site will have municipal gas as well.

Mr. Heureux then displayed the landscape plan prepared by Mr. Booth. He noted the 15-30 foot green strip along County Street and Hawthorn Street. City officials made clear that maintaining the green state in these areas was important. He noted there would also be screening planting in the parking area, and perennials and shrubs in front and around the building.

Mr. Heureux displayed the details and notes sheet with technical information, the last of the five site plan sheets. He invited questions from the board.

Ms. Dawicki first addressed traffic. She noted concrete aprons at the curb cuts on Hawthorn Street and inquired if there was one for County Street as well. He applicant stated the Hawthorn Street sidewalk runs continuously as it set back from the curb allowing for the apron. The

county Street sidewalk is right up against the curb and as such does not allow for the apron. County Street will have the handicap ramps and pads at both sides of the intersection.

Ms. Duff noted the Hawthorn Street entrance is currently a nightmare and she cannot imagine another curb cut at that intersection, especially with rush hour traffic in the am and pm. She suggests an entrance only there with a "do no exit" or "entrance only" sign.

Joe Booth, architect at 47 North Second Street, New Bedford, addressed the board. He noted the project purpose is to provide private office space for Kennedy-Donavan which currently has offices all over the city, with really no public servicing in the facility. He expects the workers to be out in the field most of the time, though he agreed the intersection has always been a nightmare. He stated the curb cut was added to satisfy the fire department and their access concerns. They are seeking drive-through capability. He noted there will be no vans stored on this site.

Mr. Glassman confirmed this will not be a school of any sort, even though it is referenced as the "school building" but office space, as will the 1st floor of the synagogue.

Mr. Booth stated they had intentionally moved a curb cut away from Hawthorn Street.

In response to a question from Mr. Cruz, the applicant stated the Hawthorn Street curb cut is 22', the two-way traffic minimum. Ms. Duff inquired as to the one-way traffic minimum. The applicant believed for fire truck access the minimum would be 18'. Mr. Cruz supported a reduction to 18' with one-way traffic only.

Ms. Duff raised a concern about employees being able to back up. The applicant noted the spaces were the standard size, 20'x9', with a 16' lane and a 10' curb cut.

Mr. Heureux stated the applicant was also proposing a new ground sign, as shown in detail on the landscape plan. Mr. Booth commented that their intention is to minimize the impact of the school building appearance, and one approach is to install a stone veneer on the building bottom, which will also be incorporated into the internal lighted sign. The sign will list the various departments and is expected to be within zoning dimensions.

In answer to Ms. Duff, Ms. Maclean noted the required spaces were 87 and the applicant had 57, though they had shown more spaces during the permitting process, which they were asked to remove in order to provide green scape on the boundaries and a buffer for the Grinnell Mansion.

Ms. Dawicki inquired if this parking lot would allow for parking of cars from across the street, to which the applicant responded it would not.

Mr. Cruz noted that everything met criteria. He noted the plans lacked erosion control. Mr. Heureux stated they would put an erosion control barrier all around the site. He noted there

would be a 50' stone entrance during construction. He stated there would be silt fence around the perimeter. The applicant agreed to Mr. Cruz's suggestion of straw bales on the lower end. With regard to protection of existing catch basins, Mr. Cruz suggested silk sacks. The applicant agreed to do so on the three on-site catch basins, but noted they expect the work to happen very quickly.

Mr. Cruz noted only one city owned catch basin at Hawthorn & County Streets. The applicant again stated the runoff will be southeasterly.

Ms. Duff expressed the site had the opportunity to have a rain garden on the easterly edge, as opposed to curbing and tradition catch basins. Mr. Heureux felt the site was too steep, and opted for more green landscaping areas.

Mr. Cruz expressed concern with concrete curb and inquired about granite to fit in with the downtown atmosphere and neighboring sites. The applicant stated that would be a large additional expense. Mr. Booth reminded the board that the group is a non-profit with limited funding to put the building back into service.

Ms. Dawicki inquired about lighting. Mr. Booth stated the lighting had not yet been done. He anticipates the lights to be modern down-lighted fixtures.

A motion was made (PC) and seconded (KD) to accept the lighting cut sheet, which passed without opposition.

Mr. Booth noted it was an energy efficient LED fixture on a 14' pole.

The applicant in response to Ms. Dawicki, stated they were willing to work with planning staff on possible modifications. The applicant stated the necessary light will be installed at egress points with a canopy containing down lights, but there is no planned floodlighting.

Mr. Booth, in response to Ms. Dawicki, stated they would be replacing the jealousy windows but would retain the aluminum siding. The current gymnasium will be mostly glass with a wood panel. The school building will have the stone veneer and a window change out, but will retain the blonde brick currently on the building.

Ms. Duff inquired as to how many trees would be removed from the property. Mr. Heureux stated six would be removed. Mr. Booth stated they were proposing to put trees back into the green space to offset those removed. Ms. Duff suggested shrubs and low trees be brought back to the area where grass is planned, for more of a buffer along County Street. She had hoped that there would not be a net loss on trees. She expressed appreciation for more green space instead of asphalt, but is leery of little grass strips due to maintenance needs. She suggest shrubs along the area.

Moving onto sign discussion, Ms. Duff confirmed the stone will be facing County Street. She requested that the sign be shut off an hour or two after the close of operations.

Mr. Cruz inquired if the entrance on Hawthorn would have granite pillars. The applicant responded it is proposed to just be an opening. Mr. Cruz inquired about any dumpster location. Mr. Booth indicated the proposed site for the same and explained access would be on Orchard Terrace.

Ms. Duff confirmed the wide elevation of the sign would be north and south, not east/west as noted on the elevation plan.

A motion was made (JD) and seconded (PC) to open the public hearing, which passed unopposed.

There was no response to Ms. Dawicki's invitation to speak or be recorded in favor.
There was no response to Ms. Dawicki's invitation to speak or be recorded in opposition.

The public hearing was suspended for further board discussion on conditions to include in any approval, such as additional shrubbery, granite curbing, the shutting down of sign lighting after hours, extending southern boundary screening, straw bales, no Hawthorn Street exit, et cetera. Mr. Cruz inquired about lining the site with granite as a compromise. Ms. Duff wanted granite at least at the entrances on County & Hawthorn Streets.

The applicant responded to Ms. Duff's inquiry that the decommissioning of the synagogue had already been done.

A motion was made (JD) and seconded (AG) to close the public hearing, which passed unopposed.

A motion was made (JD) and seconded (AG) to approve the special permit for reduction of the minimum off-street parking requirement at 385 County Street, Plot 41, Lot 289, from the required number of 87 to 57.

Motion passed 5-0.

A motion was made (JD) and seconded (AG) to approve the site plan review for a proposed conversion of an existing building to office use and new construction of off-street parking area for the property at 385 County Street, Plot 41, Lot 289, in a Residential A zoned district. with the following conditions: that the applicant abide by any comments submitted DPI; that the applicant abide by any conditions set forth by the Traffic Commission; that the applicant install a do not exit sign on the Hawthorn Street entrance; that the applicant narrow the opening on the same Hawthorn Street entrance from 22' to 18'; that the applicant install straw bales for erosion control on the southeast edge of the property; that the applicant review lighting on the site with staff approval; that the applicant provide more landscape screening of low shrubs along the

northern, eastern and southern edge of the property; that the applicant install a programmer on the internally lit sign on the northeast corner of the property; that the applicant install straight granite curbing on the site at both entries for the radius; and that the applicant submit the landscaping plan for review by planning staff and planning board installation.
Motion passes 5-0.

OLD BUSINESS:

With regard to **Eastland Terrace**, Ms. Maclean reported that an engineer had been hired and has met on-site with DPI. They have stated it should only take a couple of weeks to finish the work. The attorney is preparing to issue the city the performance bond to cover the remaining work and to release the covenant that exists on the lot on the north side of the street once the surety is received.

In response to any inquiry from Mr. Glassman, Ms. Maclean stated it had been determined that that was not a separate lot and belongs to the property on the northeast corner of Eastland Terrace. The intent is when the surety is released, the sign would be removed.

Mr. Glassman expressed concern that once the developer leaves any strip of land would have to be maintained, especially where there is no association.

Ms. Dawicki confirmed with Ms. Maclean that the Eastland Terrace project was moving ahead.

With regard to the **Bismark Meadows** subdivision, Ms. Maclean informed the board that both the planning board and Conservation Commission have worked diligently to try to close this matter. She stated one of the developers, Mr. Holding, had recently passed away, leaving the city to deal with the remaining partner Mr. Steen.

She stated the Conservation Commission had requested Mr. Steen to attend their last meeting and they declined. An enforcement order for the drainage basin has expired. She stated they were also aware that the matter was on the agenda for this evening's planning board meeting to seek some type of action.

Ms. Maclean stated that on June 25th a demand letter was sent, per solicitors, which Ms. Maclean read into the record. Ms. Maclean noted that Manny Silvia of DPI reported that as of this date, no work had commenced and no documentation regarding the homeowners' association. She stated she had received a return e-mail from Mr. Steen requesting further clarification, which Mr. Maclean provided. Mr. Steen noted that prior to releasing any subdivision lots he had filed a homeowner association with the registry of deeds. Ms. Maclean stated she had not seen any such documentation attached to any of the deeds for the properties sold.

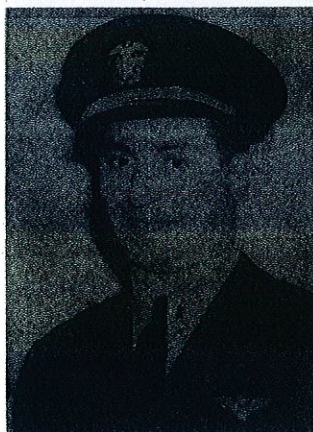
Ms. Maclean stated she had encouraged Mr. Steen to be present this evening.

**UMass
Dartmouth***Claire T. Carney
University Library*[Library Open](#)[9:00 am to 8:00 pm](#)[Need Help? Live Chat! | UMassD Home](#)[Library Home \(/\)](#) > [Archives & Special Collections \(/archives\)](#) > [Historical Tour of Jewish New Bedford \(/archives/jewish-tour\)](#) > Segall Square

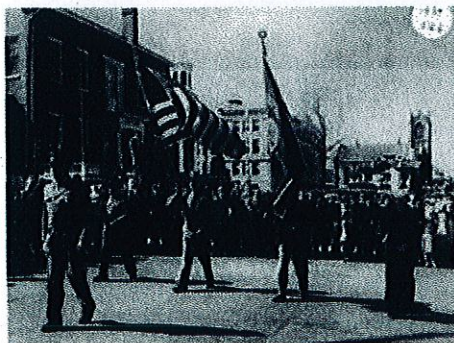
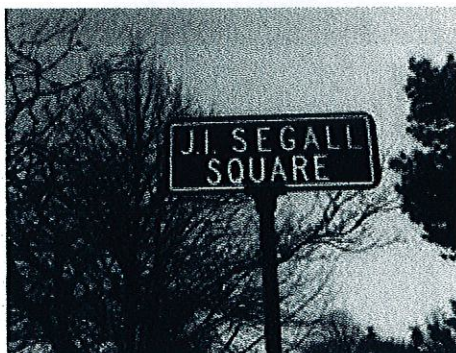
Segall Square

Joseph I. Segall Square

After World War II, many of our Jewish young men came back from the war, returned to school, and opened businesses in the city. For several young Jewish men who were killed in battle, monuments had been erected in their memory. One such monument is for Joseph Irving Segall whose monument is at the corner of County and Hawthorn Street, called Segall Square. Another memorial is the Kaplan memorial in the South end on Bolton St. A third monument to Gary Cohen is located in Dartmouth by Hixville Rd just behind the Dartmouth Mall.



Ensign Joseph Segall



Case 29-16
08/12/2016

1949 dedication parade

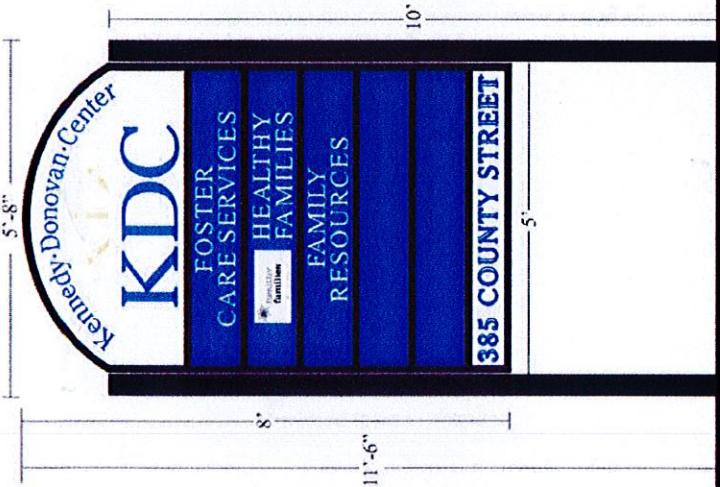
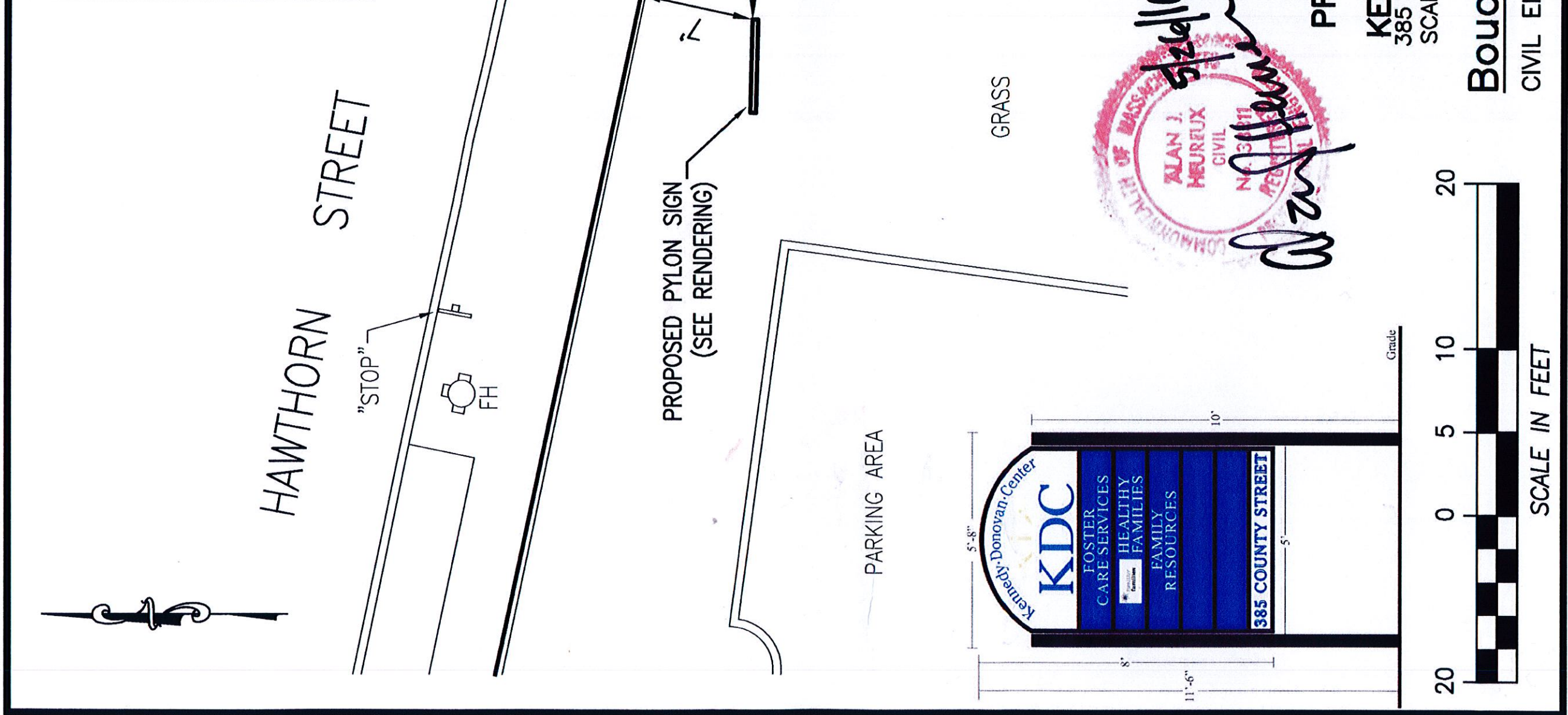
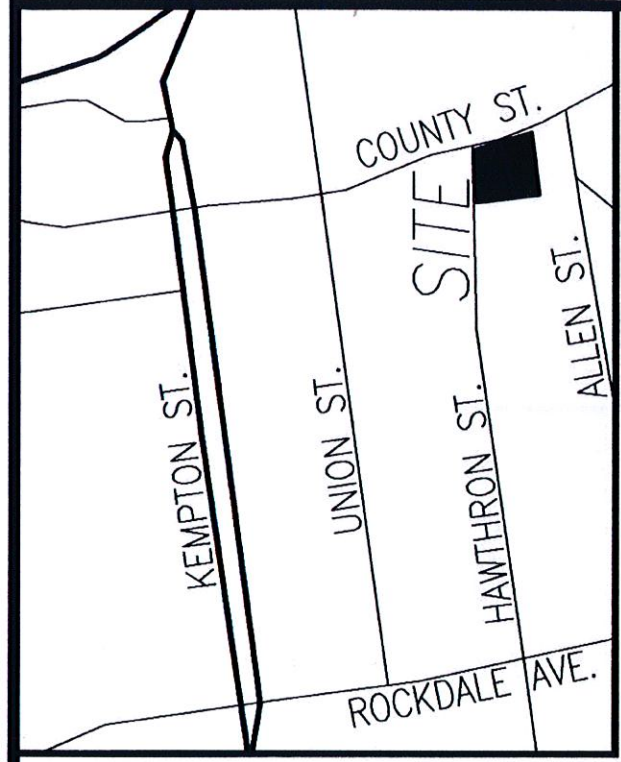


Current location of the plaque

The city square at Hawthorn and County streets was named the " Ensign Joseph Irving Segall Square " by City Council on June 24, 1948 . Ensign Segall, born in 1917 in New Bedford, was the first Jewish youth killed in World War II. The son of a prominent local physician, Segall was killed when his plane crashed in the North Pacific in July of 1942, while serving in the Navy. Through the efforts of the Jewish War Veterans New Bedford Post 154, under the leadership of post commander Louis Barroll, the square was dedicated, and a plaque installed on a wall in front of the Jewish Community Center on April 10, 1949, accompanied by a parade which started at the New Bedford Hotel on Pleasant Street and traveled down Union Street to the County Street intersection. The wall was later knocked down accidentally, and the plaque moved to its current site across the street, on the grounds of Ahavath Achim.

[Back to Tour Outline \(/archives/jewish-tour\)](#)

[Next to New Ahavath Achim \(/archives/jewish-tour/ahavath-achim-1\)](#)



**SITE PLAN SHOWING
PROPOSED SIGN LOCATION**

PREPARED FOR
KENNEDY DONOVAN CENTER
385 COUNTY STREET, NEW BEDFORD MA
SCALE: 1"=10' DATE: MAY 26, 2016

PREPARED BY
Boucher & Heureux, Inc.
CIVIL ENGINEERS LAND SURVEYORS

Alan J. Heureux
5/26/16

ALAN J. HEUREUX
CIVIL ENGINEER
NO. 33411
STATE OF MASSACHUSETTS

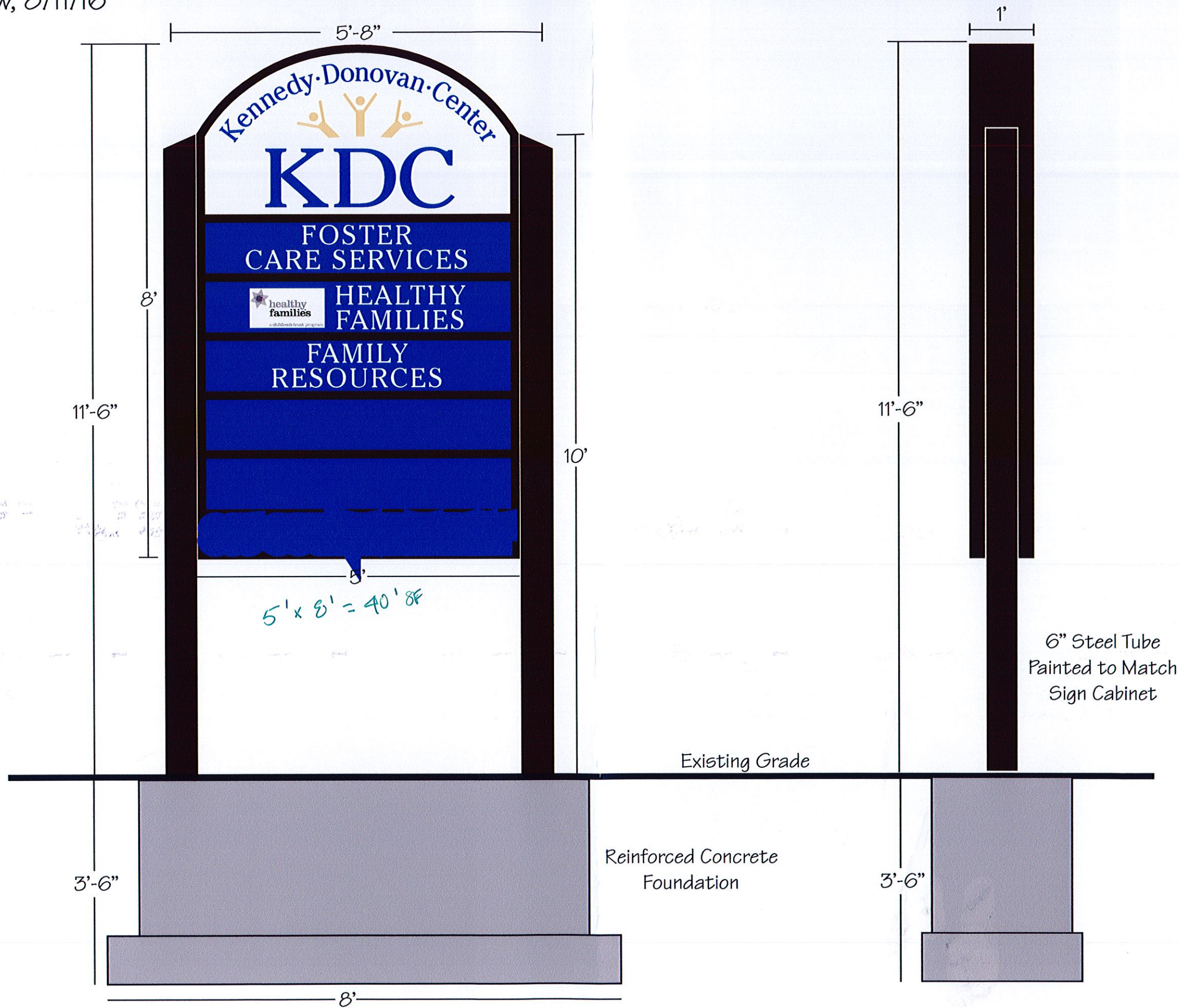
CITY CLERK

2016 AUG 12 A 9:42

CITY CLERKS OFFICE
NEW BEDFORD, MA

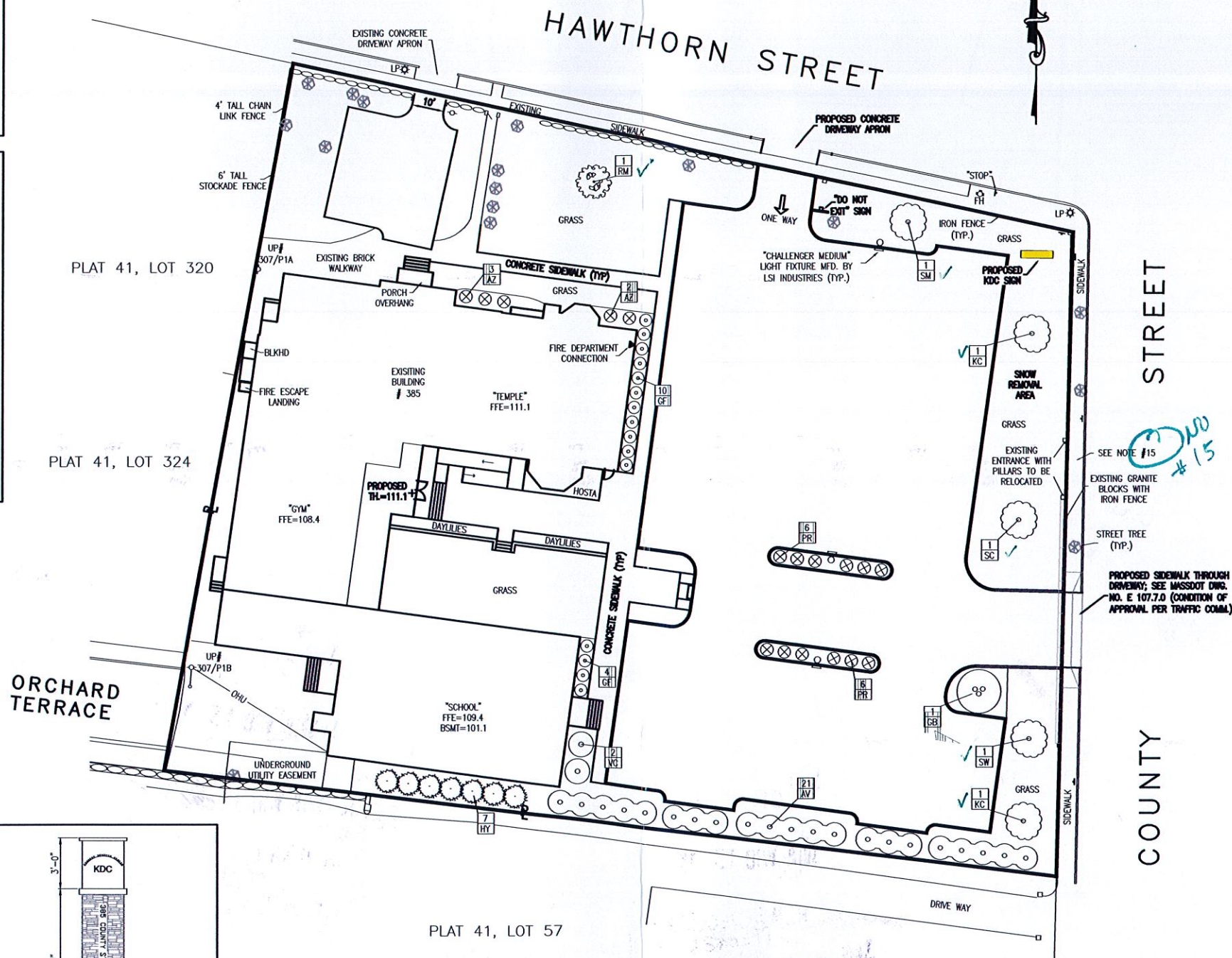
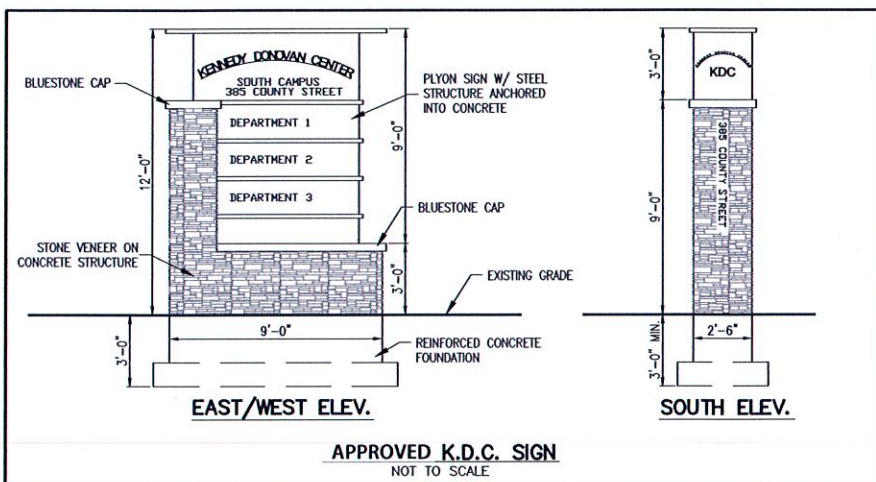
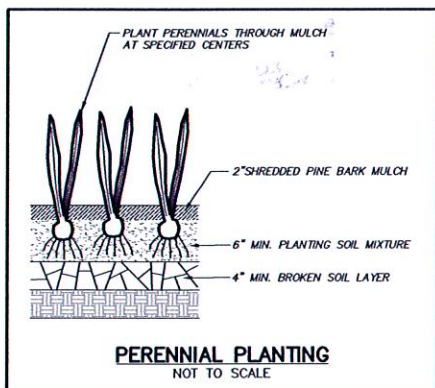
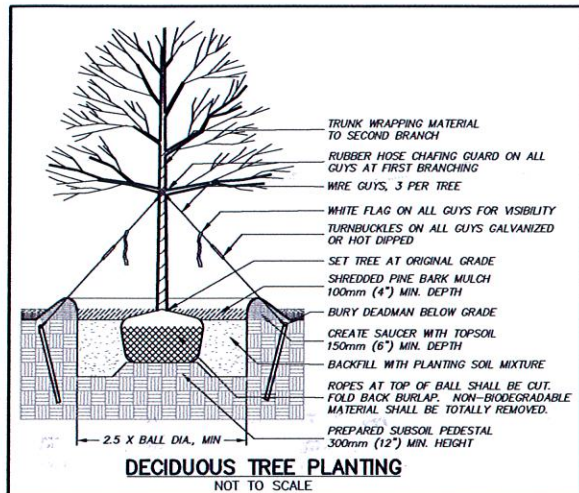
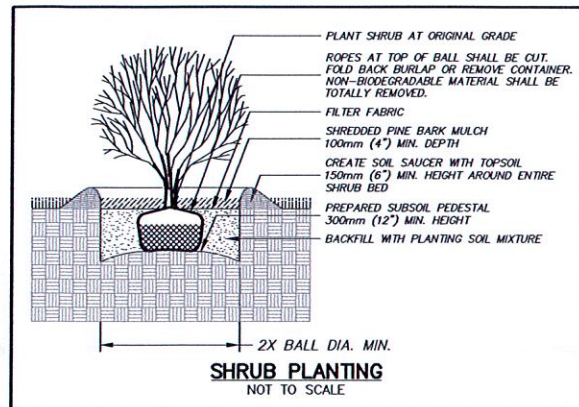
Case 29-16
08/12/2016

Kennedy Donovan Center Ground Sign
Signs By Tomorrow, 8/11/16



CITY CLERKS OFFICE
CITY CLERK
NEW BEDFORD, MA
2016 AUG 12 A 9:42

Case 29-16
08/12/2016



PLANT SCHEDULE

SYMBOL	QUANTITY	NAME
RM	1	EXISTING JAPANESE RED MAPLE
		TO BE RELOCATED TO AREA SHOWN
SM	1	MAGNOLIA STELLATA
SC	1	STAR MAGNOLIA TREE
		MAGNOLIA X SOULANGEANA
KC	2	SAUCER MAGNOLIA TREE
		PRUNUS SERRULATA
SW	1	KWANZAN CHERRY TREE
		OXYDENDRON ARBOREUM
GF	14	SOURWOOD TREE
		SPIRAEA X BUMALDA "GOLDFLAME"
PR	12	GOLD FLAME SPIREA
		PONTENTILLA FRUTICOSA "PRIMROSE BEAUTY"
AV	21	PRIMROSE PONTENTILLA
		THUJA OCCIDENTALIS "SMARAGD"
VC	2	EMERALD GREEN ARBORVITAE
GB	1	VIBURNUM CARLESII
		KOREAN SPICE VIBURNUM
AZ	5	BETULA POPULIFOLIA
		GRAY BIRCH CLUMP
HY	7	EXPURV AZALEA
		DECIDUOUS AZALEA
		TAXUS X MEDIA "HICKSII"
		HICKS YEW EVERGREEN

PLANTING NOTES:

- ALL NEW LAWN AREAS SHALL RECEIVE A MINIMUM OF 8 INCHES TOPSOIL OF THE PROPER PH AND ORGANIC CONTENT SUITABLE FOR THE HEALTHY GROWTH OF LAWNS. THE SCREENED LAWN SHALL BE TESTED AT 10" AND 20" DEPTHS FOR POSITIVE LAWN GROWTH. THESE AREAS SHALL BE SEEDING WITH A FINE BLADE LAWN GRASS SEED.
- ALL TREE AND SHRUB PITS SHALL BE AT LEAST 2 FEET WIDER AND 1 FOOT DEEPER THAN THE TREE OR SHRUB ROOT BALL TO BE PLANTED IN IT. BACKFILL SHALL BE HIGH QUALITY LOAM OF THE PROPER PH AND ORGANIC CONTENT SUITABLE FOR THE HEALTHY GROWTH OF PLANT MATERIALS.
- ALL AREAS TO BE MULCHED SHALL RECEIVE 4 INCHES MINIMUM 100% SHREDDED BARK MULCH WITHIN 48 HOURS OF PLANTING, UNLESS OTHERWISE NOTED IN PLANTING DETAILS. THE ONLY ACCEPTABLE COLOR OF MULCH IS BARK BROWN.
- ALL PLANTS SHALL BE NURSERY GROWN AND CONFORM TO THE LATEST EDITION OF "ANSI Z60.1, AMERICAN STANDARD FOR NURSERY STOCK."
- PLANTS SHALL CONFORM TO THE BOTANICAL NAME AS INDICATED IN THE LATEST EDITION OF "AMERICAN JOINT COMMITTEE OF HORTICULTURAL NOMENCLATURE, STANDARDIZED PLANT NAMES."
- PLANTS SHALL BE HANDLED AT ALL TIMES IN ACCORDANCE WITH THE BEST HORTICULTURAL PRACTICES. PLANTS IN-LEAF SHALL BE SPRAYED WITH ANTI-DESICCANT BEFORE DIGGING. PLANTS SHALL BE DUG WITH FIRM NATURAL BALLS AND SHALL CONFORM TO THE RATIOS AND SIZES SPECIFIED IN ANSI Z60.1. B & B PLANTS SHALL BE WRAPPED IN BURLAP AND TIED FIRMLY. PLANT MATERIALS SHALL BE DELIVERED IMMEDIATELY PRIOR TO PLACEMENT, SHALL BE KEPT MOIST AND SHALL BE PROTECTED FROM SUN AND WIND. PLANTS HAVING BROKEN OR CRACKED BALLS PRIOR TO OR DURING PLANTING WILL NOT BE ACCEPTED.
- ALL TRUNKS AND DECIDUOUS TREES SHALL BE WRAPPED IMMEDIATELY AFTER PLANTING WITH TREE WRAP. WRAP SHALL BE WOUND SPIRALLY, FROM THE BOTTOM OF THE TRUNK TO THE SECOND BRANCHES. ALL TREES SHALL BE STAKED OR GUYED IMMEDIATELY AFTER PLANTING IN ACCORDANCE WITH BEST HORTICULTURAL PRACTICES.
- THE PERIODS FOR PLANTING SHALL BE FROM MARCH 15 TO MAY 15 AND FROM SEPTEMBER 15 TO NOVEMBER 15, WEATHER PERMITTING.
- ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDING AS DIRECTED IN NOTE #1 ABOVE.
- ALL LOCATIONS OF EXISTING UTILITIES MAY NOT BE SHOWN ON THIS PLAN. SEE OTHER SHEETS FOR UTILITY LOCATIONS. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS OF EXISTING UTILITIES. UTILITY CONFLICTS MAY REQUIRE ADJUSTMENTS TO PROPOSED CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR OF ANY UTILITIES DAMAGED DURING CONSTRUCTION.
- PLANTING BEDS ADJACENT TO THE BUILDING SHALL CONTAIN A MIX OF PERENNIALS.

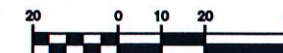
LANDSCAPE PLAN

385 COUNTY STREET
 PLAT 41, LOT 289
 NEW BEDFORD, MASSACHUSETTS

PREPARED FOR

KENNEDY DONOVAN CENTER

SCALE: 1"=20' DATE: JUNE 10, 2014
 REVISED THROUGH: NOVEMBER 19, 2014



PREPARED BY

JMBA + ARCHITECTS

47 NORTH SECOND STREET, 4TH FLOOR
 NEW BEDFORD, MASSACHUSETTS 02740
 tel. (508) 999-8220

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