



PLANNING BOARD

City Hall, Room 303
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www.newbedford-ma.gov

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NEW BEDFORD, MA

2021 DEC 29 PM 1:19

CITY CLERK

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number: 21-45				
Request Type: Site Plan Review				
Address: 59 Tarkiln Place				
Zoning: Industrial – A				
Recorded Owners: JAZ Brush U.S.A., Inc.				
Owner Address: 59 Tarkiln Place, New Bedford, MA 02745				
Applicant: Dave Rodrigues, JAZ Brush USA, Inc.				
Applicant Address: 59 Tarkiln Place, New Bedford, MA 02745				
Application Submittal Date		Public Hearing Date(s)		Decision Date
November 1, 2021		December 15, 2021		12/29/2021
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
130 G	164	12529	115	

Application: Case #21-45: 59 Tarkiln Place – Request by applicant for **Site Plan Review** for an expansion over 2000 square feet and reduction in the number of loading spaces at 59 Tarkiln Place (Map: 130 G Lot: 164), a 130,680 square foot site in an Industrial- A (IA) district. Owner/Applicant: Dave Rodrigues, JAZ Brush USA, Inc. (59 Tarkiln Place, New Bedford, MA 02745).

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 December 29, 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.

12/29/2021

Date

Kathryn Duff, Chair
City of New Bedford Planning Board

1) APPLICATION SUMMARY

Case #21-45: 59 Tarkiln Place – Request by applicant for **Site Plan Review** for an expansion over 2000 square feet and reduction in the number of loading spaces at 59 Tarkiln Place (Map: 130 G Lot: 164), a 130,680 square foot site in an Industrial- A (IA) district. Owner/Applicant: Dave Rodrigues, JAZ Brush USA, Inc. (59 Tarkiln Place, New Bedford, MA 02745).

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application:

The engineered plan submission is shown as "SITE PLAN 59 Tarklin Place" dated 10/29/21, with latest revisions 11/10/21, and prepared by Farland Corp. of Dartmouth, MA. The plans are stamped by Christian Albert Farland, P.E. The plan set consists of the following sheets:

- Cover
- Existing Conditions
- Demolition
- Layout & Landscaping
- Grading & Drainage

The architectural plan submission is shown as "JAZ USA - Warehouse Addition" (Preliminary Design) dated 08/05/21, and prepared by UDA Architects of Walpole, MA. The plan consists of the following sheets:

- A1.1 – Warehouse Addition – Proposed Floor Plan
- A3.1 – Warehouse Addition – Proposed Exterior Elevations

Other Documents and Supporting Materials:

- ❑ Conservation Order of Conditions
- ❑ Conservation Agent memo
- ❑ Stormwater Report
- ❑ Staff Report
- ❑ Site Plan Review Application
- ❑ Building Department Rejection Packet

3) DISCUSSION

Due to the COVID- 19 outbreak, the following meeting were held fully remotely in accordance with the Governor of Massachusetts' March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G. L. c. 30A, Section 20.

Board Members Kathryn Duff, Arthur Glassman, Peter Cruz, Kamile Khazan, and Shayne Trimbell attended the December 15, 2021, online meeting. Staff Planner Rachel Mulroy, Assistant City Planner Michael McCarthy, and City Planner Jennifer Carloni were also in attendance.

Case #21-45 was heard as part of new business. Chair Duff opened the case and asked if a representative for the applicant was present to discuss the case.

Mr. Chris Gilbert of Farland Corporation identified himself as the project engineer and introduced the property owner, Mr. David Rodrigues. Mr. Gilbert described the existing conditions at the site within the context of the surrounding neighborhood, demolition plans, the proposed addition, and changes to circulation on site. Mr. Gilbert also discussed stormwater plans and landscaping, noting the abutting residential property to the north and wetland buffer to the west.

Chair Duff inquired about the number of parking spaces. Mr. Gilbert indicated nineteen (19) spaces were included in the proposal. Mr. Rodrigues noted there are currently six (6) fulltime employees at the warehouse.

Landscaping was discussed by the Board. The Board indicated a preference for native perennials and adding landscaping along the property front. The addition of street trees to provide continuity along the street was recommended. Mr. Rodrigues remarked that the proposed addition provided him the opportunity to dress up the property.

Chair Duff inquired about the Conservation Commission's Order of Conditions. Mr. Gilbert described erosion control and noted they are in the buffer zone, not working inside the wetlands. Stormwater management, seasonal water elevations, and runoff were discussed. Chair Duff confirmed the side setback at the north of the lot is 25.5 feet.

Board member Cruz recommended more comprehensive erosion control, including adding silt sacks as appropriate and wrapping the straw and wattle around to the side perimeters of the site. Based on the requested extensive change to the landscape plan, Mr. Gilbert agreed to submit an updated plan. Following a discussion with the Board, the applicant also agreed to restripe the parking lot to accommodate a handicap parking space. The Board recommended the applicant work with the Department of Public Infrastructure to add street trees.

Lighting for the new addition was discussed. Mr. Gilbert stated there will be no new lighting on the north side of the addition. The Board emphasized a preference for dark sky-friendly lighting.

Hearing no more comments from the Board, Chair Duff opened the floor so members of the public could speak in support or opposition.

Hearing no comments from the public, Chair Duff asked for a motion.

The Board reviewed conditions and noted comments from the Department of Public Infrastructure were pending. The Board discussed whether the applicant would like the Board to proceed with a motion with a condition to include the pending DPI comments. Mr. Gilbert and Mr. Rodrigues replied that they were comfortable proceeding under the condition.

Chair Duff entertained a motion from the Board.

4) DECISION

Board Member Glassman made the motion, seconded by Board Member Cruz to approve Case #21-45: 59 Tarkiln Place – Request by applicant for Site Plan Review for the expansion of an existing warehouse over 2,000 square feet at 59 Tarkiln Place (Map: 130 G Lot: 164), a 130,680 square foot site in an Industrial- A (IA) district. Owner/Applicant: Dave Rodrigues, JAZ Brush USA, Inc. (59 Tarkiln Place, New Bedford, MA 02745).

The approval is subject to the following conditions:

The following SPECIFIC conditions:

1. The applicant shall adhere to the Order of Conditions set forth by the Conservation Commission. Any modification from the approved plans as a result of the Order of Conditions must be submitted for consideration 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 will coordinate with the Department of Public Infrastructure to resolve all comments in their forthcoming memorandum.
3. All exterior lighting shall be down shielded and dark-sky friendly lighting.
4. A revised landscape plan addressing the north and east side of the property shall be submitted to the Department of City Planning for review prior to issuance of a building permit.
5. Revised plans showing erosion controls aligned to the north along the north abutter's property line and south to from the proposed stockpile area and silt sacks for catch basin protection shall be submitted to the Department of City Planning for review prior to issuance of a building permit.
6. The parking lot shall be restriped and shall include a handicap accessible spot. Revised plans showing the location of the handicap parking space shall submitted to the Department of City Planning for review prior to issuance of a building permit
7. The applicant shall coordinate with the Department of Public Infrastructure to determine the location and species preferred for street trees and plant street trees according to their recommendations.

With the following GENERAL conditions:

8. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
9. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure (DPI) received in relation to plan and placed on file for Planning Board consideration. The conditions of the DPI memorandum shall be considered to be part of these conditions.
10. 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.
11. 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 recorded at the Registry of Deeds and that a copy of the recorded decision is provided for the Planning Department Case file folder.
12. 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.
13. 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.
14. 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 Chair called for a roll call vote which was taken and unanimously approved five (5) to zero (0).

Board Member Duff - Yes
Board Member Glassman – Yes

Board Member Khazan – Yes Board Member Trimbell – Yes
Board Member Cruz – Yes

Filed with the City Clerk on:

12/29/2021



Date

**Kathryn Duff, Chair
City of New Bedford Planning Board**