

**PLANNING BOARD**

City Hall, Room 303
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OFFICE OF THE CITY CLERK
 NEW BEDFORD, MA

2021 SEP 22 AM 8:13

CITY CLERK

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number:	21-26			
Request Type:	Site Plan Review			
Address:	40 Edison Street			
Zoning:	Industrial-B			
Recorded Owners:	Edison Village LLC			
Owner Address:	352 Faunce Corner Road, Dartmouth, MA 02747			
Applicant:	Bravo Development LLC			
Applicant Address:	1075 Hiawatha Lane, Riverwoods, IL 60015			
Application Submittal Date		Public Hearing Date(s)		Decision Date
July 26, 2021		August 11 & September 8, 2021		September 22, 2021
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
107	109	12492	267	-

Application: Request by applicant for **Site Plan Review** for the conversion of the existing building to a self-storage facility with associated site improvements at 40 Edison Street (Map: 107 Lot: 109), a 4.3-acre site in an Industrial-B (IB) zoned district. Owner: Edison Village LLC (352 Faunce Corner Road, Dartmouth, MA 02747). Applicant: Bravo Development LLC (1075 Hiawatha Lane, Riverwoods, IL 60015).

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, 2021. 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.

9/22/2021

Date

Arthur Glassman, Vice Chair
 City of New Bedford Planning Board

1) APPLICATION SUMMARY

Case #21-26: 40 Edison Street – Request by applicant for Site Plan Review for the conversion of the existing building to a self-storage facility with associated site improvements at 40 Edison Street (Map: 107 Lot: 109), a 4.3-acre site in an Industrial-B (IB) zoned district. Owner: Edison Village LLC (352 Faunce Corner Road, Dartmouth, MA 02747). Applicant: Bravo Development LLC (1075 Hiawatha Lane, Riverwoods, IL 60015).

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application:

The engineered plan submission is shown as “Site Plan, 40 Edison Street, Assessors Map 107 Lots 105 & 109, New Bedford, MA” dated 06/28/21 and prepared by Farland Corp. of Dartmouth, MA. The plans are stamped by Christian Albert Farland, PE. Plans are marked as revised on 09/02/21 per DPI comments. The plan set consists of the following sheets:

1. Civil Cover Sheet
2. Notes & Legend
3. Existing Conditions
4. Demolition
5. Layout
6. Grading & Utilities
7. Landscape
8. Details
9. Details

The architectural plan submission is shown as “Nash Rd. Self-Storage” dated 2021.06.28, and prepared by DDCA Architects of Prairie Grove, IL. The plans are prepared by John Swierk, AIA. The plan consists of the following sheets:

- A0.0 Architectural Site Plan
- A1.1 Exterior Elevations
- A1.2 Exterior Elevations
- A2.1 Overall Building
- A2.1A First Floor Plan (South)
- A2.1B First Floor Plan (North)
- E7.1 Photometric Site Plan

Other Documents and Supporting Materials:

- ❏ River Hawk Environmental Memo RE: 40 Edison Street, New Bedford, MA Stormwater Design, 9/1/21x
- ❏ Farland Corp. Response Letter to DPI Memo, 9/3/21
- ❏ Site Plan Review Application Packet
- ❏ Sign Plan
- ❏ Proposed ANR Plan
- ❏ Building Department Rejection Packet
- ❏ Deed and Notarized Owner Verification
- ❏ Abutters List
- ❏ Department of City Planning Staff Report 8/6/2021
- ❏ Department of Public Infrastructure Comment Memo 8/11/2021

3) DISCUSSION

August 11, 2021 Meeting

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, Alexander Kalife, and Kamile Khazan attended the August 11, 2021 meeting of the Planning Board at the New Bedford Public Library. City Planner Jennifer Carloni and Staff Planner Michael McCarthy were also in attendance. Chair Duff recused herself from the case.

Case #21-26 was heard as part of new business. Vice Chair Glassman opened the case and asked if anyone was in attendance to present on behalf of the applicant. Mr. Ira Katz introduced himself as the applicant and introduced Mr. John Swierk, the project architect. Mr. Katz addressed concerns raised in the Staff Report with the Board; agreeing to work with the Department of Public Infrastructure on street tree selection, discussing the waste storage plan, and agreeing to screening for mechanical systems.

Vice Chair Glassman proposed restrictions for site lighting and illuminated signage and Mr. Katz agreed.

Mr. Swierk discussed the improvements proposed to the structure and site. He discussed the stormwater system and argued that the existing trenches and drain lines that connect to the City's stormwater system under Nash Road would be sufficient.

Mr. Katz discussed vehicular circulation on site with the Board and confirmed that no cars would be allowed to enter the building.

Mr. Swierk discussed erosion control plans on site and responded to Board Member Cruz's concerns about environmental concerns related to demolition and contamination relative to fuel tanks and wells on site.

Board Member Cruz asked the applicant for stormwater calculations and said he would like to see stormwater management on site. Mr. Katz responded that calculations were forthcoming and that they intended to comply with the City's stormwater requirements.

The Board discussed hours of operation with the applicant and Mr. Katz agreed to limit operations to between 7 A.M. and 9 P.M.

The Board made a motion to open the floor for public comments and asked if anyone in attendance would like to speak.

An abutter asked why the Fire Department had been called to the site multiple times and what the street-parking impacts would be. Mr. Katz responded that during the clean out of the underground fuel tanks, a fire had been sparked and the Fire Department was called to monitor the situation.

Another abutter voiced concerns about asbestos and lead, which he said the applicant addressed earlier, and asked about pest control during demolition. Mr. Katz agreed to hire an exterminator for rodent control and provide a pest control plan.

Hearing no further comments from the public, the Board closed public comment.

Mr. Katz requested that the Board make a decision at this meeting rather than continue the case. Board members discussed the elements that they felt were missing from the proposal and the comments from the Department of Public Infrastructure that needed to be addressed by the applicant.

Vice Chair Glassman made a motion to continue to the case to the next meeting on September 8, 2021, which was approved unanimously.

September 8, 2021 Meeting

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, Alexander Kalife, and Kamile Khazan attended the September 8, 2021 meeting of the Planning Board. Due to pandemic restrictions, the meeting was held virtually via Zoom. City Planner Jennifer Carloni and Staff Planner Michael McCarthy were also in attendance. Chair Duff recused herself from the case.

Case #21-26 was heard as part of old business. Vice Chair Glassman asked if there was anyone in attendance to present on behalf of the applicant. Mr. Ira Katz introduced himself as the applicant and introduced Mr. John Swierk, the project architect, and Mr. Stevie Carvalho, the project engineer. Mr. Carvalho spoke to the changes made to the site plan in response to the Department of Public Infrastructure's August 11 memo.

Vice Chair Glassman asked Board Member Cruz if, as an engineer, he was satisfied with the changes. Board Member Cruz said that he was and asked Mr. Carvalho if he'd submitted a stormwater report to the Department of Public Infrastructure. Mr. Carvalho said that he had not yet but will soon.

The Board then opened the hearing to public comments. Hearing none, Vice Chair Glassman closed the floor.

The Board discussed whether the outstanding matters from last month's meeting had been addressed and determine that they had.

Vice Chair Glassman asked Planning staff if they felt there was anything missing. Ms. Carloni replied that at this point it the decision was up to the Board and noted that the Department of Public Infrastructure had not yet reviewed the revised plans. Vice Chair Glassman said that the conditions would require them to have the plans reviewed by the Department of Public Infrastructure before moving forward with the project.

Ms. Carloni provided additional information on the contaminated tanks on site and confirmed that the state and local authority were aware of the situation. Mr. Katz commented that the work on the tanks had recently been completed.

The Board review the specific conditions with the applicant.

4) DECISION

Vice Chair Glassman made the motion, seconded by Board Member Kalife to approve Case #21-26: 40 Edison Street – Request by applicant for Site Plan Review for the conversion of the existing building to a self-storage facility with associated site improvements at 40 Edison Street (Map: 107 Lot: 109), a 4.3-acre site in an Industrial-B (IB) zoned district. Owner: Edison Village LLC (352 Faunce Corner Road, Dartmouth, MA 02747). Applicant: Bravo Development LLC (1075 Hiawatha Lane, Riverwoods, IL 60015).

The approval is subject to the following conditions:

The following SPECIFIC conditions:

1. This approval is subject to the revised site plans, dated September 2, 2021.

2. This approval is subject to the Department of Public Infrastructure review of the plans dated September 2, 2021. Any revisions required per DPI's forthcoming review shall be a condition of this approval.
3. The applicant shall address any plan revisions requested by the Department of Public Infrastructure prior to the issuance of a building permit.
4. The applicant shall coordinate with the Department of Public Infrastructure for the selection of street tree species.
5. All rooftop mechanical systems shall be screened and revised architectural plans showing the screening be submitted the Department of City Planning for review prior to the issuance of a building permit.
6. Revised site plans detailing erosion control measures and their locations shall be submitted to the Department of City Planning for review prior to the issuance of a building permit.
7. Revised site plans identifying the location of all exterior lighting shall be submitted to the Department of City Planning for review prior to the issuance of a building permit.
8. All site lighting shall be down-shielded and lighting details shall be submitted the Department of City Planning for review prior to the issuance of a building permit.
9. Hours of operation shall be limited to 7 A.M. to 9 P.M.
10. All site lighting and signage shall be illuminated no earlier than one hour prior to opening and no later than one hour after closing.
11. The roof color shall be white.
12. Project shall be completed in conformance with all local, state, or federal environmental regulations as applicable.

With the following GENERAL conditions:

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.

As a result of such consideration, the Board moves approval on the subject application with the conditions so noted. The motion being properly made and seconded, the Vice Chair called for a roll call vote which was taken and unanimously approved four (4) to zero (0).

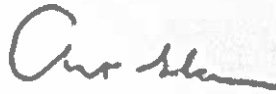
Board Member Khazan – Yes
Board Member Glassman – Yes

Board Member Kalife – Yes
Board Member Cruz – Yes

Filed with the City Clerk on:

9/22/2021

Date



Arthur Glassman, Vice Chair
City of New Bedford Planning Board