



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD
City Hall, Room 303
133 William Street,
New Bedford, MA 02740
(508) 979-1488
www.newbedford-ma.gov

Registry of Deeds Use Only:

NOTICE OF DECISION

Case Number:	17-42			
Request Type:	Site Plan Approval for New Ground Sign			
Address:	100 Duchaine Blvd			
Zoning:	Industrial C (IC) zoning district			
Lot Area:	61.5 +/- acres			
Owner:	Parallel Products			
Applicant:	Poyant Signs, Inc., 125 Samuel Barnet Blvd, New Bedford, MA 02745			
Application Submittal Date		Public Hearing Date		Decision Date
November 16, 2017		December 13, 2017		January 23, 2018
Assessor's Map	Lot	Deed Book	Page	Land Court Cert No.
134	5			2339

Case #17-42: Request by applicant for **Site Plan Approval for a New Ground Sign** for Parallel Products and other uses located at 100 Duchaine Blvd (Map 134, Lot 5) on a 61.5± acre parcel in the Industrial C zoning district.

The Planning Board held a public hearing for the above application on December 13, 2017. Planning Board members visited the site individually. Planning Board members present were:

Colleen Dawicki, Chair
Kathryn Duff
Arthur Glassman
Peter Cruz
Alex Kalife

The five members present satisfied the legal quorum for Site Plan Review (three members).

Stephanie Poyant-Moran, Poyant Signs, and Timothy Cusson, Parallel Products, presented the application to the Board.

Ms. Poyant-Moran stated that they plan to remove the existing sign and install a new sign. Ms. Poyant-Moran stated the proposed sign will be able to hold multiple tenants on it, as well as direction and speed limit. She referred the board to the site plan and stated the Parallel Product property is unique within the park. She stated drivers within the park hit a wooded area and the sign will direct drivers that there are businesses behind the trees. The sign is an effort to direct traffic flow and indicate which tenants are located at the property.

The sign will be illuminated and the hours of illumination were delineated Ms. Poyant-Moran as sunset to sunrise. Timothy Cusson of Parallel Products explained planned lighting within the park, explaining that their current operations are 24 hours a day, six days a week, and those of Eversource, are 24/7. Mr. Cusson explained how dark the area is and the significant expense incurred in bringing up the lighting on the loop, which is their private drive. Ms. Poyant-Moran added that the sign will be illuminated with LEDs.

The Board relied on the following plans, documents and other supporting materials in reaching their decision:

- Site Plan Review Application for New Ground Sign
- Staff Report, with site photo
- Letter of Authorization
- Certified Abutter's List
- Plan Set, including:
 - Site Plan by Farland Corp for Parallel Products depicting overall site map, area map and zoning data including parking/loading requirements with record owner information dated August 10, 2017. *Sheet 1 of 9*)
 - Sign Location Plan II depicting aerial map associated with the proposed Ground Sign. *(Sheet II)*
 - Sign Type 13360.1B-R5 depicting the sign elevation in both front view and side view with accompanying specifications. *(Sheet 1B.1 1 of 2)*
 - Sign Type 13360.1B-R5 depicting five photo compositions with both existing site conditions and proposed conditions once the proposed sign is installed. *Sheet 1B.2 2 of 2)*
 - Sign Type 13360.1BC-R5 depicting the sign elevation in both front view and side view with accompanying specifications noting no illumination. *(Sheet 1BC.1 1 of 2)*

DECISION: By a vote of five in favor, none opposed and none abstaining, the Planning Board approved this application.

GENERAL FINDINGS:

1. The existing site is located within the New Bedford Business Park at the southerly end of Duchaine Boulevard. There are several existing ground signs located in the vicinity of the premises.
2. There are multiple large tenants located on the parcel.
3. There is no street lighting on the loop road, a private drive, which services the businesses.
4. The single, large sign in this central location will serve multiple tenants whose buildings cannot be seen from the road.
5. There are no signage standards within the New Bedford Zoning Ordinance for signs within the Industrial zoning districts.
6. There were no waiver requests.
7. There was no public comment in favor of the application; there was no public comment in opposition to the application; there were no letters in the file.

APPLICABLE LAW AND DECISION CRITERIA:

Section 5400 of the New Bedford Zoning Ordinance (Site Plan Review)

5410. Purpose. The purpose of this Section is to provide for individual detailed review of development proposals which have an impact on the natural or built environment of the City in order to promote the health, safety and general welfare of the community; to ensure adequate parking, safe and accessible pedestrian and vehicular circulation; and to minimize traffic impact on City streets.

Applicability. The following types of activities and uses require site plan review by the Planning Board:

5427. Commercial or industrial ground signs.

Section 3200 of the New Bedford Zoning Ordinance (Sign Regulations)

3201. Purpose.

(A) Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets sidewalks and other public places and adjacent private places open to the public. The unregulated construction, placement and display of signs constitute a public nuisance detrimental to the health, safety, convenience and welfare of the residents of the City.

(B) The purpose of article 3200 is to establish reasonable and impartial regulations for all exterior signs and those interior signs designed to attract the attention of persons located outdoors in order to: reduce traffic hazards caused by such unregulated signs which may distract and confuse, and impair the visibility of, motorists and pedestrians; ensure the effectiveness of public traffic signs and signals; protect property values by ensuring the compatibility of property with that surrounding it; provide an attractive visual environment throughout the City; protect the character and appearance of the various neighborhoods in the City; attract tourists to the City; protect the public investment in streets, highways, and other public improvements; and protect and improve the public health, safety, and general welfare.

3250. Regulations Governing Particular Types of Signs.

3254. Ground Signs. Ground sign shall mean and include any sign having as supports wood or metal columns, pipes, angle iron framing, masonry, plastic or any combination of these materials unattached to any building or other structure.

3256. Location restrictions. No ground sign shall project over a public way, nor shall a ground sign be located closer than six (6) feet from a lot line. Only one ground sign shall be permitted per lot in a Mixed-Use Business district.

SPECIFIC FINDINGS

1. The New Bedford Economic Development Council, acting as agent of the New Bedford Industrial Foundation, reviewed the proposed sign and was in favor of the sign as proposed.
2. Although the Board took issue with the size of the proposed sign, the Board found that there were several mitigating factors which made a sign of this size acceptable in this location where it would not be acceptable in a different location:
 - a. There are no residential abutters to this parcel to be negatively impacted by the proposal to light the sign from sunrise to sunset seven days a week as the businesses operate seven days a week, twenty-four hours a day;
 - b. The sign is located on a private drive away from the main drive of Duchaine Boulevard and is not visible from Duchaine Boulevard;
 - c. The sign is set back from the roadway an appropriate distance based on its size;
 - d. The sign is being installed on a slope;

- e. This single sign, while being large, does represent seven businesses located at this parcel, and a single large sign is more appropriate for the scale of the Industrial Park than several separate signs in the same location;
- f. The sign takes into consideration the public safety and environmental impact by directing truck traffic efficiently to the location entrances for the various businesses.

WAIVERS:

None

CONDITIONS:

1. The approved sign shall be the only business sign in that location for that parcel and no additional business signs shall placed at the end of the private drive coming into the parcel.
2. All internal directional signage shall come before planning staff for review and determination whether they require additional Planning Board review.
3. Any signs over 2 ft x3 ft and/or six square feet shall be brought before the Planning Board for approval.
4. The applicant shall ensure, through a professional survey or in working with the City's Department of Public Infrastructure, that the sign is located on private land and not within the public right-of-way.
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 applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents.
7. The applicant shall submit final plan revisions to the Planning Division in the following formats:
 - a. One (1) -11" x 17" Plan Set
 - b. One (1) CD or USB with Plan Set in PDF format
 - c. 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 Planning Division Case file folder.
9. The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before this Board for further review.
10. 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.

MOTIONS:

The New Bedford Planning Board approved the Site Plan for Application 17-42, based on the findings and conditions set forth above.

Motion: Kathryn Duff

Seconded: Arthur Glassman

Vote: 5-0-0

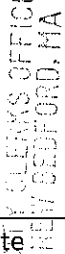
SIGNED BY:



Kathryn Duff, Chair
City of New Bedford Planning Board

11/23/2019
Date

DATE OF FILING:


Date 2019 JAN 24 P 3:05
CITY CLERK

A copy of this decision was filed with the City Clerk of the City of New Bedford. 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 Chapter 40A Section 8 of the General Laws of Massachusetts and Section 5490B of the City of New Bedford Zoning Ordinance