

SITEC

Civil and Environmental Engineering
Land Use Planning

SITEC, Inc.
449 Faunce Corner Road
Dartmouth, MA 02747
Tel. (508) 998-2125 FAX (508) 998-7554

Unit C
769 Plain Street
Marshfield, MA 02050
Tel. (781) 319-0100 FAX (781) 834-4783

ACTIVE DAY ADULT DAY CARE
34 WELBY ROAD
NEW BEDFORD, MASSACHUSETTS

JUNE 5, 2019

PROJECT NARRATIVE

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PROJECT NARRATIVE JUNE 5, 2019

PROJECT: ACTIVEDAY ADULT DAY CARE FACILITY
34 WELBY ROAD
NEW BEDFORD, MASSACHUSETTS
ASSESSORS MAP 132E- LOTS 99

APPLICANT: WELBY PARK ASSOCIATES, LLC
1 WELBY ROAD
NEW BEDFORD, MA 02745

ZONING DISTRICTS: INDUSTRIAL A

EXISTING SITE CONDITIONS

The subject property is a 1.23 acre parcel located on the west side of Doreen Street and the south side of Welby Road, New Bedford. The property is bordered by Welby Road on the north, a commercial parking lot on the west, a single family home and undeveloped woodlands on the south and Doreen Street on the east.

The easterly portion of the property contains a two story office building with associated landscaped areas and pedestrian walkways. The westerly portion of the site contains a paved, 69 space parking lot with separate entrance and exit drives connecting the site to Welby Road.

Access to the site is limited to the Welby Road driveway and the building is served by municipal water and sewer services. The site slopes away from the public ways and toward the southwest parking lot corner where there is a catch basin for runoff control.

PROPOSED DEVELOPMENT

The Applicant, Welby Park Associates, LLC is proposing to renovate the first floor of the office building to accommodate an adult day care facility. Revisions to the existing site conditions are as follows:

1. Convert the first floor office space to an adult day care;

2. Add an additional building entrance on the west side of the structure to facilitate client access to the facility;
3. Provide a canopy covered drop off spot at the new building entrance for weather protected drop off of clients;
4. Restripe the parking lot to meet current City of New Bedford parking standards;
5. Add improved ADA compliant parking spaces with loading zones for improved accessibility to the structure;
6. Create an exterior fenced in patio area for use by the clients in a controlled, supervised area.

The completed project will provide a much needed upscale adult day care facility with good public access without impacting the surrounding neighborhood.

It is anticipated that the project will take 4-6 months to complete. Preliminary cost estimates for this project range from \$300,000 - \$350,000.

**SITE PLAN REVIEW
APPLICATION / CHECKLIST**



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

PLANNING BOARD

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: Active Day Adult Day Care by: SITBC, INC. dated: JUNE 5 2019

1. Application Information

Street Address: 34 Welby Road

Assessor's Map(s): 132 E Lot(s) 99

Registry of Deeds Book: 8691 Page: 62

Zoning District: Industrial A

Applicant's Name (printed): Welby Park Associates, LLC

Mailing Address: 1 Welby Road New Bedford MA 02745
(Street) (City) (State) (Zip)

Contact Information: 508.998.0100 MARK486@VERIZON.NET
Telephone Number Email Address

Applicant's Relationship to Property: Owner Contract Vendee Other

List all submitted materials (include document titles & volume numbers where applicable) below:

SITE PLANS - COVER SHEET AND SHEETS 1-6
BUILDING FLOOR PLANS/ELEVATIONS
PROXY REPORT

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

6/12/19
Date

[Signature]
Signature of Applicant

2. Review Applicability (Check All That Apply to Your Proposal)

Category	Construction	Scale
<input type="checkbox"/> Residential	<input type="checkbox"/> New Construction	<input type="checkbox"/> < 2,000 gross sq feet
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Expansion of Existing	<input checked="" type="checkbox"/> > 2,000 gross sq feet
<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Conversion	<input type="checkbox"/> 3 or more new residential units
<input type="checkbox"/> Mixed (Check all categories that apply)	<input type="checkbox"/> Rehabilitation	<input type="checkbox"/> 1 or more new units in existing res. multi-unit
		<input type="checkbox"/> Drive Thru Proposed
		<input type="checkbox"/> Ground Sign Proposed
		<input type="checkbox"/> Residential Driveway With > 1 curbcut

3. Zoning Classifications

Present Use of Premises: Industrial A

Proposed Use of Premises: Adult Day Care/Office

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):
ZBA Special Permit Case #4376 Granted on May 23, 2019

4. Briefly Describe the Proposed Project:

The Applicant proposes to convert the first floor office space of an existing commercial building to an Adult Day Care Facility. The second floor will remain as general office space. The Adult Day Care improvements will include the interior renovations and the addition of a drop off canopy area and a fenced in exterior patio for supervised use by the Day Care Facility clients. A restiping of the parking lot and an increase in ADA compliant parking spaces is also proposed. No changes to drainage or utility systems are proposed.

5. Please complete the following:

	<u>Existing</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Lot Area (sq ft)	53,740 SF	-	53,740 SF
Lot Width (ft)	280'	-	280'
Number of Dwelling Units	0	N/A	0
Total Gross Floor Area (sq ft)	15,146 SF	-	15,146 SF
Residential Gross Floor Area (sq ft)	0	-	0
Non-Residential Gross Floor Area (sq ft)	15,146 SF	-	15,146 SF
Building Height (ft)	30.5'	100'	30.5'
Front Setback (ft)	49'	25'	49'
Side Setback (ft)	40'	25'	40'
Side Setback (ft)	168'	25'	148'

Rear Setback (ft)	25'	25'	25'
Lot Coverage by Buildings (% of Lot Area)	14%	50%	14%
Permeable Open Space (% of Lot Area)	32%	20%	30%
Green Space (% of Lot Area)	32%	20%	30%
Off-Street Parking Spaces	69	58	64
Long-Term Bicycle Parking Spaces	0	0	0
Short-Term Bicycle Parking Spaces	0	0	0
Loading Bays	0	1	1

6. Please complete the following:

	Existing	Proposed
a) Number of customers per day:	<u>30</u>	<u>120</u>
b) Number of employees:	<u>20</u>	<u>20</u>
c) Hours of operation:	<u>7AM-5PM</u>	<u>7AM-5PM</u>
d) Days of operation:	<u>M-Sa</u>	<u>Su-Sa</u>
e) Hours of deliveries:	<u>7AM-5PM</u>	<u>7AM-5PM</u>
f) Frequency of deliveries:	<input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other: _____	

7. Planning Board Special Permits:

The applicant is also requesting a Special Permit from the Planning Board.

Specify the requested Special Permit(s) below, and set forth within attached Development Impact Statement how the request meets approval criteria listed in §5320 of the zoning code.

8. ZBA Variances and Special Permits:

NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.

The applicant is also requesting a special permit from the ZBA:

Specify zoning code section & title

The applicant is also requesting a variance from the ZBA:

Specify zoning code section & title

9. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: Welby Park Associates LLC

at the following address: 1 Welby Rd, New Bedford, MA 02745

to apply for: SITE PLAN REVIEW

on premises located at: 34 Welby Road

in current ownership since: JUNE 21, 2007

whose address is: 34 Welby Road

for which the record title stands in the name of: Welby Park Associates LLC

whose address is: 1 Welby Road, New Bedford MA 02745

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 8691 Page: 62

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

6/12/19
Date

[Signature]
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

NOTICE BY PUBLICATION & ABUTTERS NOTIFICATION

(Follow Massachusetts General Laws, Chapter 40A, Section 5)

- 1) The applicant shall be responsible for paying for the legal advertisements in the New Bedford Standard-Times once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days prior to the date of said hearing. This cost is included in the Application Fee. The City of New Bedford Planning Division shall be responsible for placing the legal ad in the New Bedford Standard-Times.
- 2) The applicant shall be responsible for certifying the abutters list and mailing, by Certified Mail, with Return Receipt Requested, a copy of the notice to each affected abutter.
- 3) A Legal Advertisement will be drafted by Planning Staff, including the date, time and location of the public hearing, and provided to the Applicant upon submittal of a complete application. This Legal Advertisement may not be altered or amended by the Applicant prior to use in notifying Abutters.



Site Plan Review Application Checklist

In order for the City of New Bedford Planning Board to accurately review your project in a timely manner, plan sets submitted with applications must be complete and thorough. A comprehensive understanding of this handout and submittal of all required documents and plans ensures an efficient review of your project.

Unless otherwise noted or determined by Planning Division Staff to not be required, the following information and drawings must be included in the submittal package for your application. For an application to be accepted, each and every item is required at the time of application submittal.

In certain instances, plans, or portions of plans, may be waived when not applicable for the review of a particular type of development, at the discretion of the City Planner. Requests for any such waiver(s) must be submitted, in writing, to Planning Division for consideration prior to application submittal.




All submitted materials must be legible, organized & bound (where appropriate) in a manner that allows for distribution of all proposal materials as 1 package. Please utilize double-sided printing for submitted reports, studies and statements when possible.

Initials Indicate
Item Submitted.

For subparts of the required plans, please mark as follows:

X = Shown on Plans W = Waiver Requested NA = Not Applicable

Staff | Applicant

- | | |
|---|---|
| — |  1. <u>Completed Application Form</u> (with all required signatures; 16 Copies) |
| — |  2. <u>Completed Site Plan Review Application Checklist</u> (1 original & 15 copies) |
| — |  3. <u>Plans</u> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Four (4) stapled and folded sets of full-sized plans (24" x 36") and Twelve (12) sets of reduced plans (11" x 17") are required for all applications. Staff reserves the right to require additional copies.<input checked="" type="checkbox"/> One (1) electronic copy (PDF & CAD) of all proposed activity plans (See Section 10 of Checklist for Requirements)<input checked="" type="checkbox"/> All plans oriented so that north arrow points to top of sheet<input checked="" type="checkbox"/> Plans shall be drawn at a minimum scale of 1"= 40' or less<input checked="" type="checkbox"/> All plans shall be stamped by Commonwealth of Massachusetts-registered Professional Engineer, Professional Land Surveyor, and/or Professional Landscape Architect, as appropriate<input checked="" type="checkbox"/> Plan sets shall be comprised of separate sheets as listed below unless otherwise approved by the City Planner<input checked="" type="checkbox"/> All plans shall have a title block comprised of the following: Project Title, Sheet Title, Sheet Number; Registrant Stamp (i.e. PE, PLS, LA); Registrant's name and address; Street addresses of the project area parcels; Scale at which the plan is drawn; Plan Issue Date; and all plan revision dates (with corresponding revision descriptions). |

Staff

Applicant

A

3a. Cover Sheet, to include the following information:

- Title Block
 - Project name/title
 - Assessor's map and parcel number(s)
 - Registry Book and Page
 - Name and address of property owner
 - Name and address of Engineer / Architect / Landscape Architect
 - Name and address of developer
 - Revision Date Block
 - Street Number and/or Lot Number
- Zoning Requirements Table (Indicate Required vs. Provided)
 - Zoning District
 - Lot Area
 - Lot Frontage
 - Front, Side & Rear Setbacks of Buildings and Parking Areas
 - Building Height
 - Lot Coverage
 - Green Space
 - Off-Street Parking Spaces
 - Compact Parking Spaces
 - Accessible Parking Spaces
 - Van Accessible Parking Spaces
 - Screening Buffers
 - Percentage of Lot that is Upland
 - Total Square Footage of Upland
- Locus Map (At a scale of 1 inch = 100 feet, showing the entire project and its relation to existing areas, buildings and roads within a distance of 1,000 feet from the project boundaries or such other distances as may be approved or required by the Planning Board.)
- Plan Index with latest revision date of each individual plan

SA

3b. Existing Conditions Plan

- Name of Surveyor or Surveyor Firm
- Date of survey
- Property lines with bearings and distances
- Monuments set/found at all lot corners
- Easements with bearings and distances suitable for registry filing
- Names of all abutters
- Street names
- Benchmark locations (Based on USGS NGVD – show year)
- NHESP mapped areas (Areas of Estimated and Priority Habitats)
- Existing 21E Contaminated Site Information
 - Existing Buildings and Structures
 - Area of building
 - Number of stories
 - Principal use
 - Setbacks from property lines
 - Floor elevations
 - Door locations with sill elevations

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- Existing Topography:
 - Contours at 2' intervals (1' contours or additional spot grades if site is flat)
 - Overhead and underground utilities including but not limited to water, sewer, drainage, electric, telephone, cable TV, gas, septic systems, detention structures, wells
 - Existing parking/paved areas including pavement type (parking, walkways, etc.)
 - All Existing Curbcuts
 - Listing of all existing utility owners and contact info located within the project limits
 - Adequate utility information outside the site to verify proposed utility connections
- All utility pipe types, sizes, lengths, and slopes
 - All utility structure information including rim and invert elevations
 - All existing easements within 50 feet of property line-Identify any utility within the easement
 - All existing utility easements with bearings and distances
 - Existing pavement markings within site and on connecting roads
 - Existing features such as walls, curbing, landscaping, trees, walks, fences, trees over 12" caliper, lighting, poles, guys, signs, loading areas, fire hydrants, dumpster locations, known buried slabs, etc...
 - Wetlands, floodplain, water protection district delineation including offsets and buffer zones
 - Streams, water courses, swales and all flood hazard areas
- Rock Outcroppings
- Test pit locations including groundwater depths when encountered
- Historic buildings within 250 feet of the subject property

MS

3c. Demolition Plan

- Existing Conditions Plan plus:
 - Existing Buildings and Structures to be removed/demolished
 - Existing parking/paved areas to be removed/demolished
 - Existing utilities to be removed/demolished
- Existing hydrants to be removed
- Existing features to be removed/ demolished such as walls, curbing, landscaping trees, walks, fences, trees over 6" caliper, lighting, poles, guys, signs, etc.
- Dust Control Measures
- Proposed construction phase drainage infrastructure plan including (but not limited to) piping and natural watercourse profiles & cross-sections, retention/detention structures, drain manholes, catch basins, gutter inlets, headwalls, water quality BMPs, and erosion & sedimentation control features, etc.

SA

3d. Construction/Layout Plan

- Proposed Buildings and Structures

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- Area of building or additions
- Number of stories
- Principal use
- Floor elevations
- Door locations with sill elevations
- Proposed Topography, including but not limited to:
 - Proposed contours at 2' intervals
 - Parking lot setbacks to property line
 - Parking lot grades (not to exceed 5% or be less than 0.5%)
 - Walls
 - Parking spaces (delineated and dimensioned)
 - Accessible parking spaces & aisles
 - Wheelchair ramps
 - Sidewalks
 - Pavement type(s)
- Critical dimensions including aisle widths, parking stall dimensions, curb radius, driveway openings, etc.
- Grading at entrance-show spot grades if required
- Emergency Vehicle Access
- Truck Access (WB-50 unless otherwise approved by City Engineer)
- Snow Storage Areas, with limits of any fence protection (if applicable)
- Construction notes, including the following notes:
 - Any minor modifications (as determined by the City Engineer) to the information shown on the approved site plans shall be submitted to the City Engineer as a Minor Plan Revision for approval prior to the work being performed.
 - Any work and material within the City right-of-way shall conform to the City of New Bedford requirements
 - All handicap parking, ramps, and access shall conform to AAB & MAAB requirements
 - All erosion control measures shall be in place prior to construction. Erosion Control shall conform to the City of New Bedford Conservation Commission requirements as stated in the Order of Conditions. (Refer to Erosion Control Plan if part of submission)
 - All pavement markings and signs shall conform to MUTCD requirements
- Setback dimensions from property lines
- N/A* Out-buildings, detached garages, temp. construction trailers, etc.
- Curb type(s) and limits
- Lighting / Poles / Guys
- Signs (include sign schedule)
- Pavement markings
- Loading areas / Loading Docks / Platforms
- Fences
- Landscape areas
- Dumpster(s), Compactor(s) & Pads
- N/A* Spot Grades at 4 Building Corners
- N/A* Overall Plan Showing Areas of Cut & Fill

1A **2e. Grading and Drainage Plan**

- Existing Conditions Plan and Construction/ Layout Plan plus:
- Existing and proposed site grading/ topography-Contours at 2' intervals (1' contours or additional spot grades if site is flat)

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- Proposed parking lots, sidewalks, islands, etc.
 - Parking lot grades shall not exceed 5% or be less than 0.5 %
- Floor elevations & door locations
- N/A* Proposed drainage infrastructure plan including but not limited to piping and natural watercourse profiles & cross-sections, infiltration/ retention / detention structures, drain manholes, headwalls, roof recharge systems, flow direction, water quality BMPs, etc.
- N/A* Adequate information off site to verify proposed drain connections
- N/A* Drainage system profiles including rim and invert elevations, material, types, sizes, lengths, utility crossings and slopes
- N/A* Utility easements with bearings and distances suitable for registry filing
- Delineation of all stockpile areas
- Provide safety fencing around stockpiles over 10' in height or otherwise restrict site access
- N/A* For applications associated with residential or commercial/industrial subdivisions, include an overall development plan showing all construction activity and proposed grading for all project phases, and show the proposed building envelope within each house lot and the proposed grading, drainage, and storm water disposal for each lot.
- N/A* A design for the stormwater drainage systems prepared by a Registered Professional Engineer demonstrating that proposed development rates of runoff do not exceed pre-development rates, as required under Massachusetts Stormwater Management Standards.

CM

3f. Utility and Grading Plan (Show appropriate info from Existing Conditions & Construction/Layout Plan)

- N/A* Include all proposed utilities, including, but not limited to, Water, Sewer, Drainage, Electric, Telephone, Cable TV, Gas, Lighting, Title V Septic Systems & Detention and Retention Structures
 - Adequate utility information outside the site to verify proposed utility connections
 - All utility pipe types, sizes, lengths, and slopes
 - All utility structure information including rim and invert elevations
 - Any utility access vaults
 - All utility access handholes
 - All water services, hydrants, gates, shutoffs, tees
 - Utilities shall be underground if possible
 - All transformer locations
 - Required utility easements with dimensional bearings and distances
- N/A* Force main, if required, conforming to City of New Bedford requirements
- N/A* Water main loop
- N/A* Sewer profile showing all utility crossings
- N/A* Sections through detention basin(s)
- N/A* Include the following notes:
 - The contractor shall obtain a Street Disturbance & Obstruction Permit prior to any construction within the right-of-way
 - All water and sewer material and construction shall conform to the City of New Bedford requirements

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- All water and sewer construction shall be inspected by the City Of New Bedford before being backfilled
- The City shall be notified at least 24 hours prior to the required inspections

NA Detention basin, retention basin or other stormwater mechanisms (such as infiltration devices), if proposed.

W **3g. Landscape Plan**

- Location, species & size of all proposed plantings
- All existing landscaping to be removed or retained
- Plant and tree legend
- Delineate & label all existing and proposed groundcovers, lawn areas, driveways, walkways, patios and other surface treatments
- Snow storage areas
- Proposed irrigation methods (on-site wells to be used unless otherwise approved)
- Verify sight distances at entrances

W **3h. Erosion Control Plan** (show appropriate information from Existing Conditions and Construction/Layout Plans)

- Straw bales or straw bale/silt fence combination and compost filter tubes
- Anti-tracking BMP area at all construction entrances
- Dust Control (Methods of)
- Protection of existing and proposed drainage structures with straw bales and/or silt sacks
- Delineation of all temporary stockpile areas
- Safety fencing around stockpiles over 10' in height or otherwise restricted site access
- Straw bales or straw bale/silt fence combination around all stockpiles
- Include the following notes:
 - All BMP erosion control measures shall be in place prior to demolition or any site work.
 - Erosion Control BMPs shall conform to US EPA, NPDES, MA DEP and Massachusetts Erosion and Sedimentation Control Guidelines for Urban and Suburban Areas.
 - Maintenance specifications for all proposed erosion and sedimentation controls.

W **3i. Floor Plan**

- Include complete floor plan of all floors (entire building), including existing & proposed work
- Label all rooms (e.g., bedroom, kitchen, bathroom), and include dimensions of room sizes
- Show the location of all existing and proposed doors, windows, and walls
- For non-residential projects: show all existing and proposed seating areas, mechanical/kitchen equipment, backup generators and/or other major functional components of the proposed project

Staff | Applicant

- Identify waste storage and disposal area(s), including detail(s) for dumpster(s) and dumpster pick-up and trash & garbage compaction areas (if any)

W

3j. Building Elevations

- Show all structural building elevations (front, sides and rear façades) that will be affected by the proposed project
- For additions/alterations: label existing and new construction, as well as items to be removed
- Identify all existing and proposed exterior materials, treatments and colors- including roofing, roof eaves, eave brackets, siding, doors, trim, sills, windows, fences, and railings. Show details of proposed new exterior elements
- Show any exterior mechanical, duct work, and/or utility boxes
- Include dimensions for building height, wall length and identify existing and proposed floor elevations

N/A

3k. Sign Plan

- Fully-dimensioned color elevations for all proposed signs
- Total square footage of existing signs and total square footage of proposed signs
- Existing and proposed sign locations on site plan
- Existing and proposed materials and methods of lighting for all signs

W

3l. Lighting Plan

- Location and orientation of all existing and proposed exterior lighting, including building and ground lighting and emergency spot lighting (if any)
- Height and initial foot-candle readings on the ground and the types of fixtures to be used
- Plan Must Show Illumination Patterns On-Site and Areas Off-Site
- New Bedford Washingtonian Type Fixtures Should Be Used, Where Applicable
- Provide Cut Sheet for All Lighting Fixtures

SM

3m. Detail Sheets (Typical Details)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Pavement Section Detail | <input type="checkbox"/> Sewer Manhole Detail (26" cover) |
| <input checked="" type="checkbox"/> Sidewalk Detail | <input type="checkbox"/> Detention / Retention Basin Sections (from plan) |
| <input checked="" type="checkbox"/> Curb Detail | <input type="checkbox"/> Detention Basin Outlet Structure Detail |
| <input type="checkbox"/> Driveway Detail | <input type="checkbox"/> Miscellaneous Detention / Retention Basin Details |
| <input checked="" type="checkbox"/> Wheel Chair Ramp Detail | <input type="checkbox"/> Infiltration Device Details |
| <input type="checkbox"/> Concrete Pad Detail | <input type="checkbox"/> Stormwater BMPs (Water Quality Structure Details, etc.) |
| <input type="checkbox"/> Catch Basin Detail | <input checked="" type="checkbox"/> Bollards |
| <input type="checkbox"/> Drainage Manhole Detail | |
| <input type="checkbox"/> Water/Sewer Trench Details (12" envelope) | |

Staff | Applicant

- | | |
|---|--|
| <input type="checkbox"/> Water and Sewer Trench Sections | <input type="checkbox"/> Sign Detail |
| <input type="checkbox"/> Anti-Seepage Collar Detail | <input type="checkbox"/> Fence Detail |
| <input type="checkbox"/> Flared End Detail | <input type="checkbox"/> Flowable Fill Trench |
| <input type="checkbox"/> Rip Rap Detail | <input type="checkbox"/> Pavement Marking Details |
| <input checked="" type="checkbox"/> Straw bales/Silt Fence Detail | <input checked="" type="checkbox"/> Handicap Parking/Compact Parking Signs |
| <input type="checkbox"/> Silt Sac Detail | <input type="checkbox"/> Hydrant Detail (American -Darling B-62-B (Open Right) or Mueller Super Centurion Hydrant (Open Right) |
| <input type="checkbox"/> Compost Filter Tube Detail | <input type="checkbox"/> Thrust Block Detail |
| <input type="checkbox"/> Light Pole Foundation Detail | |
| <input type="checkbox"/> Retaining Wall Details | |
| <input type="checkbox"/> Tree/Shrub Planting Detail | |

PA 4. **Project Narrative** (16 Copies), to include adequate summary & description of the proposed project and indicating, where appropriate:

- The number of dwelling units to be built and the acreage in residential use
- Evidence of compliance with parking and off-street loading requirements
- The forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof
- Identification of all land that will become common or public land
- Any other evidence necessary to indicate compliance with the zoning ordinance
- A written statement indicating the estimated time required to complete the proposed project and any and all phases thereof
- A written estimate showing, in detail, the projected costs of all site improvements (and off-site improvement) planned
- Drainage calculations by a registered professional engineer, with storm drainage design conforming to City of New Bedford subdivision regulations, as well as wetland delineations determined by a certified wetland scientist if applicable, for 1, 10, 25 & 100 year storm events

PA 5. **Certified Abutters List** (16 copies)

SA 6. **Proof of Ownership** (Copy of Deed(s) for All Involved Parcels; 16 Copies)

7. **Development Impact Statement (DIS)**, completed per §5350 of Zoning Code, (16 Copies), if required by Board

8. **Traffic Impact & Access Study (TIAS)** (16 Copies), if required by Board

9. **Stormwater Management Report** (9 Copies), if required, comprised of the following:

- MADEP Stormwater Standards Compliance Checklist (signed & stamped)
- Overall Project Description
- Existing Conditions

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- Proposed Improvements
- Proposed Conditions
- Hydrologic Analysis for Existing & Proposed Conditions for Milestone Storm Event Intensities
- Stormwater Management Regulations
- Summary
- Appendix - Existing/Proposed Conditions Plans showing the following:
 - Overall Existing Subcatchment Area Table
 - Subcatchment Labeled, Design Point, Area, Curve number, Tc (min.)
 - Soil Classifications Table (Existing Soils)
 - Map Unit Symbol, Map Unit Name, Hydrologic Soil Code
 - Overall Proposed Subcatchment Area Table
 - Subcatchment Labeled, Design Point, Area, Curve number, Tc (min.)
 - Soil Classifications Table (Including Proposed Boron Soils, Etc., if applicable)
 - Map Unit Symbol, Map Unit Name, Hydrologic Soil Code
- Appendix - Hydrologic Analyses
 - HydroCAD Software Analyses (or equivalent software) Analyses (Existing & Proposed Conditions)
- Appendix - Illicit Discharge Certification (signed & dated)



10. Electronic PDF and AutoCAD Files

- Shall consist of a CD with a printed CD Label in a CD case
- CAD files shall be 2010 format or the latest revision of AutoCAD Civil 3D
- All project submissions shall include the following file types. All project related Drawing Files shall be provided in all 2 supported formats, listed below.
 - AutoCAD Drawing format (.dwg)
 - Adobe Portable Document Format (.pdf)
- PDF files shall be created from within the AutoCAD environment and contain Layer information.
- It is a requirement that each project drawing/sheet created for a project shall be published/plotted to DWG and PDF, and placed in the appropriate folder in the CD submission. All external references (DWG, DWF, DGN, PDF, TIFF, MrSID, JPG, etc.) which are used in support of the creation of these project sheets shall be stored within the XREF folder only (Subfolder of DWG) on the CD. Also the AutoCAD support files (fonts, plot style, etc.) should be supplied on the CD.
- File Naming:**

The following file naming standard for all CAD related files created, used, or submitted to the Planning Department shall be followed. This applies to all CAD drawings, DWF's, PDF's used in support of, or used in conjunction with this CAD Standard.

Staff | Applicant

File names shall begin with their project Planning Board Case number assigned (available through the Planning Department), followed by an underscore and the appropriate discipline code. In the instance where there is more than one file, assign an appropriate sequential number to the end (ex. 1,2,3). Special characters are not permitted except for the following; hyphens [-], underscores [_], and/or parenthesis [()].

Example 1.

A set of engineering design plans and documents were prepared for project file number 12-34; acceptable filenames would be as follows:

12-34_Existing Conditions1.dwg

12-34_Existing Conditions2.dwg

12-34_General1.dwg

12-34_Generale.dwg



ii. Application Fee (All fees are due at time of application submission)

Official Use Only:

For the Planning Board, this application has been received by the Planning Division of the Department of Planning, Housing & Community Development on the date specified below:

Review date: _____ All materials submitted: Yes No

Signature: _____ Fee: _____



City of New Bedford
REQUEST FOR WAIVER

CASE #:

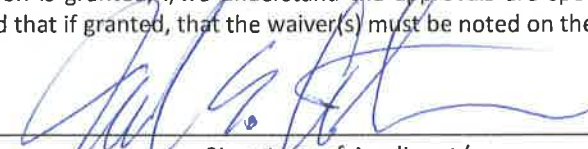
APPLICATION FOR WAIVER FROM SITE PLAN REVIEW REQUIREMENTS

In certain instances, after consulting with the City Planner, the applicant may submit, in writing, a request for waiver for any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans. The Planning Board will take a separate vote on written waiver requests by the applicant. Each request for waiver must be submitted individually to be considered by the Board. Please provide one (1) original and fifteen (15) copies of the request.

Any granted waivers must be disclosed on the final submitted and approved site plan.

SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	192E	LOT(S)#	99
REGISTRY OF DEEDS BOOK:	8691	PAGE #	62
PROPERTY ADDRESS: <i>34 Welby Road</i>			
ZONING DISTRICT: <i>Industrial A</i>			
OWNER INFORMATION			
NAME: <i>Welby Park Associates, LLC</i>			
MAILING ADDRESS: <i>1 Welby Road New Bedford MA 02745</i>			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): <i>SAME AS OWNER</i>			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: <i>Check one:</i>	OWNER <input checked="" type="checkbox"/>	CONTRACT VENDEE <input type="checkbox"/>	OTHER Describe <input type="checkbox"/> _____
MAILING ADDRESS (IF DIFFERENT): <i>SAME AS OWNER</i>			
TELEPHONE #	<i>508 - 998 - 0100</i>		
EMAIL ADDRESS:	<i>MARK486@VERIZON.NET</i>		

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.



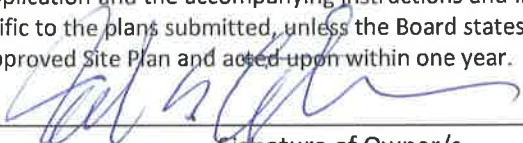
Signature of Applicant/s

6/12/19

Date

If the applicant differs from the owner, this section must be completed/signed by the property owner/s:

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.



 Signature of Owner/s

@/12/19

 Date

DESCRIPTION	Ordinance Section	CLEARLY Describe why this request is being made.	
	1	***Example*** 5451. b. Topography and Drainage Plan	***Example*** There currently exists a structure and pavement on the site. No excavation of the site is being proposed, therefore topography and drainage will not be altered.
	2	5451.6. Topography and Drainage Plan	THERE ARE NO CHANGES TO THE DRAINAGE SYSTEM PROPOSED. Grading is depicted.
	3	5451. c Utility Plan	NO UTILITY CHANGES PROPOSED
		5451. d Landscaping Plan	NO LANDSCAPING CHANGES PROPOSED
5451. f LIGHTING Plan		NO LIGHTING CHANGES PROPOSED	
4	5454 DRAINAGE CALCULATIONS	THERE ARE NO SIGNIFICANT CHANGES TO IMPERVIOUS SURFACES OR DRAINAGE PATTERNS PROPOSED.	

Additional pages describing the waiver request may be attached to this form following the same chart format, if necessary.

Please check here if additional pages are attached.

Number of Waiver requests submitted for consideration:

**BUILDING DEPARTMENT
REJECTION PACKAGE**



DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET - ROOM 308
NEW BEDFORD, MA 02740

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

New Bedford Comprehensive Zoning Code Review Code of Ordinances – Chapter-9

34 Welby Road – PLOT: 132E – LOT: 99 – ZONED DISTRICT: IA

Site Plan Review is Required from the Planning Board

Special Permit is Required from the Zoning Board of Appeals

Zoning Code Review as follows:

Special Permit

Zoning Board of Appeals

❖ SECTIONS

- 2200 – Use Regulations
- 2210 – General
- 2230 – Table of Regulations – Appendix-A
 - Commercial – #4 Adult Day Care
- 5300-5390 – Special Permit

Site Plan Review

Planning Board

❖ SECTIONS

- 5400 – Site Plan Review
- 5410 – Purpose
- 5420 – Applicability
 - 5421. Any new industrial or commercial construction or expansion over two thousand (2,000) gross square feet or any new industrial or commercial construction or expansion requiring more than five (5) additional parking spaces
- 5430-5490B

❖ ***Approvals should be obtained by the New Bedford Conservation Commission before applying for relief from the Zoning Board of Appeals***

2200. - USE REGULATIONS.

2210. General. No structure shall be erected or used or land used except as set forth in Section 2230, "Table of Use Regulations", unless otherwise provided by this Ordinance or by statute. Uses not expressly provided for herein are prohibited. Not more than one principal structure shall be placed on a lot, except in accordance with Section 2330.

Symbols employed below shall mean the following:

Y - A permitted use.

N - An excluded or prohibited use.

BA - A use authorized under special permit from the Board of Appeals as provided under Section 5300.

CC - A use authorized under special permit from the City Council as provided under Section 5300.

PB - A use authorized under special permit from the Planning Board as provided under Section 5300.

2220. Applicability. When an activity might be classified under more than one of the following uses, the more specific classification shall govern; if equally specific, the more restrictive shall govern.

2230. Table of Use Regulations: See Appendix A.

(Ord. of 12-23-03, § 1)

2. Nonexempt educational use	N	N	N	N	N	N	N	N	N	Y	Y	BA	BA	BA	BA	Y
3. Animal clinic or hospital; with ancillary animal boarding	N	N	N	N	N	N	N	N	N	SP	N	BA	BA	BA	N	BA
4. Adult day care	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	BA	BA	BA	N	Y
5. Family day care	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	Y
6. Large family day care	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	Y
7. Club or lodge, nonprofit	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	N	N	N	N	N	CC
8. Funeral home	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N
9. Adult entertainment establishment	N	N	N	N	N	N	N	N	N	CC	CC	CC	CC	CC	CC	N
10. Bed & Breakfast	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	BA
11. Motel, hotel or inn	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
12. Retail stores and services not elsewhere set forth	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
13. Grocery stores	N	N	N	N	N	N	N	N	N	Y	Y	BA	BA	BA	N	Y

5300. - SPECIAL PERMITS.

5310. Special Permit Granting Authority. The Zoning Board of Appeals, the Planning Board or the City Council shall act as the Special Permit Granting Authority under this Chapter as specifically designated in a particular Section or in accordance with the Specific Designations in the Table of Principal Use Regulations under Appendix A of this Chapter.

(Ord. of 12-23-03, § 1; Ord. of 12-8-05, § 1)

5320. Criteria. Special permits shall be granted by the special permit granting authority, unless otherwise specified herein, only upon its written determination that the benefit to the City and the neighborhood outweigh the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include consideration of each of the following:

5321. Social, economic, or community needs which are served by the proposal;

5322. Traffic flow and safety, including parking and loading;

5323. Adequacy of utilities and other public services;

5324. Neighborhood character and social structures;

5325. Impacts on the natural environment; and

5326. Potential fiscal impact, including impact on City services, tax base, and employment.

(Ord. of 12-23-03, § 1)

5330. Procedures. Applications for special permits shall be filed in accordance with the rules and regulations of the various special permit granting authorities, as may be applicable.

(Ord. of 12-23-03, § 1)

5340. Plans. An applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 5400, herein.

(Ord. of 12-23-03, § 1)

5350. Development Impact Statement (DIS). At the discretion of the special permit granting authority, the submittal of a development impact statement (DIS) may be required. The DIS shall be prepared by an interdisciplinary team including a Registered Landscape Architect or Architect, a Registered Professional or Civil Engineer, and a Registered Surveyor.

5351. Physical Environment.

(a)

Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, archeological, scenic and historical features or structures, location of significant viewpoints, stone walls, trees over sixteen (16) inches in diameter, trails and open space links, and indigenous wildlife.

- (b) Describe how the project will affect these conditions, providing a complete physical description of the project and its relationship to the immediate surrounding area.

5352. Surface Water and Subsurface Conditions.

- (a) Describe location, extent, and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the site.
- (b) Describe any proposed alterations of shore lines, marshes, or seasonal wet areas.
- (c) Describe any limitations imposed on the project by the site's soil and water conditions.
- (d) Describe the impact upon ground and surface water quality and recharge, including estimated phosphate and nitrate loading on groundwater and surface water from septic tanks, lawn fertilizer, and other activities within the site.

5353. Circulation Systems.

Project the number of motor vehicles to enter depart the site per average day and peak hour. Also state the number of motor vehicles to use streets adjacent to the site per average day and peak hour. Such data shall be sufficient to enable the special permit granting authority to evaluate (i) existing traffic on streets adjacent to or approaching the site, (ii) traffic generated or resulting from the site, and (iii) the impact of such additional traffic on all ways within and providing access to the site. Actual study results, a description of the study methodology, and the name, address, and telephone number of the person responsible for implementing the study, shall be attached to the DIS.

5354. Support Systems.

- (a) **Water Distribution:** Discuss the types of wells or water system proposed for the site, means of providing water for firefighting, and any problems unique to the site.
- (b) **Sewage Disposal:** Discuss the type of on-site or sewer system to be used, suitability of soils, procedures and results of percolation tests, and evaluate impact of disposal methods on surface and groundwater.
- (c) **Refuse Disposal:** Discuss the location and type of facilities, the impact on existing City refuse disposal capacity, hazardous materials requiring special precautions.
- (d) **Fire Protection:** Discuss the type, location, and capacity of fuel storage facilities or other flammables, distance to fire station, and adequacy of existing firefighting equipment to confront potential fires on the proposed site.
- (e)

Recreation: Discuss the distance to and type of public facilities to be used by residents of the proposed site, and the type of private recreation facilities to be provided on the site.

- (f) Schools: Project the increase to the student population for nursery, elementary, junior high school, and high school levels, also indicating present enrollment in the nearest public schools serving these categories of students.

5355. Phasing. Where development of the site will be phased over more than one year, indicate the following:

- (a) Describe the methods to be used during construction to control erosion and sedimentation through use of sediment basins, mulching, matting, temporary vegetation, or covering of soil stockpiles. Describe the approximate size and location of portion of the parcel to be cleared at any given time and length of time of exposure.
- (b) Describe the phased construction, if any, of any required public improvements, and how such improvements are to be integrated into site development.

(Ord. of 12-23-03, § 1)

~~5360. Conditions.~~ Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the special permit granting authority may deem necessary to serve the purposes of this Ordinance.

(Ord. of 12-23-03, § 1)

~~5370. Lapse.~~ Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within twelve (12) months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L.A. c. 40A, § 17, from the grant thereof) with the City Clerk.

(Ord. of 12-23-03, § 1)

~~5380. Regulations.~~ The special permit granting authority may adopt rules and regulations for the administration of this Section.

(Ord. of 12-23-03, § 1)

~~5390. Fees.~~ The special permit granting authority may adopt reasonable administrative fees and technical review fees for applications for special permits.

(Ord. of 12-23-03, § 1)

State Law reference— Special permits, M.G.L.A. c. 40A, § 9.

5400. - 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.

(Ord. of 12-23-03, § 1)

5420. **Applicability.** The following types of activities and uses require site plan review by the Planning Board:

5421. Any new industrial or commercial construction or expansion over two thousand (2,000) gross square feet or any new industrial or commercial construction or expansion requiring more than five (5) additional parking spaces;

5422. New multiple-family residential construction of three (3) or more units or expansion of existing multifamily residential structures resulting in the creation of one or more additional units.

5423. Any new construction or expansion of existing construction where a drive-thru window for any service including self-service is proposed; and any expansion of a structure presently containing a drive-thru; or any facility currently containing a drive-thru, at which the owner or operator of the drive-thru is altered or changed; or at which the drive-thru is closed for a period of 10 days or more and to be reopened.

5424. Any residential subdivision which is submitted under the subdivision control process;

5425. New industrial or commercial construction or additions less than two thousand (2,000) square feet if requiring a new curb cut or driveway or if substantially affecting existing internal circulation.

5426. Driveways in residential areas which require more than one new curb cut.

5427. Commercial or Industrial ground signs.

(Ord. of 12-23-03, § 1; Ord. of 12-31-08, § 1)

5430. **Procedures.** Applicants for site plan approval shall submit seventeen (17) copies of the site plan to the Planning Board for distribution to City departments and commissions for their review. The Planning Board shall review and act upon the site plan, with such conditions as may be deemed appropriate and notify the applicant of its decision. In the event two (2) meetings have lapsed after the application for site plan approval is filed, without the Planning Board taking action on said site plan said Applicant may file a statement with the Board that the Board has received complete information in accordance with this Ordinance and has had adequate time to consider the Site Plan. Upon receiving said statement, the Planning Board shall act on said Site Plan at its next meeting, if said Board determines that the Board has, in fact, received complete information in accordance with this Ordinance. The decision of the Planning Board

shall be a vote of a majority of the members of the Planning Board and shall be in writing. No building permit, for activities requiring site plan approval, shall be issued by the Inspector of Buildings without the written approval of the site plan by the Planning Board.

5431. Application for Building Permit. An application for a building permit to perform work as set forth in Section 5410 available as of right shall be accompanied by an approved site plan.

5432. Application for Special Permit or Variance. An application for a special permit or a variance to perform work as set forth in Section 5420 shall be accompanied by an approved site plan; in the alternative, any special permit or variance granted for work set forth in Section 5420 shall contain the following condition and cause the same to be written on such special permit or variance:

The work described herein requires the approval of a site plan by the New Bedford Planning Board pursuant to Section 5400 of the Zoning Ordinance. Any conditions imposed in such site plan approval shall also be conditions of this special permit/variance.

5433. Where the Planning Board approves a site plan "with conditions", and said approved site plan accompanies a special permit or variance application to the Board of Appeals, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit or variance by the Board of Appeals.

5434. Where the Planning Board serves as the special permit granting authority for proposed work, it shall consolidate its site plan review and special permit procedures.

5435. The applicant may request, and the Planning Board may grant by majority vote of its' membership, an extension of the time limits set forth herein.

5436. No deviation from an approved site plan shall be permitted without modification thereof.

5437. Site plan approval does not constitute a certification that the proposed plan conforms to applicable zoning regulations, wetland regulations and/or any other City, state or federal requirements that must be obtained prior to implementation the of elements of the site plan.

(Ord. of 12-23-03, § 1)

5440. Preparation of Plans. Applicants are invited to submit a pre-application sketch of the proposed project to the Planning Department and are encouraged to schedule a pre-submission meeting with the Planning Department. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1" = 40'.

(Ord. of 12-23-03, § 1)

5450. Contents of Plan. The contents of the site plan are as follows:

5451. Plan sheets prepared at a scale of one inch equals forty (40) feet or such other scale as may be approved by the Planning Board. The plans are as follows:

5451.a. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, general circulation plan for vehicles and pedestrians, drive-thru windows, curb cut locations, parking, fences, walls, walks, outdoor lighting including proposed fixtures, loading facilities, solid waste storage locations, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the Planning Board.

5451.b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling stormwater runoff drainage.

5451.c. Utility plan, which shall include all facilities for refuse and sewerage disposal or storage of all these wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas.

5451.d. Architectural plan, which shall include the ground floor plan, proposed exterior building materials, treatments and colors and architectural elevations of all proposed buildings and a color rendering where necessary to determine the proposal's affect on the visual environment.

5451.e. Landscaping plan, showing the limits of work, existing tree lines as well as those tree lines to remain, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures during construction.

5451.f. Lighting plan showing the location and orientation of all existing and proposed exterior lighting, including building and ground lighting. The plan shall note the height, initial foot-candle readings on the ground and the types of fixtures to be used.

5452. The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

5453. A written summary of the contemplated project shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership

contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this Ordinance.

5454. The site plan shall be accompanied by drainage calculations by a registered professional engineer as well as wetland delineations, if applicable. Storm drainage design must conform to City of New Bedford subdivision regulations.

5455. The Planning Board may require a DIS as set forth in Section 5300, above.

5456. Certification that the proposal is in compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

(Ord. of 12-23-03, § 1)

~~5460. Waivers.~~ The Planning Board may, upon written request of the applicant, waive any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans.

(Ord. of 12-23-03, § 1)

~~5470. Approval.~~ Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives: The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

5471. Minimize: the volume of cut and fill, the number of removed trees six-inch caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and the threat of air and water pollution;

5472. Maximize: pedestrian and vehicular safety to and from the site;

5473. Minimize obstruction of scenic views from publicly accessible locations;

5474. Minimize visual intrusion by controlling the layout and visibility of parking, storage, or other outdoor service areas viewed from public ways or premises which are residentially used or zoned;

5475. Minimize glare from vehicle headlights and lighting fixtures;

5476. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.

5477. Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of solid and liquid wastes and hazardous substances;

5478. Ensure compliance with the provisions of this Zoning Ordinance.

5479. Minimize damage to existing adjacent public ways.

5479A. Promote orderly and reasonable internal circulation within the site so as to protect public safety and not unreasonably interfere with access to a public way or circulation of traffic on a public way in general.

(Ord. of 12-23-03, § 1)

5480. Lapse. Site plan approval shall lapse after one year from the final approval if a substantial use in accordance with such approved plans has not commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant, within this one-year period.

(Ord. of 12-23-03, § 1)

5490. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.

(Ord. of 12-23-03, § 1)

5490A. Fee. The Planning Board may, from time to time, adopt reasonable administrative fees and technical review fees for site plan review.

(Ord. of 12-23-03, § 1)

5490B. Appeal. Any person aggrieved by a decision of the Planning Board rendered pursuant to Section 5400 may appeal such decision to the Zoning Board of Appeals as provided in M.G.L.A. c. 40A, § 8.

(Ord. of 12-23-03, § 1)

4400. - FLOOD HAZARD OVERLAY DISTRICT (FHOD).

4410: Statement of Purpose. The purposes of the Floodplain District are to:

- (1) Ensure public safety through reducing the threats to life and personal injury;
- (2) Eliminate new hazards to emergency response officials;
- (3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
- (4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- (5) Eliminate costs associated with the response and cleanup of flooding conditions;
- (6) Reduce damage to public and private property resulting from flooding waters.

(Ord. of 9-17-09, § 1)

4420. Definitions.

Area of special flood hazard is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, AI-30, AE, A99, VI-30, VE, or V.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Coastal high hazard area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on a FIRM as Zone V, VI-30, VE.

Development means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

District means Floodplain District.

Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program. FEMA provides a Nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

Flood Insurance Rate Map (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

Lowest floor means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New construction means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community. For the purpose of determining insurance rates, new construction means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

One-hundred-year flood - see Base flood.

Regulatory Floodway - see Floodway.

Special flood hazard area means an area having special flood and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, AI-30, AE, A99, AH, V, VI-30, VE.

Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure, for insurance coverage purposes, means a walled and roofed building other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Zone A means the one-hundred-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available Federal, State, local, or other data.

Zone AI-30 and Zone AE (for new and revised maps) means the one-hundred-year floodplain where the base flood elevation has been determined.

Zone AH and Zone AO means the one-hundred-year floodplain with flood depths of one to three (3) feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where the velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Zone A99 means areas to be protected from the one-hundred-year flood by federal flood protection system under construction. Base flood elevations have not been determined.

Zones B, C, and X are areas identified in the community flood insurance study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

Zone V means a special flood hazard area along a coast subject to inundation by the one-hundred-year flood with the additional hazards associated with storm waves. Base flood elevations have not been determined.

Zone V1-30 and Zone VE (for new and revised maps) means a special flood hazard area along a coast subject to inundation by the one-hundred-year flood with additional hazards due to velocity (wave action). Base flood elevations have been determined.

(Ord. of 9-17-09, § 1)

4430. Floodplain District Boundaries and Base Flood Elevation Data: The Floodplain District is herein established as an overlay district. The district includes all special flood hazard areas within the City of New Bedford designated as Zone A, AE, or VE on the Bristol County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Bristol County FIRM that are wholly or partially within the City of New Bedford are panel numbers 25005C0377F, 25005C0378F, 25005C0379F, 25005C0381F, 25005C0386F, 25005C0387F, 25005C0388F, 25005C0389F, 25005C0477F, and 25005C0484F dated July 7, 2009; and panel numbers 25005C0383G, 25005C0391G, 25005C0393G, 25005C0394G, 25005C0481G, 25005C0482G and 25005C0483G dated July 16, 2014. The exact boundaries of the District may be defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Bristol County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official and Conservation Commission.

(Ord. of 9-17-09, § 1; Ord. of 6-16-14, § 1, eff. 7-16-2014)

4440. Base Flood Elevation and Floodway Data:

1. Floodway Data. In Zones A, and AE, along watercourses that have not had a regulatory floodway designated, the best available federal, state, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, within unnumbered A zones.

(Ord. of 9-17-09, § 1)

4450. Notification of Watercourse Alteration. In a riverine situation, the City Planner shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

99 High Street, 6th
Floor Boston, MA 02110

(Ord. of 9-17-09, § 1)

4460, Use Regulations.

1. Reference to Existing Regulations (b, c, d, e communities). The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:
 - Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR);
 - Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
 - Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
 - Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
 - Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.
2. Other Use Regulations.
 - A. In Zones AE, along watercourses that have a regulatory floodway within the City of New Bedford, as designated on the Bristol County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 - B. Man-made alteration of sand dunes within Zones VE which would increase potential flood damage are prohibited.
 - C. All new construction within Zones VE must be located landward of the reach of mean high tide.
 - D. All subdivision proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazards.
 - E. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.
 - F. There shall be established a "routing procedure" which will circulate or transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, the City Engineer and the Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.

(Ord. of 9-17-09, § 1; Ord. of 6-16-14, § 2, eff. 7-16, 2014)

4470; Permitted Uses: The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

1. Agricultural uses such as farming, grazing, truck farming, horticulture, etc.
2. Forestry and nursery uses.
3. "Outdoor recreational uses, including fishing, boating, play areas, etc.
4. Conservation of water, plants, wildlife.
5. Wildlife management areas, foot, bicycle, and/or horse paths.
6. Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
7. Buildings lawfully existing prior to the adoption of these provisions.

(Ord. of 9-17-09, § 1)

Permit No. B-19-32
 Completion Date _____



City of New Bedford, Massachusetts
Building Department
 Application for Plan Examination
 and Building Permit

FOR BUILDING DEPT. USE
DATE RECEIVED: _____
RECEIVED BY: <u>REC'D</u>
ISSUED BY: <u>Matthew Silva</u>

IMPORTANT — COMPLETE ALL ITEMS — MARK BOXES WHERE APPLICABLE — PRINT

(AT LOCATION) 34 WELBY RD
(NO) (STREET)

BETWEEN _____ AND _____
(CROSS STREET) (CROSS STREET)

PLOT 132E-1 LOT 99 DISTRICT 1A ACCEPTED STREET YES

PLANS FILED YES NO

II. TYPE AND COST OF BUILDING — all applicants complete parts A through D — PRINT

<p>A. TYPE OF IMPROVEMENT</p> <p>1 <input type="checkbox"/> New Building</p> <p>2 <input type="checkbox"/> Addition (if residential, enter number of new housing units added, if any, in Part D, 14)</p> <p>3 <input type="checkbox"/> Alteration (if residential, enter number of new housing units added, if any, in Part D, 14)</p> <p>4 <input type="checkbox"/> Repair, replacement</p> <p>5 <input type="checkbox"/> Demolition (if multifamily residential, enter number of units in building in Part D, 14, if non-residential, indicate most recent use checking D-18 - D-32)</p> <p>6 <input type="checkbox"/> Moving (relocation)</p> <p>7 <input type="checkbox"/> Foundation only</p>	<p>D1 PROPOSED USE — for demolition most recent use</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><i>Residential</i></p> <p>13 <input type="checkbox"/> One family</p> <p>14 <input type="checkbox"/> Two or more family — Enter number of units _____</p> <p>15 <input type="checkbox"/> Transient hotel, motel, or dormitory — Enter number of units _____</p> <p>16 <input type="checkbox"/> Garage</p> <p>17 <input type="checkbox"/> Carport</p> <p>18 <input type="checkbox"/> Other — Specify _____</p> </td> <td style="width: 50%; vertical-align: top;"> <p><i>Nonresidential</i></p> <p>19 <input type="checkbox"/> Amusement, recreational</p> <p>20 <input type="checkbox"/> Church, other religious</p> <p>21 <input type="checkbox"/> Industrial</p> <p>22 <input type="checkbox"/> Parking garage</p> <p>23 <input type="checkbox"/> Service station, repair garage</p> <p>24 <input type="checkbox"/> Hospital, institutional</p> <p>25 <input checked="" type="checkbox"/> Office, bank, professional</p> <p>26 <input type="checkbox"/> Public utility</p> <p>27 <input type="checkbox"/> School, library, other educational</p> <p>28 <input type="checkbox"/> Stores, mercantile</p> <p>29 <input type="checkbox"/> Tanks, towers</p> <p>30 <input type="checkbox"/> Funeral homes</p> <p>31 <input type="checkbox"/> Food establishments</p> <p>32 <input type="checkbox"/> Other — Specify _____</p> </td> </tr> </table>	<p><i>Residential</i></p> <p>13 <input type="checkbox"/> One family</p> <p>14 <input type="checkbox"/> Two or more family — Enter number of units _____</p> <p>15 <input type="checkbox"/> Transient hotel, motel, or dormitory — Enter number of units _____</p> <p>16 <input type="checkbox"/> Garage</p> <p>17 <input type="checkbox"/> Carport</p> <p>18 <input type="checkbox"/> Other — Specify _____</p>	<p><i>Nonresidential</i></p> <p>19 <input type="checkbox"/> Amusement, recreational</p> <p>20 <input type="checkbox"/> Church, other religious</p> <p>21 <input type="checkbox"/> Industrial</p> <p>22 <input type="checkbox"/> Parking garage</p> <p>23 <input type="checkbox"/> Service station, repair garage</p> <p>24 <input type="checkbox"/> Hospital, institutional</p> <p>25 <input checked="" type="checkbox"/> Office, bank, professional</p> <p>26 <input type="checkbox"/> Public utility</p> <p>27 <input type="checkbox"/> School, library, other educational</p> <p>28 <input type="checkbox"/> Stores, mercantile</p> <p>29 <input type="checkbox"/> Tanks, towers</p> <p>30 <input type="checkbox"/> Funeral homes</p> <p>31 <input type="checkbox"/> Food establishments</p> <p>32 <input type="checkbox"/> Other — Specify _____</p>
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<p>B. OWNERSHIP</p> <p>8 <input checked="" type="checkbox"/> Private (individual, corporation, nonprofit institution, etc.)</p> <p>9 <input type="checkbox"/> Public (Federal, State, or local government)</p>	<p>D2. Does this building contain asbestos?</p> <p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes complete the following:</p> <p>Name & Address of Asbestos Removal Firm: _____</p> <p>Submit copy of notification sent to DECE and the State Dept. of Labor & Industries and results of air sample analysis after asbestos removal is completed.</p>		
<p>C. COST</p> <p>10 Cost of construction \$ <u>325,000</u> <small>To be installed but not included in the above cost</small></p> <p>a. Electrical</p> <p>b. Plumbing</p> <p>c. Heating, air conditioning</p> <p>d. Other (elevator, etc.)</p> <p>11. TOTAL VALUE OF CONSTRUCTION</p> <p>12. TOTAL ASSESSED BLDG. VALUE</p>	<p>D3. Non-residential — Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.</p> <p><u>RETAIL FITUP</u></p>		

III. SELECTED CHARACTERISTICS OF BUILDING — For new buildings complete part E through I. For demolition, complete only parts G, H & I. For all others, (additions, alterations, repair, moving, foundation), complete E through L.

<p>E. PRINCIPAL TYPE OF FRAME</p> <p>33 <input type="checkbox"/> Masonry (wall bearing)</p> <p>34 <input checked="" type="checkbox"/> Wood frame</p> <p>35 <input type="checkbox"/> Structural steel</p> <p>36 <input type="checkbox"/> Reinforced concrete</p> <p>37 <input type="checkbox"/> Other — Specify _____</p>	<p>G. TYPE OF SEWAGE DISPOSAL</p> <p>43 <input checked="" type="checkbox"/> Public or private company</p> <p>44 <input type="checkbox"/> Private (septic tank, etc.)</p>	<p>J. DIMENSIONS</p> <p>53 Number of stories _____</p> <p>54 Height _____</p> <p>55 Total square feet of floor area, all floors based on exterior dimensions _____</p> <p>56 Building length _____</p> <p>57 Building width _____</p> <p>58 Total sq. ft. of bldg. footprint _____</p> <p>59 Front lot line width _____</p> <p>60 Rear lot line width _____</p> <p>61 Depth of lot _____</p> <p>62 Total sq. ft. of lot size _____</p> <p>63 % of lot occupied by bldg. (58+62) _____</p> <p>64 Distance from lot line (front) _____</p> <p>65 Distance from lot line (rear) _____</p> <p>66 Distance from lot line (left) _____</p> <p>67 Distance from lot line (right) _____</p>
<p>F. PRINCIPAL TYPE OF HEATING FUEL</p> <p>38 <input checked="" type="checkbox"/> Gas</p> <p>39 <input type="checkbox"/> Oil</p> <p>40 <input type="checkbox"/> Electricity</p> <p>41 <input type="checkbox"/> Coal</p> <p>42 <input type="checkbox"/> Other — Specify _____</p>	<p>H. TYPE OF WATER SUPPLY</p> <p>45 <input checked="" type="checkbox"/> Public or private company</p> <p>46 <input type="checkbox"/> Private (well, cistern)</p>	
<p>I. TYPE OF MECHANICAL</p> <p>Is there a fire sprinkler system?</p> <p>47 <input checked="" type="checkbox"/> YES 48 <input type="checkbox"/> NO</p> <p>Will there be central air conditioning?</p> <p>49 <input checked="" type="checkbox"/> Yes 50 <input type="checkbox"/> No</p> <p>Will there be an elevator?</p> <p>51 <input type="checkbox"/> Yes 52 <input checked="" type="checkbox"/> No</p>		

OTHER APPLICABLE REVIEWS

K. FLOODPLAIN

Is location within flood hazard area? yes no
 If yes, zone : _____ and base elevation _____

L. WETLANDS PROTECTION

Is location subject to flooding? _____
 Is location part of a known wetland? _____
 Has local conservation commission reviewed this site? _____

IV. IDENTIFICATION - ALL APPLICANTS - PLEASE PRINT			
OWNER OR LESSEE NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
WELBY PARK ASSOCIATES LLC	1 WELBY RD NEW BEDFORD, MA	02745	508-207-5448
E-mail Address:			
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
ARMANDO M. PEREIRA	P.O. BOX 578 WILMAREHAM, MA	02576 LICENSE # 083273	508-291-1061 EXT 100
E-mail Address:			
armando@odbsdesigns.com		HOME IMP # 130A02	
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
ED FORZIO		LICENSE #	617-461-5790
E-mail Address:			
SIGNATURE OF OWNER		APPLICANT SIGNATURE	DATE
			1/4/19

Omission of reference to any provision shall not nullify any requirement of this code nor exempt any structure from such requirement.

The applicants understands and warrant that they will comply with all pertinent federal and state statutes, local ordinances and all federal, state, and local regulations, including those of the Architectural Barriers board, Department of Environmental Protection Agency and may be forwarded for review to all pertinent local city agencies which may express specific concerns. It is understood that the issuance of a permit shall not serve as an acceptance or acknowledgment of compliance nor exempt any structure from such requirement. The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel, or set aside any of the provisions of the State Building Code or local code of ordinances, except as specifically stipulated by modification or legally granted variation in accordance with Section 122.0 of State Building Code or local code of ordinances.

I have read the above and sign under pain and penalty of perjury as to the truth of all of the information and statements contained in sections I through IV of this application.

 P.O. BOX 578 WILMAREHAM, MA 02576
 Applicant's Signature Address City

V. OTHER JURISDICTION APPROVALS AND NOTIFICATION

APPROVAL	CHECK	DATE OBTAINED	BY
Electrical			
Plumbing			
Fire Department			
Water			
Planning			
Conservation			
Public Works			
Health			
Licensing			
Other			

VI. ZONING REVIEW

DISTRICT: _____ USE: _____

FRONTAGE: _____ LOT SIZE: _____

SETBACKS:

FRONT: _____ LEFT SIDE: _____ RIGHT SIDE: _____ REAR: _____

PERCENTAGE OF LOT COVERAGE PRIMARY BUILDING _____

VARIANCE HISTORY _____

VII. WORKER'S COMPENSATION INSURANCE AFFIDAVIT

I, ARMANDO M. PEREIRA

(licensee/permittee) with a principal place of business/residence at:

(City/State/Zip) do hereby certify, under the pains and penalties of perjury, that:

I am an employer providing worker's compensation coverage for my employees working on this job.

Insurance Company

Policy Number

I am a sole proprietor and have no one working for me.

I am a sole proprietor, general contractor, or homeowner and have hired the contractors listed below who have the following worker's compensation insurance policies:

Name of contractor

Insurance Company/policy number

Name of contractor

Insurance Company/policy number

I am a homeowner performing all the work myself.

NOTE: Please be aware that while homeowners who employ persons to do maintenance, construction or repair work on a dwelling of not more than three units in which the homeowner also resides or on the grounds appurtenant thereto are not generally considered to be employers under the Workers' Compensation Act (GL. C. 152, sect. 1(5)), application by a homeowner for a license or permit may evidence the legal status of an employer under the Workers' Compensation Act.

I understand that a copy of this statement will be forwarded to the Department of Industrial Accidents' Office of Insurance for coverage verification and that failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties consisting of a fine of up to \$1500.00 and/or imprisonment of up to one year and civil penalties in the form of a Stop Work Order and a fine of \$100.00 a day against me.

Signed this Armando M. Pereira 4 day of JAN, 20 19



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: Armando M. Pereira

Address: P.O. Box 578

City/State/Zip: West Wareham, MA 02576

Phone #: 508-291-1061 ext:100

Are you an employer? Check the appropriate box:

1. I am an employer with _____ employees (full and/or part-time).*
2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. Retail
6. Restaurant/Bar/Eating Establishment
7. Office and/or Sales (incl. real estate, auto, etc.)
8. Non-profit
9. Entertainment
10. Manufacturing
11. Health Care
12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____

Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____

Date: 1/4/19

Phone #: 508-291-1061 ext:100

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
 6. Other _____

Contact Person: _____

Phone #: _____



DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET - ROOM 308
NEW BEDFORD, MA 02740

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY OF NEW BEDFORD
INSPECTIONAL SERVICES DEPARTMENT
133 WILLIAM ST, NEW BEDFORD MA 02740

AFFIDAVIT
Home Improvement Contractor Law
Supplement to Permit Application

The Office of Consumer Affairs and Business Regulation ("OCABR") regulates the registration of contractors and subcontractors performing improvements or renovations on detached one to four family homes. Prior to performing work on such homes, a contractor must be registered as a Home Improvement Contractor ("HIC").

M.G.L. Chapter 142A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units...or to structures which are adjacent to such residence or building" be done by registered contractors.

Note: If the homeowner contracted with a corporation or LLC, that entity must be registered.

Type of Work: TENANT FITOUT Est. Cost _____

Address of Work: 34 KELBY RD

Date of Permit Application: 1/4/19

I hereby certify that:

Registration is not required for the following reason(s):

- Work excluded by law:(explain) _____
- Job under \$1,000.00 _____
- Building not owner-occupied _____
- Owner obtaining own permit (explain) _____
- Other (specify) COMMERCIAL _____

OWNERS OBTAINING THEIR OWN PERMIT OR ENTERING INTO CONTRACTS WITH UNREGISTERED CONTRACTORS OR SUBCONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK ARE NOT ELIGIBLE FOR AND DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OR GUARANTY FUND UNDER M.G.L. Chapter 142A.

Signed under the penalties of perjury:

I hereby apply for a permit as the agent of the owner:

1/4/19 ARMANDO M. FERREIRA 136902
Date Contractor Name HIC Registration No.

OR:

(Handwritten signature)

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property:

Date Owner Name and Signature

CERTIFIED ABUTTERS LIST

JUN 04 2019



City of New Bedford

REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY	
MAP #	132E
LOT(S)#	99
ADDRESS: 34 Welby Road	
OWNER INFORMATION	
NAME: Welby Park Associates, LLC.	
MAILING ADDRESS: 1 Welby Road, New Bedford, MA 02745	
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT): Alison Cesar - SITEC, Inc.	
MAILING ADDRESS (IF DIFFERENT): 449 Faunce Corner Road, North Dartmouth, MA 02747	
TELEPHONE #	(508)998-2125
EMAIL ADDRESS:	ACesar@SITEC-Engineering.com
REASON FOR THIS REQUEST: <i>Check appropriate</i>	
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION
<input checked="" type="checkbox"/>	PLANNING BOARD APPLICATION
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION
<input type="checkbox"/>	LICENSING BOARD APPLICATION
<input type="checkbox"/>	OTHER <i>(Please explain):</i>

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Carlos Amado

Printed Name

Signature

6/5/2019

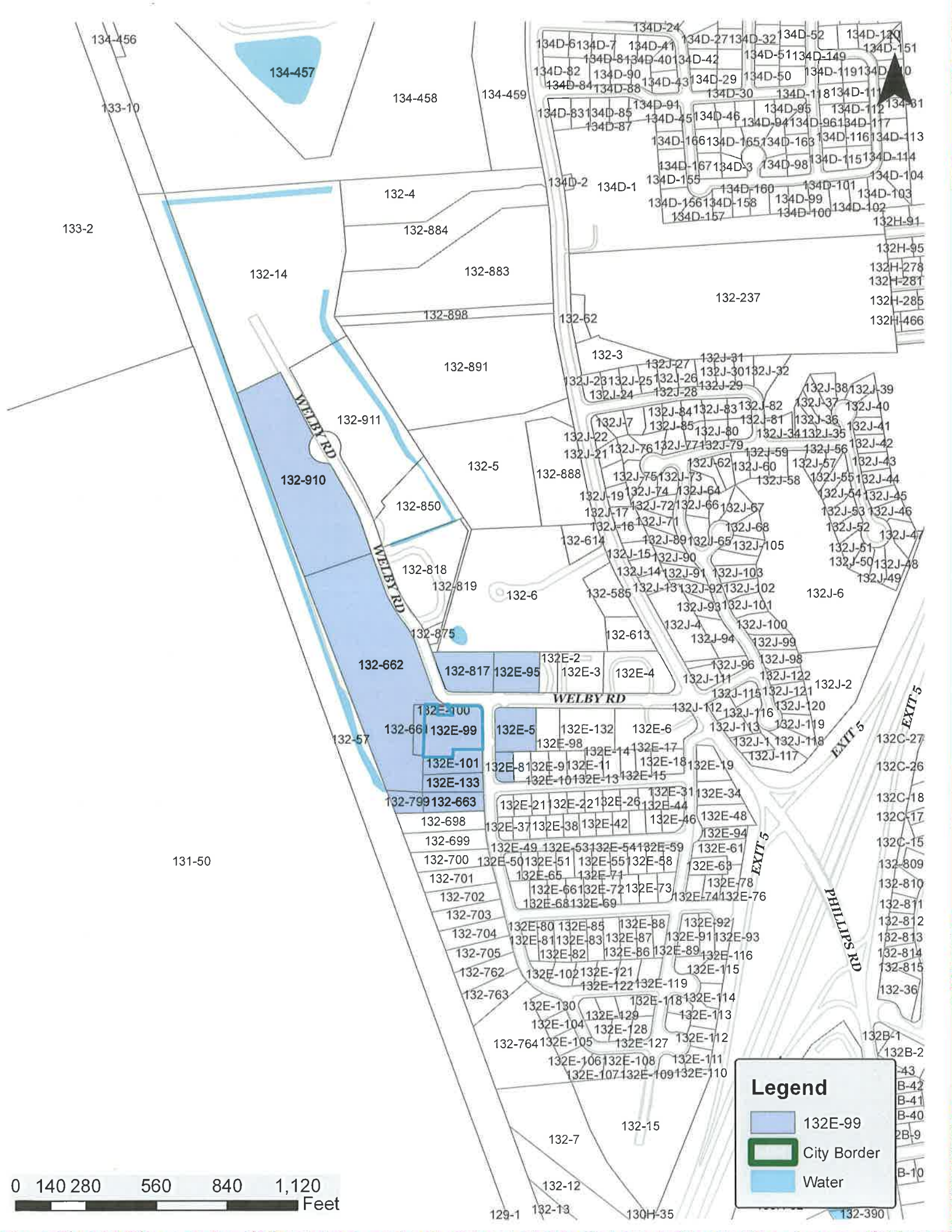
Date

June 4, 2019
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 34 Welby Road (Map: 132E, Lot: 99). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
132E-8	67 MAXINE ST	DION ROMEO JR, DION JANET ELAINE 67 MAXINE ST NEW BEDFORD, MA 02745
132E-101	227 DOREEN ST	DA ROCHA CHEINER, PACZOSA SHERRY A 227 DOREEN STREET NEW BEDFORD, MA 02745
132E-133	219 DOREEN ST	DASILVA ANTONIO, DASILVA DIANA 219 DOREEN STREET NEW BEDFORD, MA 02745
132-663	211 DOREEN ST	BAPTISTA MARCEL E, BAPTISTA MARGUERITE D 211 DOREEN ST NEW BEDFORD, MA 02745
132-799 WSK	DOREEN ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740
132-817	35 WELBY RD	JAYMI REALTY LLC, P O BOX 8756 NEW BEDFORD, MA 02742
132E-95	WELBY RD	LIFESTREAM, INC, P O BOX 50487 NEW BEDFORD, MA 02745
132-910	120 WELBY RD	WELBY ROAD LLC, 71 MAPLE STREET MANSFIELD, MA 02048
132-662	50 WELBY RD	HCC AEGIS INC, C/O HCC INDUSTRIES INC 50 WELBY ROAD NEW BEDFORD, MA 02745
132E-5	12 WELBY RD	WELBY LLC, C/O GROUP ONE MANAGEMENT 275 MARTINE STREET SUITE 110 FALL RIVER, MA 02723
132E-100	DOREEN ST	CITY OF NEW BEDFORD, INTERCEPTING SEWER 131 WILLIAM ST NEW BEDFORD, MA 02740
132E-99	34 WELBY RD	WELBY PARK ASSOCIATES LLC, 1 WELBY ROAD NEW BEDFORD, MA 02745
132-661	WELBY RD	WELBY PARK ASSOCIATES LLC, 1 WELBY ROAD NEW BEDFORD, MA 02745



134-456

134-457

133-10

134-458

134-459

133-2

132-4

132-884

132-14

132-883

132-898

132-237

132-910

132-891

132-911

132-5

132-850

132-888

132-818

132-819

132-6

132-875

132-662

132-817

132E-95

132E-2

132E-3

132E-4

132-57

132E-100

132-66

132E-99

132E-5

132E-132

132E-6

132E-101

132E-81

132E-91

132E-11

132E-14

132E-17

132E-133

132E-81

132E-91

132E-11

132E-14

132E-17

132-799

132-663

132E-21

132E-22

132E-26

132E-44

132-698

132E-37

132E-38

132E-42

132E-46

132-699

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132E-129

132E-128

132E-113

132-764

132E-105

132E-127

132E-112

132E-106

132E-108

132E-111

132E-107

132E-107

132E-109

132E-110

132-7

132-15

132-12

129-1

132-13

130H-35

PHILLIPS RD

EXIT 5

EXIT 5

132B-1

132B-2

132B-43

B-42

B-41

B-40

2B-9

B-10

132-390

Legend

132E-99

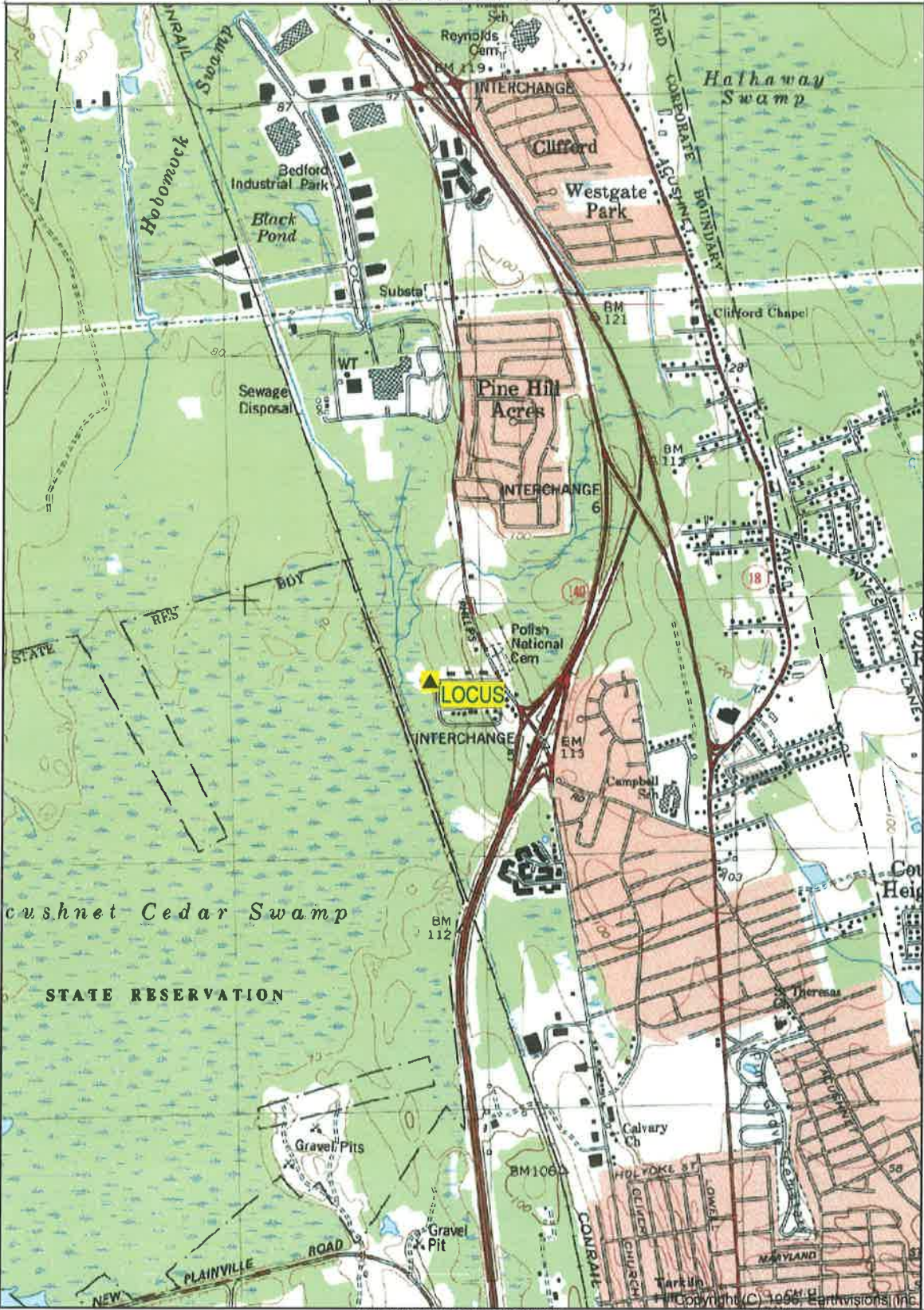
City Border

Water

0 140 280 560 840 1,120 Feet

SITE PHOTOGRAPHS

(ASSAWOMPSET POND)



(FALL RIVER)

(MARION)

cushnet Cedar Swamp
STATE RESERVATION

041° 40' 59.51" N
 070° 58' 10.03" W

041° 40' 59.51" N
 070° 55' 31.59" W

(NEW BEDFORD SOUTH)

(WESTPORT)

(SCOTICUT NECK)

Produced by MyTopo Terrain Navigator
 Topography based on USGS 1:24,000
 Maps

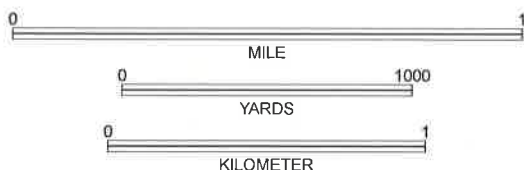
North American 1983 Datum (NAD83)
 UNKNOWN Projection

To place on the predicted North American
 1927 move the projection lines 12M N and
 43M E

Declination



SCALE 1:24000



CONTOUR INTERVAL 10 FEET
 MEAN LOW WATER

NEW BEDFORD NORTH
 (MA), MA
 1979

Printed: Thu Jun 13, 2019

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National Flood Hazard Layer FIRMette



41°42'32.81"N



USGS The National Map of Hydrography. Data refreshed April 2019.



70°56'38.09"W

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone 2)
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- Area of Minimal Flood Hazard Zone X
- Effective LOMIRs
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/10/2019 at 1:03:13 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.







PROPERTY DEEDS

QUITCLAIM DEED

Harborside Investment Group, LLC, of 6 Sarah Sherman Lane, Marion, Plymouth County, Massachusetts, for consideration paid and release by the Grantee hereinafter defined of the Grantor of debts, notes, obligations, costs and charges in the amount of **Six Hundred Seventy-two Thousand Five Hundred Seventy-four and 47/100 (\$672,574.47) Dollars** existing on account of and by the terms of the Mortgage hereinafter defined grants to **Welby Park Associates, LLC**, a duly organized Massachusetts limited liability company having its usual place of business located at 13 Welby Road, New Bedford, Bristol County, Massachusetts with **QUITCLAIM COVENANTS** the land and buildings thereon located in New Bedford, Massachusetts, bounded and described as follows:

PARCEL ONE:

BEGINNING at the southeast corner of the land herein described, at a point in the westerly line of Doreen Street, and at the northeast corner of land now or formerly of Phillips Realty Trust as shown on plan of land hereinafter mentioned;

thence SOUTH 88° 35' 03" WEST in line of last-named land and remaining land of Reliable Homes, Inc., as shown on said plan, one hundred eleven and 5/100 (111.05) feet to a point for a corner;

thence SOUTH 00° 22' 38" WEST in line of last-named land, twenty and 5/100 (20.05) feet to a point for a corner;

thence NORTH 89° 37' 22" WEST by Lot #3 as shown on said plan, one hundred twenty-four and 00/100 (124.00) feet to Lot #2 hereinafter described;

thence NORTH 00° 22' 38" EAST by said Lot #2, two hundred six and 74/100 (206.74) feet to Lot #4 as shown on said plan;

thence SOUTH 89° 37' 22" EAST in line of last-named land, forth-eight and 00/100 (48.00) feet to land now or formerly of the city of New Bedford as shown on said plan;

thence SOUTH 00° 22' 38" WEST in line of last-named land, forty and 00/100 (40.00) feet to a point for a corner;

thence SOUTH 89° 37' 22" EAST in line of last-named land, fifty-five and 00/100 (55.00) feet to a point for a corner;

thence NORTH 20° 10' 44" WEST in line of last-named land, forty-two and 72/100 (42.72) feet to said remaining land of Reliable Homes, Inc.;

thence SOUTH 89° 37' 22" EAST in line of last-named land, one hundred twenty-seven and 00/100 (127.00) feet to a point;

thence SOUTHEASTERLY, SOUTHERLY and SOUTHWESTERLY in the arc of a curve having a radius of twenty and 00/100 (20.00) feet, a distance of thirty-one and 42/100 (31.42) feet to a point in the said westerly line of Doreen Street;

thence SOUTH 00° 22' 38" WEST in the westerly line of said Doreen Street, one hundred sixty-three and 22/100 (163.22) feet to the point of beginning.

CONTAINING 44,180 square feet.

BEING shown as Lot #1 on plan entitled, "Plan of Land in New Bedford, Mass. Prepared for Reliable Homes, Inc., February 23, 1985" filed in the Bristol County (S.D.) Registry of Deeds in Plan Book 111, Page 72.

For title see deed of Welby Park Associates, LLC dated April 30, 2004, and recorded in the Bristol County (S.D.) Registry of Deeds at Book 6949, Page 129.

PARCEL TWO:

BEGINNING at the northeast corner of the premises to be described, at the northwest corner of Lot #1 as shown on said plan;

thence SOUTH 00° 22' 38" WEST in line of other land of Phillips Building Associates, two hundred six and 74/100 (206.74) feet to land now or formerly of Reliable Homes, Inc.;

thence NORTH 89° 37' 22" WEST in line of land now or formerly of Reliable Homes, Inc., forty-six and 24/100 (46.24) feet to other land now or formerly of Reliable Homes, Inc.;

thence NORTH 00° 22' 38" EAST in line of said land now or formerly of Reliable Homes, Inc. two hundred six and 74/100 (206.74) feet to other land now or formerly of Reliable Homes, Inc.

thence SOUTH 89° 37' 22" EAST in line of said land now or formerly of Reliable Homes, Inc., forty-six and 24/100 (46.24) feet to the point of beginning.

CONTAINING 9,560 square feet.

Locus is shown as Lots #1 and 2 on a plan of land entitled, "Plan of Land in New Bedford, Mass., prepared for Reliable Homes, Inc., prepared by GHR Engineering, dated February 23, 1985 and filed in said Registry of Deeds in Plan Book 111, Page 72, and also shown as Lots #1 and #2 on a plan of land entitled, "Welby Park Extension" Definitive subdivision Plan of Land in New Bedford, Massachusetts, prepared by GIIR Engineering, dated June 2, 1988 and filed in said Registry of Deeds in Plan Book 124, Page 89.

For title see deed of Welby Park Associates, LLC dated April 30, 2004, and recorded in the Bristol County (S.D.) Registry of Deeds at Book 6949, Page 129.

The term "Mortgage" means that certain mortgage on the above described property from the Grantor to the Grantee dated May 12, 2004, and recorded with the Bristol County (S.D). Registry of Deeds in Book 6949, Page 132 and recorded in the Plymouth County Registry of Deeds in Book 28212, Page 123.

This Deed is an absolute conveyance of title in effect as well as form and it is not intended as a mortgage, trust conveyance or security of any kind. This conveyance satisfies the obligations under the Mortgage and terminates the mortgage.

Executed as a sealed instrument this 21st day of June, 2007.

REG OF DEEDS
REG #07
BRISTOL S
06/22/07 10:29AM
000000 #0677
FEE \$3068.88
CASH \$3068.88

Harborside Investment Group, LLC

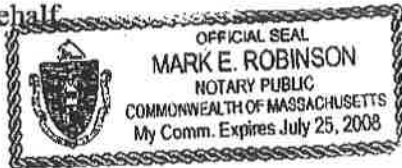
Charles A. Jodoin
Charles A. Jodoin, Manager and Member

Lori A. Jodoin
Lori A. Jodoin, Manager and Member

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 21st day of June, 2007, before me, the undersigned notary public, personally appeared Charles A. Jodoin, [and personally known to me] [proved to me through satisfactory evidence of identification, which was license], to be the person whose name is signed on this, preceding, or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of Harborside Investment Group, LLC and on his own behalf.

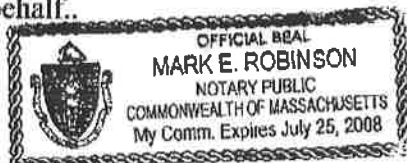


[Signature]
_____, Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 21st day of June, 2007, before me, the undersigned notary public, personally appeared Lori A. Jodoin, [and personally known to me] [proved to me through satisfactory evidence of identification, which was license], to be the person whose name is signed on this, preceding, or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of Harborside Investment Group, LLC and on her own behalf.



[Signature]
_____, Notary Public
My commission expires: