



PLANNING BOARD

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

Registry of Deeds/City Clerk Use Only:

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

NOTICE OF DECISION

Case Number:	37-16			
Request Type:	Site Plan Modification			
Address:	50 Duchaine Boulevard			
Zoning:	Industrial C			
Recorded Owner:	NStar Electric Co. (a/k/a Eversource)			
Applicant:	Farland Corp.			
Applicant Address:	401 County Street, New Bedford, MA 02740			
Application Submittal Date	Public Hearing Date		Decision Date	
November 18, 2016	December 14, 2016 and January 11, 2017		January 25, 2017	
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
134	457, 458 & 459			24045
134	456	11599	271	23855

CITY CLERK'S OFFICE
NEW BEDFORD, MA
2017 JAN 25 P 2:51
CITY CLERK


Application: Request for modification of Site Plan approval of Case #03-16 from a liquid waste disposal and recycling facility to an energy supplier corporate office, located in New Bedford Business Park at 50 Duchaine Boulevard (Map 134, Lots 456, 457, 458 & 459) on a 58.14+/- acre site in the Industrial C (IC) zoning district.

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 January 25, 2017. 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.

1-25-2017

Date


Kathryn Duff, Vice Chair
New Bedford Planning Board

1) APPLICATION SUMMARY

On January 13, 2016 the Planning Board approved a proposal by Parallel Products, Inc., for a liquid waste disposal and recycling facility under Chapter 9 Comprehensive Zoning, Section 5400. Parallel Products of New England reprocesses empty plastic and aluminum beverage containers that come from redemption centers in bottle bill states throughout the New England area. Manufacturing and Light Manufacturing defining that proposal are uses permitted by right in the Industrial C zoning district.

On October 28, 2016 interest in the parcel known as 50 Duchaine Boulevard was conveyed to NSTAR Electric Company. The use, modifying site plan approval for Case 03-16, has been changed to energy supplier corporate office, having 167,105 +/- SF with associated parking and loading, at the existing developed 58+/- acre site.

Rebranded as "Eversource Energy", this company is recognized as New England's largest energy provider, serving more than 3.6 million electric and natural gas customers in CT, MA and NH. Business, or professional office, and warehouse use are allowed by right in the Industrial C zoning district. The Protective New Bedford Business Park Covenants imposed by the Industrial Foundation permit the use of the land for the purpose of corporate headquarters and offices.

2) MATERIALS REVIEWED BY THE PLANNING BOARD

Plans Considered to be Part of the Application

The submittal was shown as the Site Plan for 50 Duchaine Blvd (Assessors Map 134, Lots 456, 457, 458 and 459) New Bedford, MA dated November 18, 2016 prepared for Eversource Energy, P.O. Box 100085-N2, Duluth, GA 30096 by Thompson Farland 398 County Street, New Bedford, MA 02740, consisting of nine (9) sheets;

- **Cover Sheet - Sheet 1**
- **Notes & Legend - Sheet 2**
- **Existing Conditions - Sheet 3**
- **Layout - Sheet 4**
- **Grading & Utility - Sheet 5**
- **Landscape - Sheet 6**
- **Detail - Sheet 7**
- **Detail - Sheet 8**
- **Modified Layout Plan – Sheet 9**

Light Plan, dated 11/16/2016, prepared for Eversource Parking Lot, Building & Roadway, by *nelight*, consisting of one (1) sheet; and

Architectural Plans, dated 11/18/2016, prepared for Eversource, New Bedford, MA, by The SLAM Collaborative, Glastonbury, CT, consisting of three (3) sheets;

- **First Floor Plan**
- **Second Floor Plan**
- **Exterior Elevations**

Other Documents and Supporting Materials

A Staff Review Report was provided for the December 14, 2016 and amended for the January 11, 2017 meeting with Attachments:

- Minutes of the January 13, 2016 Planning Board
- Decision - Case #03-16
- Site Plan Approval Application
- Letter of Authorization
- Bristol County (S.D) Registry of Deeds Bk 1159, Pg 271 (Certificate 23855)
- Land Plan Book 81, Page 78
- Bristol County (S.D) Registry of Deeds Certificate 24085
- Land Plans 36318-C
- New Bedford Business Park CC & R's
- Department of Public Infrastructure Comments dated 12/08/2016
- Plan Set
- Notice of Intent (Amended Attachment to the January 11, 2017 Staff Report)

Additional case submittals received into the record on January 11, 2017:

- Modified Layout Plan dated November 18, 2016 with color overlay layer showing changes to site plan.

3) DISCUSSION

This case was rescheduled for continuance by written request from the applicant's agent, Farland Corp., from December 14, 2016 to the January 11, 2017 meeting of the Planning Board. Board Members Colleen Dawicki, Kathryn Duff, Arthur Glassman, and Alexander Kalife were in attendance at the December and January discussions. Board member Peter Cruz was present at the December meeting.

Acting City Planner Jennifer Clarke, AICP and Staff Planner Constance Brawders were present during continued proceedings.

Christian A. Farland, Principal Engineer and President of Farland Corp., described the intent by Eversource Energy to modify the project and site plan previously approved by the Planning Board to relocate the energy supplier corporate offices from 180 MacArthur Drive on the harbor front to the New Bedford Business Park after purchasing the land from Parallel Products. Also available to address the project scope was Matthew White, Project Manager, Farland Corp.

The applicant filed a Notice of Intent with the City of New Bedford Conservation Commission as the proposal for redevelopment falls within the 100 foot buffer zone to bordering vegetated wetlands. The applicant awaits peer review by the City's consulting engineering firm for compliance with the Massachusetts Department of Environmental Protection Stormwater Management Standards.

Modifications to the approved plan include demolition and site clearing to make way for increased impervious pavement necessary for the utility company's onsite storage; adjustments to storm water mitigation; changes in landscape plan; and addition of security fencing and screening to the site perimeter.

Discussion ensued regarding parking space dimensions illustrated on plans. The applicant's agent proposes a serviceable area off the public way of nine (9) feet by eighteen (18) feet with a 24 foot drive aisle, varying from city ordinance which stipulates parking to be nine (9) feet by 20 feet and 22 foot drive aisle.

Chairperson Dawicki asked for a motion to open the Public Hearing. Board Member K. Duff moved to open the hearing, seconded by Board Member A. Glassman. Motion carried four (4) to zero (0).

Speaking in favor of the project modification was Mr. Derek Santos, Executive Director of the New Bedford Economic Development Council. No member of the public asked to be recorded in favor of the modification. No member of the public body spoke or asked to be recorded in opposition of the modification.

Hearing no further questions or comments, the motion was moved to close the public hearing by Board Member K. Duff, seconded by Board Member A. Glassman. Motion carried unanimously four (4) to zero (0).

4) DECISION

Board Member K. Duff made the motion to approve modification of Site Plan approval for Case #03-16 from a liquid waste disposal and recycling facility to an energy supplier corporate office, located in New Bedford Business Park at 50 Duchaine Boulevard (Map 134, Lots 456, 457, 458 & 459) on a 58.14+/- acre site in the Industrial C (IC) zoning district with the following conditions:

- ☐ The applicant is allowed parking spaces that are nine (9) feet by eighteen (18) feet, with a 24 foot (drive) aisle, and in some instances (drive aisle of) 22 feet, as the Board finds that this is acceptable given that the parking lot is off the public way and principally for employee parking.
- ☐ The project is to abide by any of the rulings from the Conservation Commission which is in process and due to be heard again this month.

List of General Conditions:

1. The project shall be undertaken according to the plans submitted with the application with adherence to all notes on plans as reviewed by the Planning Board on this date as modified by the conditions of this decision.
2. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure dated December 8, 2016 and that the Planning Board incorporates the DPI memo as part of these conditions (Attachment 1).
3. 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.
4. The applicant shall submit final plan revisions to the Planning Division in the following formats:
 - One (1) -11" x 17" Plan Set
 - One (1) CD or USB with Plan Set in PDF formatand shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
5. The applicant shall provide a copy of the Notice of Decision certifying no appeal has been brought forward by the office of the City Clerk for the Planning division case file folder.
6. 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.
7. The rights authorized by the granted Site Plan 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 they were granted or they will lapse.

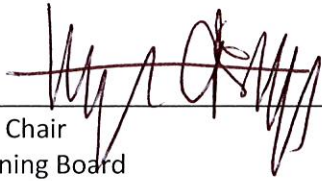
Motion seconded by Board Member Glassman. A roll call vote was taken and unanimously approved four (4) to zero (0).

Board Member Duff -Yes Board Member Glassman – Yes Board Member Cruz – Absent
Board Member A. Kalife – Yes Chair Person Dawicki – Yes

Filed with the City Clerk on:

1.25.2017

Date



Kathryn Duff, Vice Chair
New Bedford Planning Board



Department of Public Infrastructure

Euzebio Arruda
Commissioner

CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance

MEMORANDUM

TO: City of New Bedford Planning Board

FROM: Euzebio Arruda, Commissioner, D.P.I.

DATE: December 8, 2016

RE: Proposed Site Plan Modifications
Plot 134 Lots 456, 457, 458, and 459

The Department of Public Infrastructure has reviewed the proposed site plan modification referenced above and recommends approval with the following conditions:

1. All utilities to be constructed in accordance with the City of New Bedford regulations.
2. This site plan includes 4 different lots, which may need to be combined to meet zoning requirements.
3. Drainage design must comply with phase II Mass Department Stormwater management standards.
4. Owner must reach out to the Department of Public Infrastructure to discuss water supply to the existing building.
5. The Department of Public Infrastructure requires a final set of approval plans to be submitted that reflects all revisions made prior of the start construction.
6. Developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.
7. Upon completion engineer must submit "As Built Drawings" in CADD format prior to the certificate of occupancy being issued.

/ct

Cc: Department of Inspectional Services
Environmental Stewardship
Thompson Farland Inc.
Eversource Energy

PLANNING
DEC 12 2016
DEPARTMENT

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RONALDL@CI.NEW-BEDFORD.MA.US

ATTACHMENT 1