

**IX. HOMEOWNER LICENSE EXEMPTION**

**Supplement #1**

The current exemption for "homeowner" was extended to include owner-occupied dwellings of two units or less and to allow such homeowners to engage an individual for hire who does not possess a license, provided that the owner acts as supervisor. (State Building Code Section 110.5)

**DEFINITION OF HOMEOWNER:**

Person(s) who own a parcel of land on which he/she resides or intends to reside, on which there is, or is intended to be, a one to two family dwelling, attached or detached structures accessory to such use and /or farm structures. A person who constructs more than one home in a two-year period shall not be considered a homeowner. Such "homeowner shall submit to the Building Official, on a form acceptable to the Building Official, that he/she shall be responsible for all such work performed under the building permit. (Section 110.5)

The undersigned "homeowner assumes responsibility for compliance with the State Building Code and other applicable codes, ordinance, rules and regulations, and will comply with the City of New Bedford Building Department minimum inspection procedures and requirements.

HOMEOWNERS SIGNATURE \_\_\_\_\_

**X. CONSTRUCTION DEBRIS DISPOSAL**

**Supplement #2**

In accordance with provisions of Massachusetts General Law C40, S54, debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by Massachusetts General Law C111, S150A

The debris will be disposed of in: Frades Disposal - 781 Church Street, New Bedford MA 02745  
(Location of Facility)

Signature of Permit Applicant \_\_\_\_\_

Date \_\_\_\_\_

**XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT**

(Residential Use Only) Supplement to Permit Application

**Supplement #3**

MGLc. 142 A 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 of building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work: INTERIOR/EXTERIOR Alterations for OWNER'S Fit Out Est. Cost: \$5,054,061

Address of Work 2104-2110 ACUSHNET AVE.

Owner Name: COASTLINE ELDERLY SERVICES HQ Date of Permit Application: \_\_\_\_\_

I hereby certify that: Registration is not required for the following reason(s):

\_\_\_\_\_ Work excluded by law \_\_\_\_\_ Job under \$1,000 \_\_\_\_\_ Building not owner-occupied \_\_\_\_\_ Owner obtaining own permit

Other (specify) \_\_\_\_\_

Notice is hereby given that:

**OWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLC. 142A.**

signed under penalties of perjury.

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

Date \_\_\_\_\_ Contractor Signature \_\_\_\_\_

Registration No. \_\_\_\_\_

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

Date \_\_\_\_\_ Owner Signature \_\_\_\_\_

**XII. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS**

C. Building Permit Rejected  LBA-SPECIAL PERMIT - SITE Plan Review

Reason For Rejection:

" SEE ATTACHMENTS "

Permit # \_\_\_\_\_

Comments and Conditions:

Signed Dominic J. Romanowicz

Date: 4/2 2019

Title Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner



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***

2104-2110 Acushnet Avenue – PLOT: 119 – LOT: 258 – ZONED DISTRICT: MUB  
859 Belleville Avenue – PLOT: 119 – LOT: 46 – ZONED DISTRICT: RB

*Special Permit is Required from the Zoning Board of Appeals*  
*Site Plan is Review Required from the Planning Board*

*Zoning Code Review as follows:*

**Special Permit**

**Zoning Board of Appeals**

❖ **SECTIONS**

- 3100 – Parking and Loading
- 3110 – Applicability
- 3140 – Location and Layout of Parking and Loading Facilities
  - 3149 – Special Permit for Commercial Parking in Residential Districts
- 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
  - 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.
- 5430-5490B

3100. - PARKING AND LOADING.

3110. **Applicability.** Every building erected, enlarged, converted, or relocated and each use or change of use of land shall be provided with off-street parking spaces and off-street loading spaces in accordance with Section 3130, Table of Parking Requirements.

3111. In the event of the enlargement of a structure existing on the effective date of the ordinance from which this Section is derived, or the construction or relocation of additional structures on a lot, after such effective date, the regulations of this Section shall apply only to the enlargement, construction or relocation thereof, except that any off-street parking and off-street loading facilities established to serve any buildings and any uses prior to such effective date shall not be reduced below the required number.

3112. For a building or premises used for combined purposes, the number of off-street parking spaces and off-street loading spaces shall be determined as the sum of the required number of spaces in each component of the combined use.

3113. Where the computation of required parking spaces and loading spaces result in a fractional number, the required parking spaces shall be the next whole number.

(Ord. of 12-23-03, § 1)

3120. **Special Permit.** Any parking or loading requirement set forth herein may be reduced upon the issuance of a special permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

3121. Use of a common parking lot for separate uses having peak demands occurring at different times;

3122. Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;

3123. Peculiarities of the use which make usual measures of demand invalid;

3124. Availability of on-street parking or parking at nearby municipally owned facilities.

3125. Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

(Ord. of 12-23-03, § 1)

3130. **Table of Parking and Loading Requirements.** See Appendix C.

(Ord. of 12-23-03, § 1)

**3140. Location and Layout of Parking and Loading Facilities.** Off-street parking and loading, for facilities other than single- or two-family residences, may be provided in structures or in the open air, and shall be subject to the following regulations pertaining to their layout and location:

3141. Parking spaces shall be located on the same lot as the building or use where they are intended to serve, except that they may be provided on an adjoining lot in the same ownership.

3142. Where the provisions of subsection 3141 cannot be satisfied and the parking lot contains five (5) or more required spaces, the required parking spaces may be located on a lot in the same ownership within two hundred (200) feet of the building or lot they are intended to serve.

3143. Parking space for three (3) or fewer vehicles may be provided in the form of a driveway on a lot; the improved surface may be extended to one foot of the side line.

3144. Where a drive or aisle, other than a street, is required to maneuver a vehicle into or out of a parking space, such drive or aisle shall be at least twenty-two (22) feet wide for parking spaces situated at right angles, or nearly right angles to the aisle. For parking spaces situated at an angle of thirty (30) to sixty (60) degrees to the aisle, the required width of the aisle shall be at least fifteen (15) feet.

3145. Open-air off-street parking facilities may be located in required front, rear and side yards, except that in a residential district, no open-air off-street parking space shall be located in front of the dwelling or principal building. Notwithstanding the previous sentence, in cases where a garage faces the frontage of the dwelling and is located beneath the dwelling, open-air off-street parking may be located in front of the dwelling in a residential district provided that the dwelling is set back a minimum of twenty (20) feet from the front property line and provided that said parking occurs only within the driveway, the width of which shall not exceed the lesser of the width of said garage or eighteen (18) feet. Any driveway in a residential district, requiring more than one curb cut, shall require Site Plan Approval. No driveway in a residential district shall exceed eighteen (18) feet in width.

3146. When five (5) or more parking spaces are required on a lot, the provisions of Section 3300 shall apply. All spaces shall be laid out so that vehicles can enter or leave any parking space directly from a drive or aisle other than a street. Additionally, all spaces shall be laid out so the vehicles entering a street may do so facing the street.

3147. All parking spaces and loading areas or berths in the open-air and the access drives or aisles, shall be provided with a concrete or asphalt surface. Compacted gravel or stone shall be permitted only for single- or two-family residential dwellings.

3148. No off-street loading areas or berths shall be laid out in such a manner as will result in loading or unloading being carried on within a street right-of-way or other public property. Each area or berth shall be sufficient size as to accommodate the largest expected truck or tractor trailer common to the building use.

3149. Special Permit for Commercial Parking in Residential Districts. Commercial parking may be allowed on residentially zoned property, held in common ownership and located immediately adjacent to the commercial business to which it is to serve, upon the issuance of a special permit by the Zoning Board of Appeals, if the Board finds that said parking is not detrimental to public health and safety, and that said parking promotes a public benefit. A Special Permit for vehicular access to a building lot accessed from public way that does not constitute frontage of the lot. Upon the issuance of a special permit by the Zoning Board of Appeals, vehicular access may be allowed from a public way that does not constitute the legal frontage of the subject lot if said lot is residentially zoned, if the proposed vehicular access is for the purpose of accessing parking that is located beside or behind the dwelling or principal building, and if the Board finds that said vehicular access promotes a public benefit and is not detrimental to public health and safety. Notwithstanding Section 5240 of Chapter 9 of the Code of Ordinances or any other provision to the contrary, no fee of any kind shall be charged or imposed by the Special Permit Authority to the applicant of a Special Permit applied for under this Section.

(Ord. of 12-23-03, § 1; Ord. of 8-22-06, § 1)

3150. **Size of Parking Space.** A parking space shall be a rectangle at least nine (9) feet by twenty (20) feet exclusive of any required drive or aisle.

3151. The area of required off-street loading space is not to be included as off-street parking space in the computation of required off-street parking space.

(Ord. of 12-23-03, § 1)

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)

---



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

**FOR BUILDING DEPT. USE**

DATE RECEIVED: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

ISSUED BY: \_\_\_\_\_

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

Permit No. \_\_\_\_\_  
Completion Date \_\_\_\_\_

(AT LOCATION) 2104-2110 Acushnet Avenue  
(NO) (STREET)

BETWEEN Harwich Street AND Brewster Street  
(CROSS STREET) (CROSS STREET)

PLOT Parcel 119 258 LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ ACCEPTED STREET \_\_\_\_\_

PLANS FILED.  YES  NO

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

**A. TYPE OF IMPROVEMENT**

- 1  New Building
- 2  Addition (If residential, enter number of new housing units added, if any, in Part D, 14)
- 3  Alteration (If residential, enter number of new housing units added, if any, in Part D, 14)
- 4  Repair, replacement
- 5  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)
- 6  Moving (relocation)
- 7  Foundation only

**D.1. PROPOSED USE — For demolition most recent use**

- |  |   |
|--|---|
| <b>Residential</b>   | <b>Nonresidential</b>   |
| 13 <input type="checkbox"/> One family   | 19 <input type="checkbox"/> Amusement, recreational               |
| 14 <input type="checkbox"/> Two or more family — Enter number of units _____                   | 20 <input type="checkbox"/> Church, other religious               |
| 15 <input type="checkbox"/> Transient hotel, motel, or dormitory — Enter number of units _____ | 21 <input type="checkbox"/> Industrial                            |
| 16 <input type="checkbox"/> Garage   | 22 <input type="checkbox"/> Parking garage                        |
| 17 <input type="checkbox"/> Carport  | 23 <input type="checkbox"/> Service station, repair garage        |
| 18 <input type="checkbox"/> Other — Specify _____  | 24 <input type="checkbox"/> Hospital, institutional               |
|  | 25 <input checked="" type="checkbox"/> Office, bank, professional |
|  | 26 <input type="checkbox"/> Public utility                        |
|  | 27 <input type="checkbox"/> School, library, other educational    |
|  | 28 <input type="checkbox"/> Stores, mercantile                    |
|  | 29 <input type="checkbox"/> Tanks, towers                         |
|  | 30 <input type="checkbox"/> Funeral homes                         |
|  | 31 <input type="checkbox"/> Food establishments                   |
|  | 32 <input type="checkbox"/> Other — Specify _____                 |

**B. OWNERSHIP**

- 8  Private (individual, corporation, nonprofit institution, etc.)
- 9  Public (Federal, State, or local government)

**D.2. Does this building contain asbestos?**

- YES  NO If yes complete the following:  
 Name & Address of Asbestos Removal Firm:  
 \_\_\_\_\_

Submit copy of notification sent to DEQE and the State Dept. of Labor & Industries and results of air sample analysis after asbestos removal is completed.

**C. COST**

10. Cost of construction ..... \$ 3,456,561 (Omit cents)  
*To be installed but not included in the above cost*
- a. Electrical ..... \$592,000
  - b. Plumbing ..... \$367,500
  - c. Heating, air conditioning ..... \$518,000
  - d. Other (elevator, etc.) ..... \$120,000
11. TOTAL VALUE OF CONSTRUCTION ..... \$5,054,061
12. TOTAL ASSESSED BLDG. VALUE..... \_\_\_\_\_

**D.3. 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.**

Coastline Elderly Services Headquarters with general office setting and some conference/meeting spaces.  
Some public traffic expected.

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

**E. PRINCIPAL TYPE OF FRAME**

- 33  Masonry (wall bearing)
- 34  Wood frame
- 35  Structural steel
- 36  Reinforced concrete
- 37  Other — Specify \_\_\_\_\_

**G. TYPE OF SEWAGE DISPOSAL**

- 43  Public or private company
- 44  Private (septic tank, etc.)

**J. DIMENSIONS**

- 53 Number of stories 3
- 54 Height 27'
- 55 Total square feet of floor area, all floors based on exterior dimensions 40,525 sf
- 56 Building length approx. 106'
- 57 Building width approx. 126'
- 58 Total sq. ft. of bldg. footprint approx. 40,000 sf
- 59 Front lot line width \_\_\_\_\_
- 60 Rear lot line width \_\_\_\_\_
- 61 Depth of lot \_\_\_\_\_
- 62 Total sq. ft. of lot size \_\_\_\_\_
- 63 % of lot occupied by bldg. (56+62) \_\_\_\_\_
- 64 Distance from lot line (front) \_\_\_\_\_
- 65 Distance from lot line (rear) \_\_\_\_\_
- 66 Distance from lot line (left) \_\_\_\_\_
- 67 Distance from lot line (right) \_\_\_\_\_

**H. TYPE OF WATER SUPPLY**

- 45  Public or private company
- 46  Private (well, cistern)

**F. PRINCIPAL TYPE OF HEATING FUEL**

- 38  Gas
- 39  Oil
- 40  Electricity
- 41  Coal
- 42  Other — Specify \_\_\_\_\_

**I. TYPE OF MECHANICAL**

- Is there a fire sprinkler system?  
 47  YES 48  NO
- Will there be central air conditioning?  
 49  Yes 50  No
- Will there be an elevator?  
 51  Yes 52  No



JONATHAN F. MITCHELL  
MAYOR

# CITY OF NEW BEDFORD HISTORICAL COMMISSION

133 William Street, New Bedford, Massachusetts 02740  
Telephone: (508) 979.1488

## MEMORANDUM

**TO:** New Bedford City Council

**FROM:** Anne Louro, Preservation Planner

**DATE:** April 1, 2019

**RE:** **BUILDING DEMOLITION REVIEW**  
859 Belleville Avenue (Map 119 Lot 46)  
Circa 1902 two storey, wood-framed residence

---

In accordance with the requirements of the New Bedford City Code, Article XI, Section 2-157 Demolition of Buildings, the Preservation Planner, designated to act on behalf of the New Bedford Historical Commission, has examined the structure located at the above-captioned site in order to determine its historical significance and whether it is in the public interest to preserve such structure.

Having reviewed the application for demolition I offer the following findings and recommendation in this matter to the New Bedford City Council:

- The structure is not located in a National Register Historic District.
- The structure is of no notable historic significance either recorded or found with the existing condition of the structure.
- The structure has been extensively altered with the addition of applied siding along with replacement windows and doors.
- In accordance with New Bedford City Code, **Article XI, Section Sec. 2-157.3. (g) - Procedures for Review and Approval of Demolition Permits**, prior to the issuance of a demolition permit, all approvals necessary for the future use and development of the site, including without limitation, any necessary zoning variances or special permits, must be granted, and all appeals from the granting of such approvals must be concluded.

In light of these findings, the Preservation Planner has determined that the structure at 859 Belleville Avenue is neither Historically Significant nor a Preferably Preserved Structure.

cc: Coastline Elderly Services Inc., Property Owner  
✓Department of Inspectional Services  
Mayor's Office  
Councilor Maria Giesta  
New Bedford Historical Commission

b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

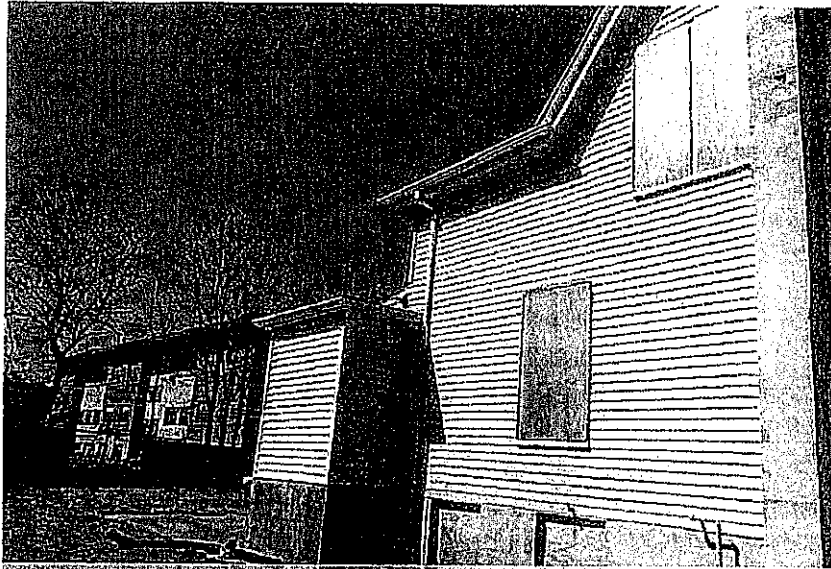
The most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement described in Paragraph **A.1.**; or

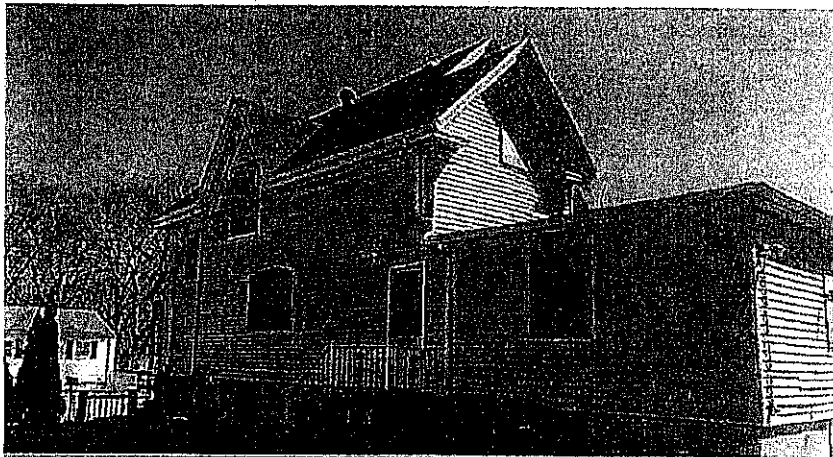
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.





West building façade, looking northwest



North building façade, looking southeast



Belleville Avenue façade

Location: 2104 2110 ACUSHNET AVE

Parcel ID: 119 258

Zoning: MUB

Fiscal Year: 2019

**Current Sales Information:**

**Sale Date:**

06/29/2018

**Sale Price:**

\$275,000.00

**Legal Reference:**

12490-260

**Grantor:**

CITY OF NEW BEDFORD,

**Current Owner Information:**

COASTLINE ELDERLY SERVICES I

1646 PURCHASE ST

NEW BEDFORD , MA 02740

Card No. 1 of 1

This Parcel contains 1.551 acres of land mainly classified for assessment purposes as IMP-TX TITLE with a(n) General Office style building, built about 1983, having Conc Blk exterior, Tar&Gravel roof cover and 0 Square Feet, with 1 unit(s), total room(s), total bedroom(s) 0 total bath(s), 0 3/4 baths, and 0 total half bath(s).

**Building Value:**

343800

**Land Value:**

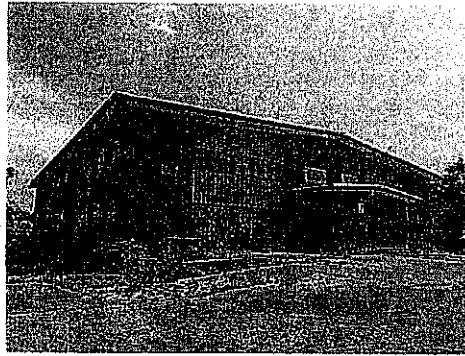
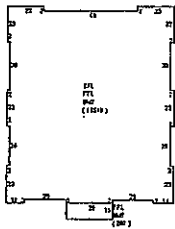
541300

**Yard Items Value:**

37900

**Total Value:**

923000



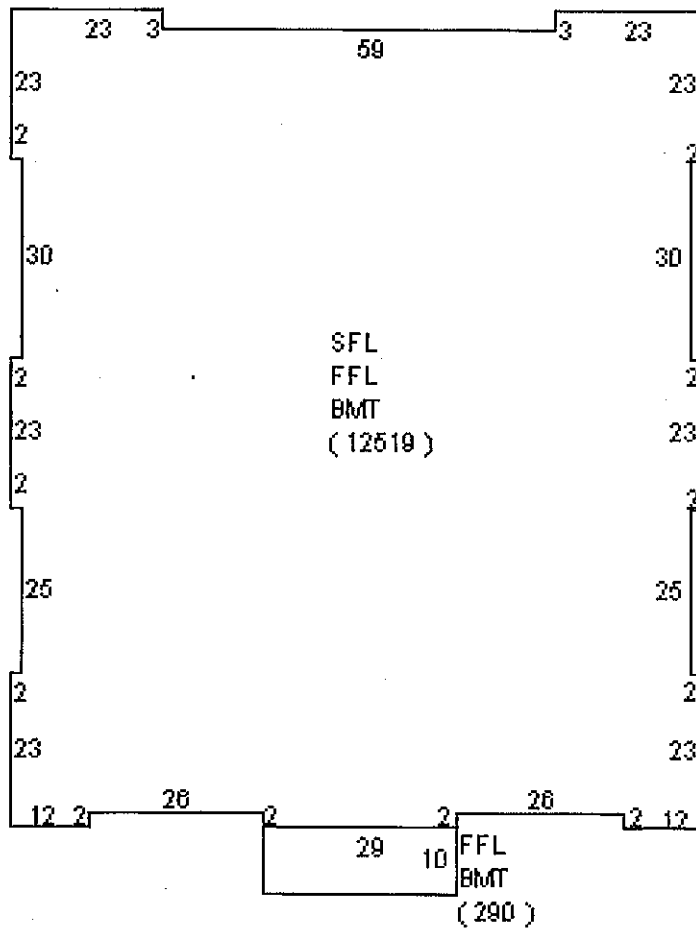
**Fiscal Year 2019**

**Fiscal Year 2018**

**Fiscal Year 2017**

Tax Rate Res.:	16.47	Tax Rate Res.:	16.63	Tax Rate Res.:	16.69
Tax Rate Com.:	34.84	Tax Rate Com.:	35.65	Tax Rate Com.:	36.03
Property Code:	937	Property Code:	340	Property Code:	340
Total Bldg Value:	343800	Total Bldg Value:	333200	Total Bldg Value:	330500
Total Yard Value:	37900	Total Yard Value:	37900	Total Yard Value:	37900
Total Land Value:	541300	Total Land Value:	520500	Total Land Value:	499700
<b>Total Value:</b>	<b>923000</b>	<b>Total Value:</b>	<b>891600</b>	<b>Total Value:</b>	<b>868100</b>
<b>Tax:</b>	<b>Exempt</b>	<b>Tax:</b>	<b>Exempt</b>	<b>Tax:</b>	<b>Exempt</b>

Disclaimer: Classification is not an indication of uses allowed under city zoning.  
This information is believed to be correct but is subject to change and is not warranted.



Location: 859 BELLEVILLE AVE

Parcel ID: 119 46

Zoning: RB

Fiscal Year: 2019

**Current Sales Information:**

**Sale Date:**

06/29/2018

**Sale Price:**

\$235,000.00

Card No. 1 of 1

**Legal Reference:**

12490-264

**Grantor:**

SOARES, JONATHAN J

**Current Owner Information:**

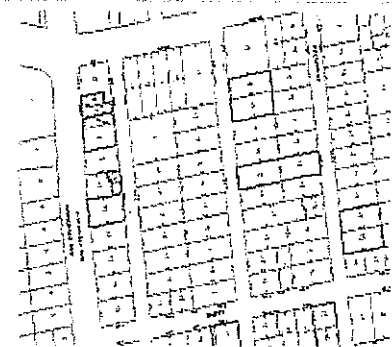
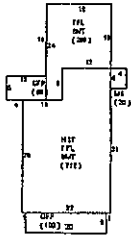
COASTLINE ELDERLY SERVICES INC

1646 PURCHASE STREET

NEW BEDFORD, MA 02740

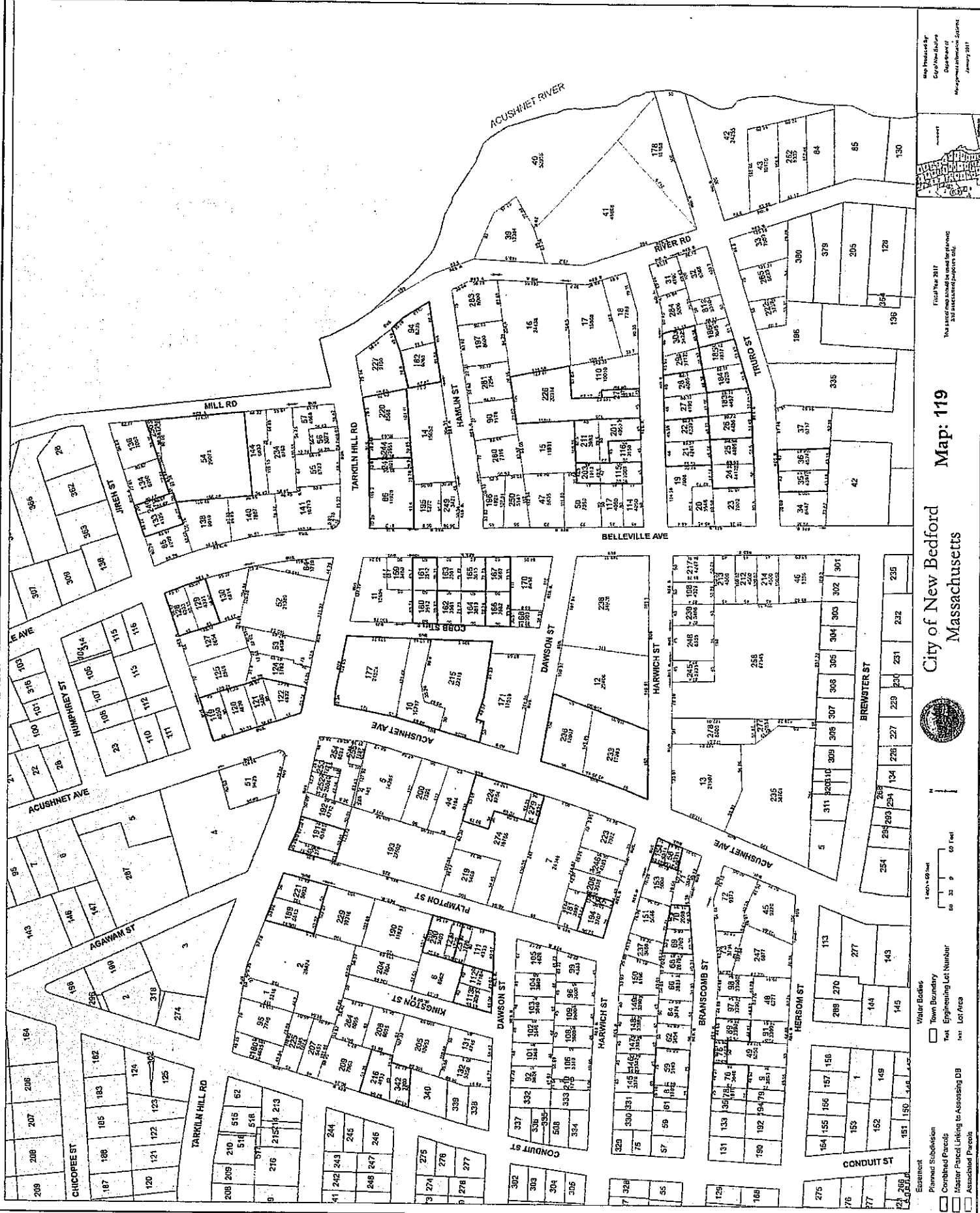
This Parcel contains 0.215 acres of land mainly classified for assessment purposes as Single Fam with a(n) One-One & Half Story (Small-Old Style) style building, built about 1909, having Aluminum exterior, Asphalt Shingles roof cover and 1555 Square Feet, with 1 unit(s), 6 total room(s), 3 total bedroom(s) 1 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value:	Land Value:	Yard Items Value:	Total Value:
132700	103600	600	236900



Fiscal Year 2019		Fiscal Year 2018		Fiscal Year 2017	
Tax Rate Res.:	16.47	Tax Rate Res.:	16.63	Tax Rate Res.:	16.69
Tax Rate Com.:	34.84	Tax Rate Com.:	35.65	Tax Rate Com.:	36.03
Property Code:	101	Property Code:	101	Property Code:	101
Total Bldg Value:	132700	Total Bldg Value:	114600	Total Bldg Value:	100700
Total Yard Value:	600	Total Yard Value:	600	Total Yard Value:	1100
Total Land Value:	103600	Total Land Value:	103600	Total Land Value:	95100
<b>Total Value:</b>	<b>236900</b>	<b>Total Value:</b>	<b>218800</b>	<b>Total Value:</b>	<b>196900</b>
<b>Tax:</b>	<b>\$3,901.74</b>	<b>Tax:</b>	<b>\$3,638.64</b>	<b>Tax:</b>	<b>\$3,286.26</b>

Disclaimer: Classification is not an indication of uses allowed under city zoning. This information is believed to be correct but is subject to change and is not warranted.



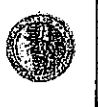
Map Prepared by  
City of New Bedford  
Department of  
Map Information Systems  
January 2017



Fiscal Year 2017  
This map is for informational purposes only.  
It is not intended for legal use.

# Map: 119

City of New Bedford  
Massachusetts



1 inch = 60 feet  
0 30 60 feet

- Essement
- Planned Subdivision
- Combined Parcels
- Master Parcel Linking to Assessing DB
- Attached Parcels
- Water Bodies
- Town Boundary
- Engineering Lot Number
- Lot Area

149.91

203.3

BUS.

**HARWICH ST**

**E AVE**

US.

50

78.89

RES. B.

BUS.

RES. B.

RES. B.

45

75

40

50

50

245  
87 3933  
87 4

248  
6555

239  
87 4 3496  
87 4

198  
4329  
85 76

217  
4247  
84 11

142 01

278  
8600  
172.01

172.01

45

75  
160

40

50.01

50.01

100.02  
213  
4500

45

51.87

258  
67545

277  
61 52634

128.28

224.35

100.02  
214  
4500  
100.02

45

128.28

80

89.63

46  
9386

98.09

16

257.22

100.2

308

307

306

305

304

303

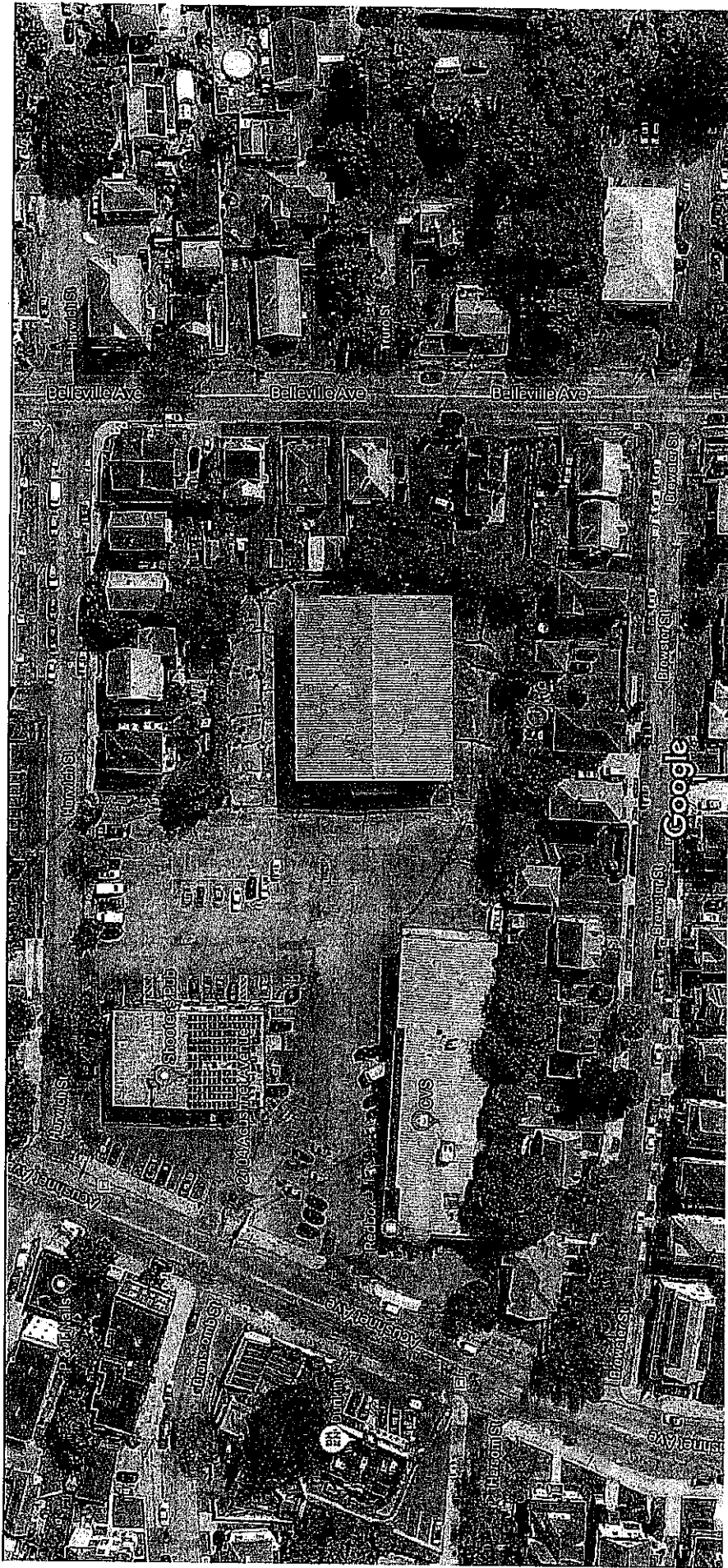
302

301

RES. B.  
02 28

RES. B.  
45 46 | 45 4  
88 35

Google Maps 2104 Acushnet Ave



Google Maps 2103 Acushnet Ave

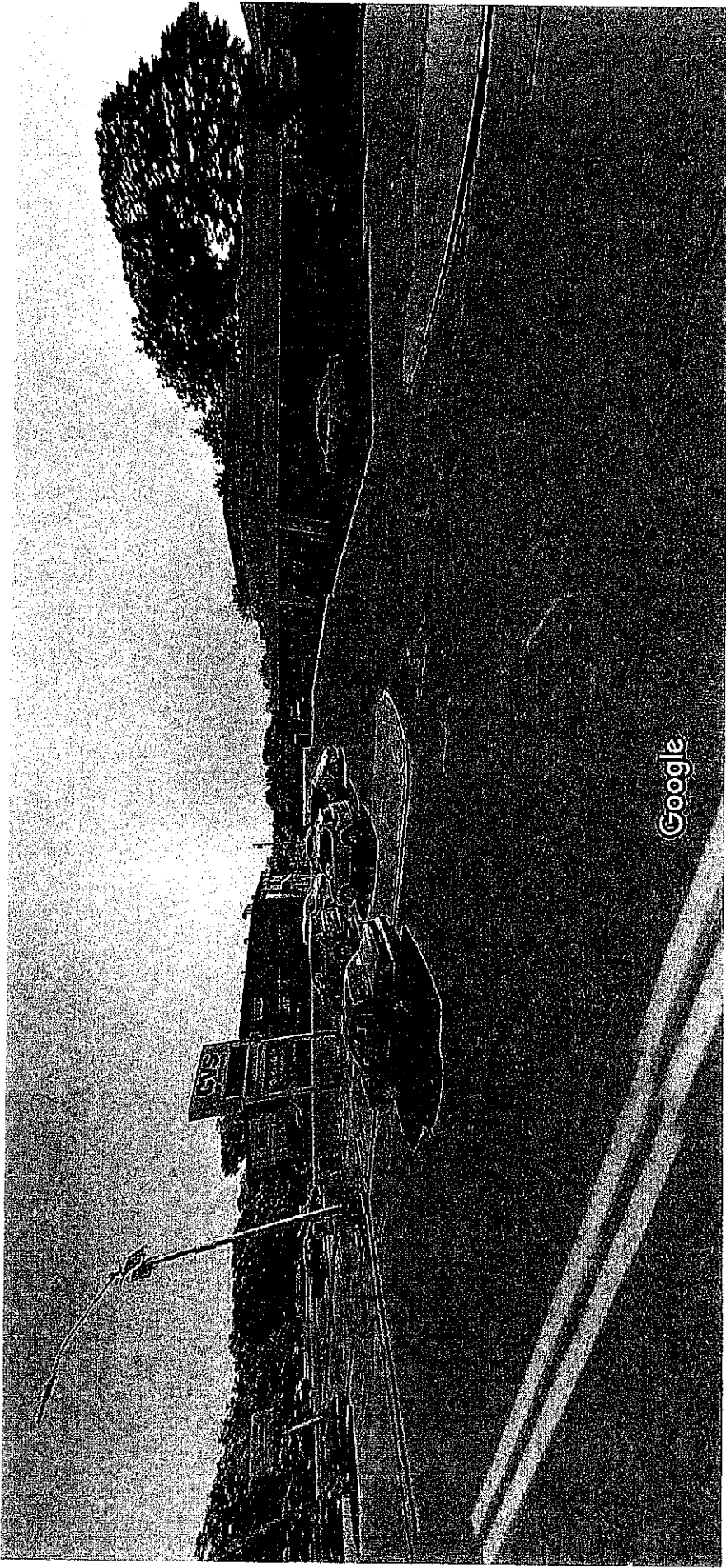
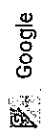


Image capture: Aug 2017 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2017

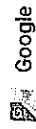


Google Maps 2103 Acushnet Ave



Image capture: Aug 2017 © 2019 Google

New Bedford, Massachusetts



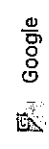
Street View - Aug 2017

Google Maps 159 Harwich St



Image capture: Aug 2012 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2012

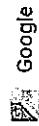
Ohio St  
Conduit St  
Acushnet Ave  
Saw

Google Maps 159 Harwich St



Image capture: Aug 2012 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2012

3110 St  
Conduit St  
Acushnet Ave  
Saw

Google Maps 859 Belleville Ave





Google Maps 864 Belleville Ave

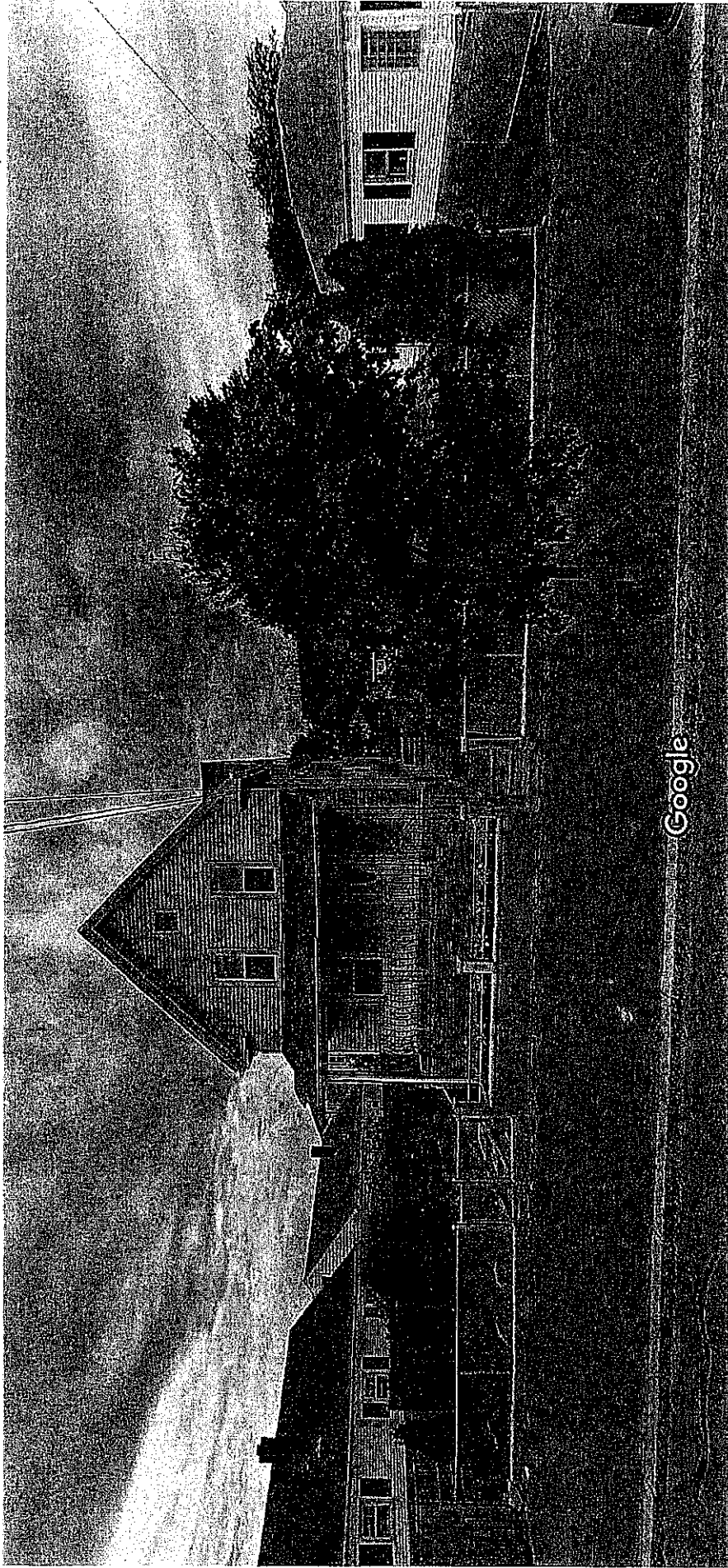


Image capture: Oct 2012 © 2019 Google

New Bedford, Massachusetts



Street View - Oct 2012

