



MAYOR
JON MITCHELL
PLANNING DIRECTOR
JENNIFER CARLONI

City of New Bedford Department of City Planning

133 William Street • Room 303 • New Bedford, Massachusetts 02740
Telephone: (508) 979.1488 • Facsimile: (508) 979.1576

PLANNING BOARD

STAFF REPORT

REPORT DATE
August 5, 2021

MEETING DATE
AUGUST 11, 2021

Case #21-28 & 21-29: SITE PLAN REVIEW & SPECIAL PERMIT

278 Union Street
Map: 46 Lot: 18, 21

**Owner/
Applicant:** Duane Jackson &
Deborah C. Jackson
278 Union Street
New Bedford, MA
02740

Overview

Request by applicant for **Site Plan Review** and a **Special Permit** for the construction of a mixed-use building with one commercial unit, 53 residential units, and associated underground parking at 278 Union Street, a 16,071 square foot Mixed-Use Business (MUB) zoned site in the Downtown Business Overlay District



Former site of the RMV at 278 Union Street.
Looking south from across Union Street.

Existing Conditions

The project site is 16,071 SF located in the Downtown Business Overlay District (DBOD) zone with 50' of frontage on Union Street, 107'± on Spring Street and 108' feet on Eighth Street. The site consists of two parcels – Lot 18, which is occupied entirely by the 3882 SF building on Union Street and Lot 21, which is occupied by the associated parking lot, with one (1) curb cut on Eighth Street and two (2) on Spring Street. Currently vacant, the property was most recently the site of the New Bedford branch of the Registry of Motor Vehicles until it relocated in 2017.

Directly abutting on the site to the west on Union Street is three-story mixed use building with a commercial first floor—occupied by a pizza place and a barber shop—and residential upper floors occupied by apartments. Abutting to the east on Union is a one-story building occupied by a staffing agency and an insurance office. A mixed-use building with office space and apartments abuts to the east. Across Eighth Street, is a three-story office building occupied by a church. Across Union Street is commercial building with a smoke shop and a credit union. A pre-school, a home furnish shop, and upper apartments occupy the properties across Spring Street.

The abutting properties on Union Street are a mix of commercial and upper floor residential.

Looking southwest from across Union Street.



The surrounding neighborhood is a mix of offices restaurants, and apartments, which are in mixed-use buildings with commercial first floors along Union Street, or in converted historic homes on the side streets.

Prior/Concurrent Permitting

The applicant is also appearing before the Zoning Board of Appeals for a special permit to allow for reconstruction on a site with an existing nonconforming building and for residential use, reduction in dimensional and parking requirements as may be allowed under the Downtown Business Overlay District.

Proposed Conditions

The applicant proposes to demolish the existing building, parking lot, and all landscaping on site and construct a six-story, 82,000 SF building that will occupy 100% of the site. The first floor will have one (1) 4,000± SF commercial unit on Union Street and seven (7) apartments. An additional 46 apartments are proposed for the upper four floors. An underground parking area with 19 parking spaces is proposed with an entrance on Spring Street.

The residential units will include one studio, 22 one-bedrooms, 26 two-bedrooms, and four three-bedrooms. The building will have an interior elevator for accessing the residential units.

Balconies/outdoor spaces are proposed on the following floors:

- First floor: 2 on the east side and 2 on the west side
- Second floor: 2 on the east side and 1 on the west side



Existing parking lot would be replaced with the proposed building.

Looking northwest from across Spring Street.

In the site plan review application, the applicant proposed a commercial unit that will be open from 9 A.M. to 5 P.M. Monday through Friday and service 40 customers per day. The applicant's agent indicated to staff a tenant has not been secured for the proposed space, and that these hours are subject to change.

Parking & Loading

According to the Zoning Ordinance, the proposed building would need to provide 130 parking spaces and two (2) loading spaces. The applicant has proposed 19 parking spaces in an underground parking structure beneath the building. Under the ordinance, the ZBA is the permit granting authority for parking reductions in the DBOD.

The parking lot layout shows a row of ten (10) tandem parking spaces and three (3) additional single parking spaces on the south side of the parking area. On the north side, six (6) parking spaces, including one (1) handicap space adjacent to the elevators, are proposed.

Traffic Impact Study

Planning Staff have requested, and applicant has agreed to provide estimated trip generation figures for the proposed development. Staff has not received the estimates as of the writing of this report.



Curb cut to be closed and street tree to be removed and replaced.
Looking north from corner of Spring Street.

Circulation

Currently, the parking lot on the site has two curb cuts on the Spring Street and one on Eighth Street. The applicant proposes closing one curb cut on Spring Street and the curb cut on Eighth Street. The remaining curb cut would provide two-way access to the underground parking structure via a ramp. Elevators and two stairwells provide access to the upper floors from the garage.

The applicant proposes to update the sidewalk along the property on Eighth Street and on Spring Street. Pedestrian access to the commercial unit will be via a Union Street sidewalk entrance. Access to the residential units will be provided by an interior stairwell and elevators via a lobby entrance on Eighth Street. Egress will also be provided by a second stairwell to a door on Eighth Street.



Landscaping to be removed.
Looking south from across Eighth Street.

Landscaping & Screening

The applicant proposes removing existing landscaped areas along the edge of the parking area. No new landscaped areas are proposed as the building will occupy 100% of the available site. One tree on Spring Street will be relocated as part of the sidewalk improvements and the closing of the curb cut.

Architectural elevations show condensers and a generator on the roof. No details for screening the condensers or generator are shown in the plans. **The Board may wish to condition that the applicant provide screening for the rooftop systems and that details be provided to Planning staff for administrative review.**

Snow Storage & Waste Receptacles

The applicant has not provided details regarding snow storage. While the footprint of the building covers the entirety of the site, **the Board may wish to inquire as to the plans for clearing snow on sidewalks and from the entrance to the garage.**

The plans indicate a trash room in the underground parking area. **The Board may wish to ask the applicant to provide more details regarding waste storage and determine whether the proposed plans are adequate.**

Stormwater

The applicant proposes to connect roof leaders and an oil/gas separator in the parking area to the municipal stormwater system on Union Street.

The applicant has provided a stormwater management report, prepared by Gale Associates, which concludes:

“The proposed project will result in the redevelopment of an existing disused site in an urbanized area that is predominately impervious. Under current conditions, 75% of the existing site discharges untreated roadway/parking lot runoff to the municipal system. Under the developed conditions 100% of the stormwater runoff from the roof will be directly discharged to the municipal system. Roof runoff does not contain vehicular pollutants and sediment from the roadway, and therefore is considered to not contain Total Suspended Solids (TSS), in accordance with the Massachusetts Stormwater Management Standards. Based on this, the project conforms with the City of New Bedford Stormwater Management Rules and Regulations Section 3.2.14.C (June 2021 Revision).”

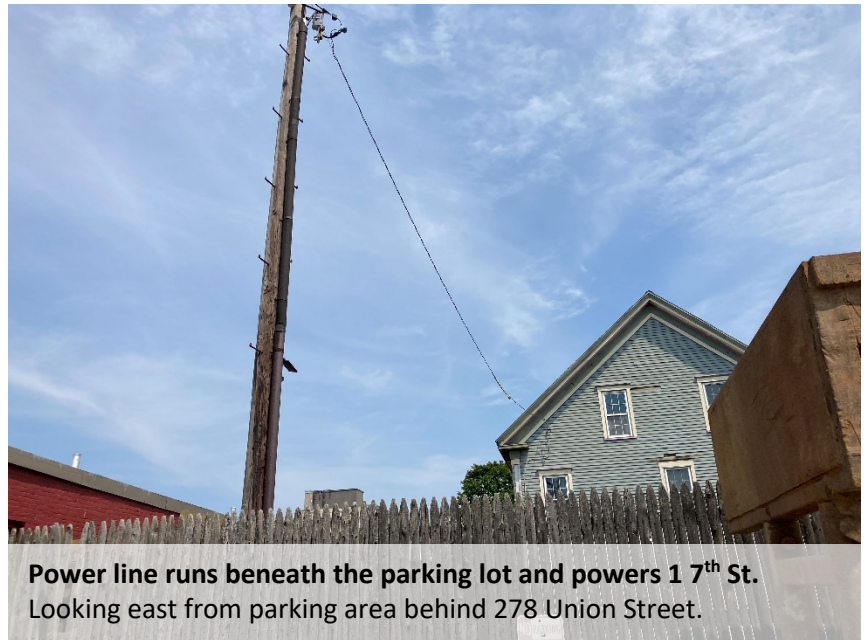
Planning staff defers to the Department of Public Infrastructure regarding compliance with the city stormwater regulations.

Utilities

The applicant proposes to replace the existing gas service line at Union Street, to connect to the electric utility at Union Street, and to tie into the City sewer and water service at Union Street.

An underground electrical line that provides power to 1 Seventh Street appears to currently run underground through the site behind the existing building connecting to Eighth Street. Plans do not indicate how or if this line will be relocated. **The Board may wish to confirm that the applicant has considered this and, if necessary, condition that the applicant coordinate with Eversource and the Department of Public Infrastructure to relocate the line.**

Plans do not show locations for the electric or gas meters. **The Board may wish to inquire about the anticipate location(s) for all utility meters.**



Site Preparation (Demolition and Erosion Control)

The applicant proposes to demolish and remove everything within the property line and the abutting sidewalks. Existing street signs, streetlights, parking meters, and one street tree will be protected and remain. Pavement will be sawcut where new curbing is proposed at the existing curb cuts on Eighth Street and Spring Street, and where an accessible curb ramp in proposed at the corner of Eighth and Spring.

A stone pavement construction entrance will be temporarily installed on Eighth Street behind the abutting building at 280 Union Street.

Plans indicate that construction fencing with a dust control screen will be installed around the site on Eighth and Spring Streets. No fencing is proposed for Union Street. **The Board may wish to condition that plans be revised to include erosion/dust control measures for Union Street.**

Detail sheets show a material stockpile area that will use swales and a layer of topsoil for erosion control, as well as silt socks and inlet sacks for erosion control, but site plans do not indicate where these measures will be employed. **The Board may wish to condition that plans be revised to include specific locations for erosion controls.**

Given the close proximity of adjacent buildings in relation to the proposed excavation work and vertical construction proposed on site, **the board may wish to inquire about any geotechnical evaluations, protection plans and coordination with the adjacent properties.**

Due to the proximity of adjacent structures, adjoining properties shall be protected from damage during demolition, excavation, dewatering and construction. Protection must be provided for, but not limited to footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction and/or demolition activities.

The Planning Board should encourage the development team to communicate with adjacent property owners along with the execution of access agreements between the parties prior to the start of the project. **The board may wish to condition the any approval, that the applicant shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.**

Signage

Plans show a conceptual signage reading “CARAVELA” proposed above the lobby entrance on Eighth Street, as well as signage above the commercial unit. No sign specifications are provided in the plans. **The Board may wish to inquire if there is any final signage plans and any proposed lighting of the signage.**

Lighting

The applicant has not provided a lighting plan. No lighting is indicated on the engineered or architectural plans. **The Board may wish to inquire if the applicant intends on installing any exterior lighting and discuss details for lighting in the underground parking area with the applicant to determine if there is a potential for light bleed or headlight glare.**

Architectural Plans

Architectural elevations show all sides of the proposed building. As proposed the ground floor of the building will be dark tan brick with white trim and the upper floors will be light tan, fiber cement panel exterior with yellow and white accent panels adjacent to the windows. A line of white trim is proposed around the roof. Colors are not indicated for the roof structures or the roof membrane. **The Board may wish to discuss possible colors with the applicant for the roof that will alleviate “heat island” effects and condition plan revisions that specify a color.**

Plans also show “Low E” fiberglass windows in white for the apartments and a glass canopy for the commercial unit frontage on Union Street. Aluminum, white guardrails are proposed for the balconies and outdoor areas.

White aluminum siding is proposed for the storefront on Union Street and on the exterior wall north of the Eighth Street lobby entrance. **The Board may wish to discuss this material choice with the applicant and condition that an alternative material be used.**

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.

At the time of writing this report, no departmental comments have been received.

Master Plan Goal

The proposal is consistent with the master plan's goals to expand workforce opportunities and communicates a positive message for business development, encourage and maintain a wide range of housing types throughout the city, and to promote a mixed-use environment in Downtown New Bedford.

Materials for Consideration

The engineered plan submission is shown as "The Caravela' Apartments 278 Union Street New Bedford, MA" dated 7/13/2021, and prepared by Gale Associates of Weymouth, MA. The plans are stamped by Bree D. Sullivan, PE. The plan set consists of the following sheets:

- G001 Cover Sheet
- G002 Abbreviations, Legends and Drawing List
- G003 Existing Site Plan
- C000 Civil Notes
- C001 Existing Conditions Plan
- C002 Demolitions and Erosion Control Plan
- C101 Layout and Materials Plan
- C201 Grading and Drainage Plan
- C301 Site Utility Plan
- C501 Civil Detail Sheet 1
- C502 Civil Detail Sheet 2
- C503 Civil Detail Sheet 3

The architectural plan submission is shown as 'The Caravela' Apartments 278 Union Street New Bedford, MA" dated 7/14/2021 and prepared by DHK Architects of Boston, MA. The plans are stamped by Fernando J. Domenech Jr., RA. The plan consists of the following sheets:

- A100 Basement Plan
- A101 Parking Plan
- A102 First Floor Plan
- A103 Second Floor Plan
- A104 Third Floor Plan
- A105 Fourth Floor Plan
- A106 Fifth Floor Plan
- A107 Roof Plan
- A108 North Elevation
- A109 West Elevation
- A110 South Elevation
- A111 East Elevation
- A112 Section Facing North
- A113 Section Facing West

Site Plan Criteria

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City's (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6" caliper trees and larger, removal of stone walls, displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site;
 - Minimize the obstruction of scenic views from publicly accessible locations;
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
 - Minimize glare from vehicle headlights and lighting fixtures;
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances;
 - Ensure compliance with the Zoning Ordinance;
 - Minimize damage to existing adjacent public ways;
 - Promote orderly and reasonable internal circulation within the site so as to protect public safety.



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

That the following specific conditions be applied to this decision:

1. All excavation work within the public right of way must be coordinated with the Department of Public Infrastructure and completed prior to the final pavement being applied for the current and on-going roadway improvement project for this portion on Union Street; and/or a bond or cash surety in an amount identified by the Department of Public Infrastructure is to be provided to ensure repairs are made to the Union Street public right of way layout, including the sidewalk and street as a result of the development project.
2. Prior to the issuance of a Demolition Permit, the applicant shall provide a Demolition Program and Protection Plan which includes, but is not limited to pre-construction assessments of existing adjacent buildings to set a baseline for evaluation of any subsequent reports of movement or damage; details of bracing and waterproofing of party walls; vibration and building movement monitoring; ground water level monitoring; the maintenance of exiting utility services to adjacent buildings, use and location of protective barriers and debris netting.
3. Prior to the issuance of a Demolition Permit, the applicant shall provide a Geotechnical Report that clearly identifies the underlying soil strata and geologic conditions and includes recommendations for the design and construction of the proposed foundation, footings and underpinnings in relation to adjacent buildings and engineered shoring plans.
4. Prior to the issuance of a Demolition Permit, the applicant shall provide site line drawings and renderings depicting several views from the public roadways to provide context to adjacent buildings and to ensure all roof mounted equipment is concealed from public view.
5. The applicant shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.
6. A lighting plan is to be submitted the Director of City Planning for determination as to whether the modified plan must return before this Board for further review of may be administratively approved by the Chair prior to the issuance of a building permit.
7. Location of utility meters is to be shown on the plans and screened if needed. Revisions are to be submitted to the Director of City Planning for determination as to whether the modified plan must return before this Board for further review of may be administratively approved by the Chair prior to the issuance of a building permit.
8. Location of any pad mounted electrical transformer/utility boxes, if needed, are to be shown on the plans. Revisions are to be submitted the Director of City Planning for determination as to whether the modified plan must return before this Board for further review of may be administratively approved by the Chair prior to the issuance of a building permit.
9. The applicant shall coordinate with Eversource and the Department of Public Infrastructure to relocate any and all electric lines affected by the project.
10. Plans shall be revised to include specific locations for erosion/dust control measures for Union Street and submitted to the Department of City Planning for administrative review prior to the issuance of a building permit.
11. Plans shall be revised to show the roof will be **[color to be determined by the Board]** and submitted to the Department of City Planning for administrative review prior to the issuance of a building permit.
12. Construction is limited to the hours of 7am to 6pm Monday thru Saturday. The Planning Board may further limit Saturday hours of construction if deemed warranted by specific circumstances.

That the following **general conditions** also be applied to this decision:

13. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
14. The project shall be undertaken in a manner consistent with any departmental memos received in relation to plan and placed on file for Planning Board consideration. The conditions of such memos shall be considered to be part of these conditions.
15. The applicant shall submit final plan revisions to the Department of City Planning in the following formats: one (1) -11" x 17" Plan Set and 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.
16. The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Department of City Planning case file folder.
17. That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project's approval, be recorded at the Registry of Deeds.
18. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.
19. The applicant shall present any proposed modification from the approved plans for consideration to the Director of City Planning for determination as to whether the modified plan must return before this Board for further review.
20. 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 the decision was granted, or they will lapse.
21. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Materials Provided by the Applicant are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2021/>

Staff Report prepared by: Michael McCarthy, Staff Planner

Reviewed by: Jennifer Carloni, City Planner

278 Union Street Map: 46 Lots: 18, 21

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

