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OFFICE OF THE CITY CLERK
NEW BEDFORD, MA

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CITY CLERK

PLANNING BOARD

NEW BEDFORD PLANNING BOARD

REMOTE MEETING

February 10, 2021

MEETING MINUTES

PRESENT:

Kathryn Duff, *Chairperson*
Shayne Trimbell
Alex Kalife
Peter Cruz
Kamile Khazan

ABSENT:

Arthur Glassman

STAFF:

Michael McCarthy
Anne Louro

1. CALL TO ORDER

Mike McCarthy provided opening remarks, after which Chairperson Duff called the meeting to order at 6:05 p.m. and provided a statement related to Covid-19 and public meetings.

2. APPROVAL OF MINUTES

A motion was made (PC) and seconded (AK) to approve the meeting minutes of January 13, 2021.

ROLL CALL VOTE:

Board Member Trimbell – Yes

Board Member Kalife – Yes

Board Member Khazan – Yes

Board Member Cruz – Yes

Chairperson Duff – Yes

Motion passes 5-0

3. PUBLIC HEARINGS

ITEM 1: Cases #21-01/#21-02 - Request by applicant for a Subdivision Plan Approval for the reconfiguration of lots and discontinuance of Dutton Street, and Site Plan Review for improvements to the parking lot and exterior and interior renovations to the building for new offices, clinical spaces, and a screened outdoor area at 947 & 965 Church Street (Map: 130G Lots: 50, 65, & 72) a 2.7± acre site in an Industrial A zoned district. Owner: Chaffee Church Properties, LLC (965 Church, Street New Bedford, MA). Applicant: Child and Family Services (3057 Acushnet Avenue, New Bedford, MA)

Greg Siroonian, Medcom Architectural, provided an introduction to the project and introduced team members present; Ann Sampaio CEO Child & Family Services, Jamie Bissonette site engineer, and others.

Ann Sampaio provided a history of Child & Family Services and an overview of their functions/services/locations, noting most of their business is in New Bedford with some 480 employees and clinical staff. Plans were displayed during the presentation. She detailed the importance and needs addressed by the programs, including the Crisis Center.

Mr. Siroonian provided further details. He noted they had successfully appeared before the zoning board.

Jamie Bissonette explained the site design aspects, including ADA access to the building, as well as parking and bike rack locations. He discussed storm water, landscaping and ingress/egress.

In response to Chairperson Duff's inquiry regarding the southeast corner building and paving, the board was informed that the building is rented and will remain so. Mr. Bissonette further discussed landscaping in the area, noting no planned changes in the fenced-in area.

In response to Board Member Cruz, Mr. Bissonette clarified the pavement changes and proposed landscaping.

In response to an inquiry by Board Member Trimbell, there was discussion on parking and access.

At Chairperson Duff's request, Mr. Siroonian displayed and discussed the building, with the exterior essentially remaining intact. He discussed changes and improvements, to include a canopy, painting, windows, fencing, et cetera. He then discussed security and safety. There was discussion on materials.

In response to Chairperson Duff, the bike rack locations were displayed and discussed. There was discussion on public transportation.

At Chairperson Duff's request, there was discussion on the site perimeter and proposed improvements, as well as dumpster screening. The landscaping sheet was displayed and explained. There was discussion on the Church Street sidewalk, as well as drainage. The dumpster was discussed and described as enclosed with a privacy slat fence system.

At Chairperson Duff's request, there was discussion on mechanical equipment locations, some of which will be underground. It was noted that any outside condensers on the ground will need screening.

There was discussion in response to Chairperson Duff's inquiry regarding walkways.

There was discussion in response to Board Member Cruz's inquiry about room for any future sidewalk. It was noted that the parking spaces are out of the right of way and 100% on property. Board Member Cruz inquired with regard to the continuance of the vertical curve and related potential improvements. Mr. Bissonette further discussed the issue and noted cost as a reason. There was further discussion, including potential mulch migration. Board Member Cruz then inquired with regard to distance, sidewalk infrastructure and ADA stripping. There was discussion on the issue between Mr. Bissonette and "Jim" and the board, including ingress route of travel, as well as parking space dimensions, including ADA requirements.

Board Member Cruz then discussed the drainage plan/report, including runoff calculations, roof drains and leaders, catch basins and grading, downspouts, impervious areas/removal rates, et cetera. Board Member Cruz then discussed erosion control, silk socks/sacks and coverings with the applicant.

Board Member Trimbell inquired as to bike rack details. There was brief discussion on the anticipated use of the same.

Chairperson Duff read into the record correspondence of 1/11/21 from abutter John Sulima Electric Inc, 1203 Chaffee St., in opposition.

By way of response, Mr. Siroonian discussed a completed traffic study. He noted the building will be brought up to all standards. He addressed noise concerns. Mr. Bissonette commented on emergency vehicle access. Chairperson Duff confirmed that the proposed facility is not a lock-down facility and had further discussion with Ms. Sampaio .

Chairperson Duff confirmed that the applicant is not seeking sign approval at this time, but only building signage approval.

Chairperson Duff then discussed lighting.

Board Member Khazan clarified conditions/hours, inquiring as to inpatient facility entry hours. Ms. Sampaio noted that the patients are not coming and going.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Kirsten Mendickson Radar's 12 Gear & Marine Supply expressed concern regarding emergency vehicle travel routes. There was discussion on the same.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, John Markey spoke on behalf of Maria Silva and Jack Silva of Interstate Rental, an abutter. He discussed the subject land area/zones. Mr. Markey expressed concerns over loud industrial activity. There was RTV discussion on noise reduction and concern over any noise restrictions now or in the future. He agreed his clients also share traffic concerns and vehicle volume, especially in a school area.

Chairperson Duff referenced a DPI correspondence related to striping on Chaffee Street and acknowledged the heavy traffic concerns in the area. Ms. Sampaio described operation hours. She noted recent remote services due to the pandemic.

Mr. Siroonian commented on the DPI striping, traffic study, et cetera, noting they would return to DPI for discussion.

In response to Chairperson Duff, Mr. Siroonian discussed the reasoning in selecting this site. Including parking,

highway proximity, et cetera. He noted the industrial surrounding was not considered a negative or positive. He also noted a letter in support from the chief of police. Ms. Sampaio further discussed the issue.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition Maria Silva, 1259 Chaffee Street, reiterated her noise concerns, as expressed by Mr. Markey. She stated she felt this was the wrong location for the kids. She also expressed concern about their business impact and fencing like a prison.

Mr. Masoura tried to clarify the comment attributed to him by Ms. Silva, noting their zoning board of appeals appearance, where abutters made clear this was a noisy industrial zone. He referenced correspondence on the noise issue.

Ms. Silva continued with concerns about future impacts on the neighbors, such as noise restrictions. Mr. Masoura referenced the ZBA approval decision. Chairperson Duff referenced the special permit as granted and the protection provided thereby.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, John Sulima of 1203 Chaffee Street again addressed the board with additional concerns. He inquired as to why all three Family & Service locations were being consolidated to one, especially with the pandemic.

Ms. Sampaio discussed the reasoning for the same.

Mr. Sulima expressed concern about the bus stop location, street crossings and associated area traffic. He also raised area flooding and drainage concerns. Applicant's agent commented on the reasoning for the bus stop location. There was further discussion on the topic.

Mr. Sulima commented on patient conditions and neighborhood safety.

There was no response to Chairperson Duff's further invitation to speak or be recorded in favor or opposition.

Chairperson Duff noted that the 81X Plan was submitted and approved. There being no further board questions and after consultation on conditions, a motion was made (ST) and seconded (PC) related to Case #21-01 regarding the subdivision plan for reconfiguration of lots and discontinuance of Dutton Street, at 947 & 965 Church Street (Map: 130G Lots: 50, 65, & 72) a 2.7± acre site in an Industrial A zoned district, to be withdrawn without prejudice.

ROLL CALL VOTE:

Board Member Trimbell – Yes	Board Member Kalife – Yes
Board Member Khazan – Yes	Board Member Cruz - Yes
Chairperson Duff – Yes	
Motion passes 5-0	

A motion was made (ST) and seconded (PC) related to Case #21-02, request by applicant for Site Plan Review for improvements to the parking lot and exterior and interior renovations to the building for new offices, clinical spaces, and a screened outdoor area at 947 & 965 Church Street (Map: 130G Lots: 50, 65, & 72) a 2.7± acre site in an Industrial A zoned district, with the following specific conditions:

- The width of parking spaces on east and south side adjacent to the building shall be increased to 9'. Additionally all ADA van accessible spaces shall be 9' wide;
- A bicycle rack shall be added to the site shown on the plans in a location to be determined by the board;

- Ambulances will be directed to enter the site at the rear entrance off of Tarklin Hill Place;
- Light poles in the center of the parking area be protected from vehicular accidents;
- That the applicant shall review the February 3, 2021 memo from DPI and obtain all required permits and sign-offs requested before commencing construction;
- Storm water run-off mitigations and self-contained storm water measures shall be incorporated into the design as recommended by DPI memo of February 3, 2021;
- Revised storm water management and drainage plans must be approved by DPI prior to the start of construction;
- Trees shall be planted within the grass ribbon area of sidewalk layout on Church Street, Tarklin Hill Place and Chafee Street in accordance with the specifications outlined in the February 3, 2021 memo from DPI;
- No parking signs shall be installed on Chafee Street for 100' easterly from Tarklin Hill Place and on Tarklin Hill Place for 50' southerly from Chafee Street. The applicant must submit a petition to the Traffic Commission before installing these signs;
- Applicant shall coordinate with DPI to ensure that revised plans for driveway entrances conform to construction standards;
- Applicant must contact DPI engineering division to verify the legal address that corresponds to the door being used for the main entrance prior to use or advertising of the current address;
- All site lighting is to be dimmed on hour after sunset and one hour prior to sunrise.

The following general conditions also apply:

- The project shall be completed according to the plans, notes, and specifications submitted for the consideration and final approval by the Planning Board;
- Applicant shall abide by all conditions outlined in the previous decision issued by the zoning Board of appeals in case #4427;
- The project shall be undertaken in a manner consistent with the 2/3/21 memorandum from DPI and the Traffic Commission memo dated 2/2/21;
- Applicant shall submit a final plan set to DPI which reflect all revisions made prior to the start of construction and/or the issuance of any permits;
- Applicant shall submit final plan revisions to the Department of City Planning in the following formats: one 11x17 plan set, one CD or USB plan set in a PDF format, and shall ensure that these same plans are properly submitted to the Department of Inspectional Services;
- 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 brought against the project approval be recorded at the Registry of Deeds;
- The applicant shall ensure that a copy of the recorded decision be provided for the Department of City Planning case file folder;
- That 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 requires further review by the planning board;
- That 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 date granted or they will lapse.
- The developer and site contractor must schedule a preconstruction meeting with the Department of Public Infrastructure prior to the start of construction.

ROLL CALL VOTE:

Board Member Trimbell– Yes
Board Member Cruz – Yes
Motion passes 4-0

Board Member Kalife – Yes
Chairperson Duff – Yes

Chairperson Duff informed the board she would recuse herself from hearing the following matter.

ITEM 2- CASE# 19-36: Request by the applicant for a one-year extension of Site Plan Review approval granted May 6, 2019 and amended January 8, 2020.

A motion was made (PC) and seconded (AK) to grant the request for a one year extension of the Site Plan Review approval.

ROLL CALL VOTE:

Board Member Trimbell– Yes
Board Member Cruz - Yes
Motion passes 3-0

Board Member Kalife – Yes

Chairperson Duff rejoins the board meeting. Board Member Khazan rejoins the meeting.

ITEM 3 – CASE #21-03/#21-04 - Request by applicant for a Special Permit for a Marijuana Establishment for the operation of Marijuana Retailer, and a Special Permit for parking relief and site plan review for proposed improvements to the site and exterior and interior renovations to the building at 115 Coggeshall Street (Map: 86 Lot: 10) a 9,499 SF site in an Industrial-B (IB) zoned district and the Hicks-Logan-Sawyer Interim Planning Overlay District (HLS IPOD). Owner: Met Real Estate LLC (10 Bryn Mawr Road, Wellesley, MA 02482). Applicant: Southcoast Apothecary, LLC (PO Box 62727, Newton Lower Falls, MA 02462).

Att. Stephen Brown, on behalf of the applicant, provided a brief history of the project and the entrepreneurs involved, as well as introduction of CEO Andrea Cabral and the project team.

Att. Daniel Glissman on behalf of the applicant, d/b/a Ascend, addressed the board. Att. Glissman stated that Eric, Mike and Troy realized early on their goal of developing a cannabis establishment in Massachusetts requires tremendous infrastructure and resources. Att. Glissman spoke on the Ascend organization/corporation. He provided the board present day Massachusetts conditions on the cannabis issue, including industry statistics such as licenses, agents, et cetera. He spoke briefly on the economic benefit to New Bedford.

Att. Glissman described the proposed project facility at 115 Coggeshall Street, which expects to hire 35 employees. He provided operation hours of 10:00 a.m. -7:00 p.m. seven days per week. He displayed an overview of the facility location and provided details and descriptions on the same. He reviewed the site plan and associated proposals/changes, including parking and loading, the floor plans, customer access/egress, et cetera. Att. Glissman displayed and commented on various photos and renderings. He spoke on diversion prevention programs and customer education.

Att. Glissman discussed security and employee requirements, including video cameras. He then spoke on community support for the project and their community host agreement. He welcomed questions.

??Matt Buscelli, civil engineer at Bux ???and O’Neal, Quincy, addressed the board describing the location and the various plans, such as demolition, erosion control, et cetera. He covered the parking areas, the dumpster

location, bike racks, et cetera. He described curb cuts, delivery access, storm water controls, gas & water services, landscaping, et cetera.

In response to Chairperson Duff, Mr. Skelly acknowledged the dumpster pad would reduce total parking by 5 spaces outside of their site. There was discussion on parking space delineation, the turnaround in the loading/delivery area. In response to Board Member Cruz, there was more discussion on delivery vehicle ingress/egress and Board Member Cruz requested the template. Board Member Cruz expressed concern with the dumpster pick up path being altered and its effect on the disposal service. There was further discussion on the issue along with Mr. Skelly and Att. Glissman, who expressed a willingness to relocate the dumpster.

In response to an inquiry by Chairperson Duff, Nathan Langlois addressed the location of the mechanicals on the roofs. Chairperson Duff confirmed the screening requirement for the same.

There was brief additional clarification on deliveries operations.

In response to Chairperson Duff, there was a discussion on the signage plan by Att. Glissman, displaying elevations and clarifying dimensions.

In response to Chairperson Duff, there was discussion regarding a memo from the Preservation Planning Staff related to HCA requirements and 40C design guideline requirements and incorporated into the revised plan before the board. Att. Glissman noted recently received comments from the Historical Board they need to work on.

It was clarified that the project is part of the Hicks Logan District, allowing the applicant to make parking agreements for shared parking.

Chairperson Duff referenced the applicant to today's DPI letter, including the need for peer review regarding the traffic study. Chairperson Duff noted some of the other DPI concerns within their letter. The applicant commented on the same, adding a willingness to work with the peer reviewers.

Att. Glissman commented on the expansion of such facilities in Fall River.

In response to Board Member Cruz, the applicant's agent discussed the traffic study and report, including turn restrictions, intersections, roadway improvements, trip generation, peak hours, volume and delays, et cetera. Board Member Cruz expressed a desire to see the back way to the facility on Sawyer Street studied.

In response an inquiry by Chairperson Duff regarding pedestrian traffic on Coggeshall Street and any associated signage, Mr. Skelly discussed loading only signs, and address navigation work. Chairperson Duff suggested striping. Att. Glissman added comments, noting a wiliness for pedestrian signage.

Board Member Cruz expressed concerns about the safety of the steps, suggesting an accessible ramp. He stated he had no problem with the drainage.

In response to Board Member Cruz's question regarding the project phasing and neighborhood industry impact due to site work, Mr. Skelly discussed construction phasing and area available. He stated the vast majority of work will be conducted on their site.

Att. Glissman noted reciprocal access agreements for the parcels. Board Member Cruz referenced a retaining wall, and again the staircase, and the rear entrance. The applicant assured the board they will look at the stairs

again.

Chairperson Duff read into the record a letter from Councilor Ian Abreu in support of the project; Identical text Letters 2-8 from Antonio's Restaurant, 7-1-1, Top Gear Auto Sales, Coggeshall Sunoco, Better Image Apparel, Purchase Street Records, and Knucklehead's Bar & Grill, sent via e-mail on 2/3/21 in support of the project. Chairperson Duff then directed the board to a letter received from the Department of Health regarding the odor system.

Att. Glissman addressed the Department of Health letter, noting the level/volume of products on site. Kate Crowder, Ascend consultant, described the product delivery/storage conditions, noting no open product is on-site. Mr. Skelly commented on their vault. Andrea Cabral, CEO of Ascend Mass, commented on the product procedures and the vault.

Councilor Giesta, Vice-chair of the Cannabis Committee, expressed her support of the project, to be located within her ward. She noted she had sent a letter, apparently not received by the planning board.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Health Director Damon Chaplin spoke on the need for further community input. He commented on the projected traffic volume and inquired of costs. Mr. Skelly responded on traffic volume. Applicant's representatives commented further, including with regard to sales.

Mr. Chaplin commented further on his concerns.

Chairperson Duff clarified the Planning Board role in the cannabis approval process, including parking agreements and host agreement. She also noted the challenges of the site.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Councilor Scott Lima sought to be recorded in favor.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Councilor Ian Abreu, referenced his letter, and requested to be recorded in favor.

In response to Chairperson Duff's invitation to speak or be recorded in favor or opposition, Councilor Maria Giesta requested to be recorded in favor. She acknowledged the city's challenging areas, but noted the success already in this area.

There was no response to Chairperson Duff's further invitation to speak or be recorded in favor or opposition.

Chairperson Duff suggested a continuance of the matter. Board Member Khazan suggested considering the Wareham summer traffic volume be factored in. Ms. Crowder noted her involvement with Wareham and can get numbers regarding parking.

Ms. Cabral thanked the Planning Board for this evening's input, as well as the city councilors present.

After announcing the next meeting on March 10, 2021 via Zoom, a motion was made (ST) and seconded (AK) to continue Cases #21-03/#21-04 to that date.

ROLL CALL VOTE:

Board Member Kalife – Yes

Board Member Khazan – Yes

Chairperson Duff – Yes

Motion passes 5-0

Board Member Cruz - Yes

Board Member Trimbell - Yes

4. OTHER BUSINESS:

Chairperson Duff referenced appointment of a representative to the Community Preservation Committee, noting Board Member Arthur Glassman has been so and is willing to remain. Chairperson Duff nominated the continued appoint of Board Member Arthur Glassman as the CPC Representative from the Planning Board. A motion was made (ST) and seconded (PC) to appointment Arthur Glassman to the Community Preservation Committee as the Planning Board Representative.

ROLL CALL VOTE:

Board Member Trimbell– Yes

Board Member Cruz – Yes

Chairperson Duff – Yes

Motion passes 5-0

Board Member Kalife – Yes

Board Member Khazan - Yes

5. ADJOURNMENT:

A motion was made (ST) and seconded (KK) to adjourn, whereupon proceedings concluded at 10:00 p.m.

ROLL CALLVOTE:

Board Member Trimbell– Yes

Board Member Cruz – Yes

Chairperson Duff - Yes

Motion passes 5-0

Board Member Kalife – Yes

Board Member Khazan - Yes



Alexander J. Kalife, Clerk

3/17/2021

Date