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PLANNING BOARD

STAFF REPORT

REPORT DATE

November 15, 2021

MEETING DATE

December 15, 2021

Case #21-44: Site Plan Review
1250-1260 Shawmut
Avenue
Map: 123 Lot: 46, 106

Owner: Paula Reusch, Shawmut
Avenue Realty, LLC
1260 Shawmut Avenue,
New Bedford, MA 02740

Applicant: Farland Corp.
21 Ventura Drive,
Dartmouth, MA 02747

Zoning District: Industrial A (IA)

Site Area: 7.6 acres

Overview: Request by applicant for
Site Plan Review for the
new construction of a
solar canopy project at
1250 – 1260 Shawmut
Avenue (Map: 123 Lots:
46 and 106), a 331,056
square foot site in an
Industrial-A (IA) district.



Auto salvage yard with main building.
Looking South from northwest corner of lot.

Existing Conditions

The project site is currently utilized as an auto parts salvage yard. A +/- 24,000 SF building with an office and garage exists at the front southwest corner of the property along Shawmut Avenue while the remainder of the site is used for the storage of auto part salvage materials. The ground surface is largely pervious (grass, dirt, gravel), with pavement and concrete in areas adjacent to building. A paved parking area for staff and customers exists in front of the building. The 7.6 acre site has 708.93 feet of frontage on Shawmut Avenue, and depth of +/- 741 feet.

The immediate surrounding area is wooded except for a commercial property to the southeast. The airport is to the north of the site, Sacred Heart cemetery is located to the east, and the waste transfer station is across the road to the

west/southwest. To the northeast and northwest, the property borders vegetated wetlands. To the southeast the property borders a truck and equipment rental business.

The surrounding neighborhood is industrial consisting of the city waste transfer station, municipal offices for DPI and Waste Management, privately operated disposal services, and a clean energy refueling station. The municipal airport is a distance of +/- 1000' to the north and highway Route 140 is a distance of +/- 0.5 mile to the south.

Related Permitting

- Conservation Commission – NOI filed SE049-0879
- FAA and MassDOT Aeronautics Airspace Review - pending

Decision Criteria

The applicant is requesting a Site Plan Review. The ordinance provides the Board the following criteria for reaching a decision.

Site Plan Review Criteria
<p>In considering Site Plan Approval for the proposed project, the Board must find that the plan meets the objectives identified in Section 5470 of the City's Zoning Ordinance (c.9) including:</p> <ul style="list-style-type: none">• 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:<ul style="list-style-type: none">○ 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

Proposed Conditions

The applicant proposes to construct a series of solar canopies over the area of the site where the auto salvage yard exists. The proposal includes four canopies oriented south.

The arrays will be supported by 110 steel columns mounted on concrete foundations in the grassy areas where the existing salvaged autos are and will continue to be stored.

The proposal describes four canopy structures as follows:

- **Canopy 1** – 612 modules; to be sited at the southeastern extent of the salvage yard (sheet no. SC003).
 - Column Schedule lists 17 columns, #1 – 17 (sheet no. SC101).
 - The height of the canopy is shown as 19'± at its lowest point and 22'-8"± at its highest point with a minimum clearance of 16' (sheet no. SC301).
 - Canopy 1 is shown as 235'± overall length x 78'± width (sheet no. SC003, SC301).
- **Canopy 2** – 855 modules; to be sited at the northwestern extent of the salvage yard (sheet no. SC003).
 - Column Schedule lists 22 columns, #21-42 (sheet no. SC101).
 - The height of the canopy is shown as 19'± at its lowest point and 31'-7"± at its highest point with a minimum clearance of 16' (sheet no. SC303).
 - Canopy 2 is shown as 135'± overall length x 212'-6"± width (sheet no. SC003, SC303).
- **Canopy 3** – 1340 modules; to be sited north of Canopy 1, northeast of the existing office and garage building sheet no. SC003).
 - Column Schedule lists 26 columns, #43-68 (sheet no. SC101).
 - The height of the canopy is shown as 19'± at its lowest point and 27'-11"± at its highest point with a minimum clearance of 16' (sheet no. SC305).
 - Canopy 3 is shown as 404'± overall length x 102'± width (sheet no. SC003, SC305).
- **Canopy 4** – 1859 modules; to be sited north of Canopy 3 and east of Canopy 2 (sheet no. SC003).
 - Column Schedule lists 43 columns, #69-111 (sheet no. SC101).
 - The height of the canopy is shown as 19'± at its lowest point and 38'-11"± at its highest point with a minimum clearance of 19' (sheet no. SC307).
 - Canopy 4 is shown as 422'± overall length x 228'± width (sheet no. SC003, SC307).

A central inverter, DC disconnects, utility meter, communication box, 1000KVA transformer and grounding transformer on a 15' x 30' concrete pad, next to a battery storage system on a 15' x 50' concrete pad is to be located at the northwest corner of the site. The applicant proposes a total of six new utility poles: four new utility poles to be installed by customer and proposes two new poles by Eversource (New Pole #1 and New Pole #2) to connect with the existing pole (#531-492) with 30 overhead 13.8KV conductors along Shawmut Avenue.

Staff Review

The table below outlines the proposed site changes and highlights items for discussion and the Board's consideration.

Parking	<ul style="list-style-type: none">• No changes proposed.
Landscaping & Site Features	<ul style="list-style-type: none">• The fencing along Shawmut Avenue is chain link fencing with vinyl slats. A site visit revealed that segments of the fencing have broken slats and are in disrepair. Other segments appear to have been repaired piecemeal and are a mismatch of colors. The Board may wish to discuss the fencing with the applicant and appropriately condition that the applicant repair or replace the fencing.• The perimeter beyond the portion of the property in use is wooded and wetlands. A substantial portion of the site is within 100' of wetlands, except for the southern edge and

	<p>middle area of the site. The perimeter of the site to the northwest, north, east and southeast is within 25' of wetlands. The project is currently under review by the Conservation Commission.</p> <ul style="list-style-type: none"> • Site slope runs gently downhill south to north with a rise of 2' – 3'. • Salvaged autos are parked on permeable surface throughout the site, gravel driveways interspersed running the length of the salvage yard west/southwest to east/northeast. • Salvaged autos and debris to be removed from wetland area, and fluids to be drained from salvaged autos. The Board may wish to refer to the Conservation Agent's letter.
Circulation	<ul style="list-style-type: none"> • Staff and customer parking exists outside the salvage yard, in front of the office and garage building. • Large trucks enter and exit the salvage yard through the gate along Shawmut Avenue, to the northwest of the building. • The Applicant states this proposal allows for circulation to remain as it currently exists at site. The Board may wish to ask about any alterations to the existing circulation plan during construction, and emergency vehicle access and clearance to the back of the property once the solar canopy is built.
Traffic/Transit	<ul style="list-style-type: none"> • No changes are proposed.
Stormwater	<ul style="list-style-type: none"> • Project is within an area subject to Wetlands Protection Act. • The Applicant indicates the development has no impacts to the hydrology, therefore no stormwater improvements are proposed. • The Applicant indicates the stormwater flows through the canopies therefore the proposed and existing conditions will be equal. Staff defers to the Department of Public Infrastructure and Conservation Commission relative to the stormwater impacts.
Snow Storage	<ul style="list-style-type: none"> • No changes proposed.
Waste Receptacles	<ul style="list-style-type: none"> • No changes proposed.
Utilities	<ul style="list-style-type: none"> • Battery energy storage on concrete pad at northwest corner. • Transformer, central inverter, utility meter, DC disc. box, etc., located at northwest corner. • Transformers to connect with utility poles running overhead wires to utility pole 531-492S.
Lighting	<ul style="list-style-type: none"> • No changes proposed.
Demolition and Erosion Control	<ul style="list-style-type: none"> • Siltation fencing will surround the limits of work to the northwest, north, east, and southeast. • Construction entrance is proposed near existing entrance along Shawmut Avenue.
Architectural	<ul style="list-style-type: none"> • Plans show two arrays comprised of four canopies with a southern aspect. • Canopies are to be set upon steel columns on concrete foundations set within the grassy areas of the salvage yard, with salvaged autos.
Master Plan	<ul style="list-style-type: none"> • The proposal is consistent with the Master Plan in its goal to ensure the availability of clean, renewable, inexpensive energy that is locally produced and to promote emerging business sectors in renewable and green industries.

Interdepartmental 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, the following memos have been received:

- Conservation Agent – Planning Board Case Review, received 12/1/21

Site Photos





Property fencing and proposed public utility connection.
Looking south from north.



Gate for salvage yard circulation with fencing.
Looking east from west.

Materials for Consideration

The engineered plan submission is shown as “Site Plan 1250 & 1260 Shawmut Avenue” dated October 20, 2021, latest revisions dated November 22, 2021, date stamped received by the City Clerk’s Office 11/24/21. Plans were prepared by Farland Corp. of Dartmouth, MA. The plans are stamped by Christian A. Farland, P.E. The plan set consists of the following sheets:

1. Cover
2. Existing Conditions
3. Layout
4. Erosion Control
5. Notes and Legend

The architectural plan submission is shown as “Solar Canopy for Parallel Products at Goyette’s Auto Parts” dated 6/30/21, latest revisions dated December 6, 2021, received digitally, and prepared by RBI Solar of OH. The plan is labeled “Not For Construction” and consists of the following sheets:

1. SC001 Cover Sheet
2. SC002 General Notes and Module Specification Sheet
3. SC003 Site Plan
4. SC101 Foundation and Column Plan
5. SC102 Foundation and Column Plan
6. SC103 Foundation and Column Plan
7. SC301 Canopy Section
8. SC302 Canopy Section
9. SC303 Canopy Section
10. SC304 Canopy Section
11. SC305 Canopy Section
12. SC306 Canopy Section
13. SC307 Canopy Section
14. SC308 Canopy Section
15. SC309 Canopy Section
16. SC310 Canopy Section
17. SC311 Canopy Section
18. SC401 Foundation and Base Plate Details
19. SC501 Component Details

The stormwater management plan submission is shown as “Stormwater Report – Site Plan Assessors map 123 Lots 46 & 106” and prepared by Farland Corp. of Dartmouth, MA.

Recommended Conditions



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:

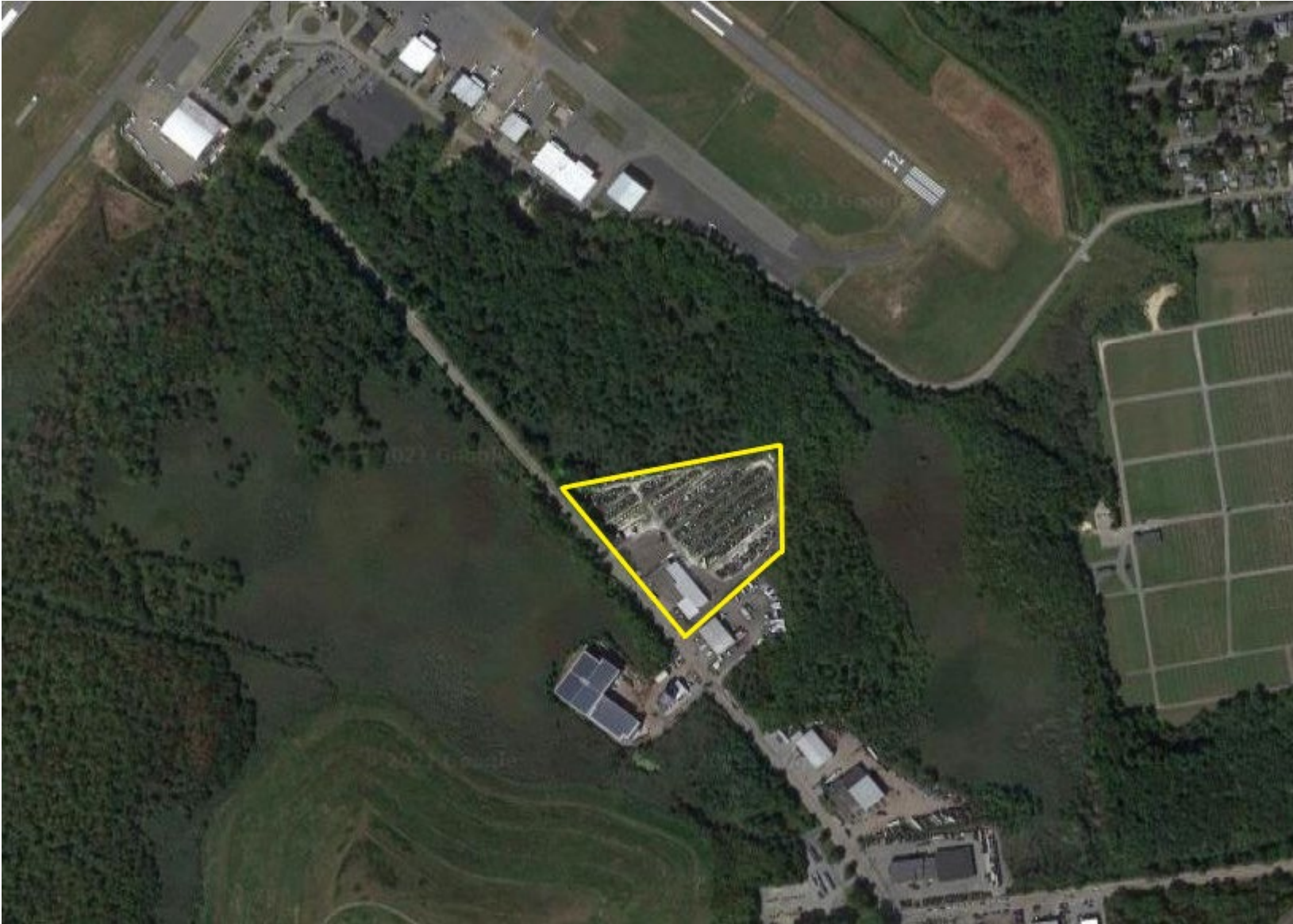
That the following **specific conditions** be applied to this decision:

1. The applicant will adhere to the Order of Conditions set forth by the Conservation Commission; any revisions as a result shall be submitted to the Director of City Planning for determination as to whether the modified plan must return before this Board for further review.
2. The applicant shall replace and/or repair fencing with **[style to be determined by the Board]**. Revised plans detailing the fencing shall be submitted the Department of City Planning for review prior to the issuance of a building permit.
3. The applicant will coordinate with the Department of Public Infrastructure to address all comments in their memos related to this project.
4. The applicant shall submit evidence of a completed and approved Airspace Review done by FAA and MassDOT Aeronautics to the Department of City Planning prior to the issuance of a building permit.

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

5. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
6. 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.
7. 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.
8. 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.
9. 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.
10. The applicant shall ensure that a copy recorded decision be provided for the Department of City Planning case file folder.
11. 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.
12. 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.
13. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Staff Report prepared by: Rachel Mulroy, Staff Planner
Reviewed by: Jennifer Carloni, City Planner



1250 – 1260 Shawmut Avenue Map: 123 Lot: 46 & 126

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