

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 C 111, S 150A

The debris will be disposed of in: _____
(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: _____ Est. Cost _____

Address of Work: 117 UNION STREET

Owner Name: _____ 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 SPECIAL PERMIT ZBA - Site Plan Review - Special Permit Planning

Reason For Rejection:

" See Attachments "

Fee _____
Permit # _____

Comments and Conditions:

Signed Danilo Romanowicz Date: 2/11 / 1 20 19
Title Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

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

117 Union Street – PLOT: 53 – LOT: 216 – ZONED DISTRICT: MUB

Special Permit Required from the Zoning Board of Appeals

Site Plan Review & Special Permit is Required from the Planning Board

Zoning Code Review as follows:

Special Permit

Zoning Board of Appeals

❖ SECTION

- 4500-4572 – Downtown Business Overlay District (DBOD)
- 5300-5390 – Special Permit

Special Permit

Planning Board

❖ SECTIONS

- 3000 – General Regulation
- 3100 – Parking and Loading
- 3110 – Applicability
- 3130 – Table of Parking Loading Requirements – Appendix C
 - Multi-family (3) or more per structure
 - Places of assembly, including theaters, veterans, fraternal, social and recreational clubs and organizations not operated for a profit; facilities primarily for the education and instruction of persons sixteen (16) yrs. of age and older; taxi, bus & railroad passenger terminals; auditoriums, theaters, bowling alleys and dance halls; sports facilities; places of worship; funeral homes

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
 - 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.
- 5430-5490B



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

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

Parking Spaces Calculations

Proposed 1st Floor – Restaurant Assembly Space – 4,000sf

Number of Spaces Required –

Number of Space required = 4,000sf ÷ 200sf/parking space = 20 Parking Spaces

42 Residential Dwelling Units

Number of Spaces Required –

Number of Space required = 2 spaces/dwelling unit x 42 units = 84 Parking Spaces

One parking space is provided

Number of Parking Spaces Required for Relief = 103 Parking Spaces

4500. - DOWNTOWN BUSINESS OVERLAY DISTRICT (DBOD).

4510. Purpose. The purpose of the DBOD is to provide adequate minimum standards and procedures for the construction of new and rehabilitation of existing structures so as to promote economic and cultural development in the downtown area.

(Ord. of 12-23-03, § 1)

4520. Location. The DBOD is hereby established as an overlay district comprised of the area between the east side of County Street, the north side of School Street, the west side of Route 18 and the south side of Kempton Street, specifically excluding areas located within said boundaries, which have been designated as residentially zoned on the effective date of this Ordinance. The DBOD is hereby designated on the City of New Bedford Zoning Map, as may be subsequently amended, on file in the Office of the City Clerk.

(Ord. of 12-23-03, § 1)

4530. Definitions. Within this Section 4500, the following terms shall have the following meanings:

Applicant: The person or persons, including a corporation or other legal entity, who applies for issuance of a special permit hereunder. The Applicant must own, or be the beneficial owner of, all the land included in the proposed site, or have authority from the owner(s) to act for him/her/it/them or hold an option or contract duly executed by the owner(s) and the Applicant giving the latter the right to acquire the land to be included in the site.

Dwelling unit: A residence, including studio units. Each residence shall contain a living area, bathroom and, except in studio units, one or more bedrooms, and may contain a kitchen area or combination kitchen/living area.

Proposed project: The project proposed by the applicant for which a special permit is being sought.

Regulations: The rules and regulations of the Planning Board.

Upper level floors: Any floor of a building that is located above the street level floor. In the event that two (2) floors of the same building are level to a street or streets, neither of the two (2) floors shall be considered upper level floors.

(Ord. of 12-23-03, § 1)

4540. Front Yard.

4541. No story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street line of any street on which it fronts than the average alignment of the corresponding stories or parts of existing buildings within two hundred (200) feet on each side of the lot and within the same block and district. Where there is a building on one or both of

the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this Ordinance. If there are no existing buildings on the same side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on each side of and directly opposite the lot shall govern.

4542. Notwithstanding the previous paragraph, no building constructed within the DBOD shall have a front yard that exceeds ten (10) feet.

4543. Where the alignment of a building is not controlled by paragraph 4541, between every building and the line of the street upon which it fronts there shall be a front yard of a clear depth of not more than ten (10) feet.

4544. No off-street parking shall be located within the front yard.

(Ord. of 12-23-03, § 1)

4550. Special Permit. Pursuant to the requirements of this Section 4500, the following may be permitted upon the issuance of a special permit by the Zoning Board of Appeals:

4551. Residential dwelling units on the upper level floors of new and pre-existing buildings.

4552. Reductions in setbacks, density, green space and parking requirements to allow for the development of residential dwelling units on the upper level floors of new and pre-existing structures.

4553. Reductions in parking requirements for commercial use of pre-existing or new structures.

(Ord. of 12-23-03, § 1; Ord. of 5-4-07, §§ 1—3)

4560. Special Permit Application. An application for a special permit shall be submitted to the Zoning Board of Appeals on forms therefrom furnished. Applicants are encouraged to rehabilitate existing structures and to permit reuses which are compatible with the character of the neighborhood and which take into consideration the interests of abutters, neighbors and the public, especially where the site abuts a residential area or the building(s) merit preservation.

In addition the applicants shall submit:

4561. The following plans:

(A) A copy of the site plan approved by the Planning Board, if required pursuant to Section 5400;

(B) A plan illustrating location and layout of buildings, including layouts of any dwelling units.
Additional drawings may be subsequently required by the Planning Board;

4562. The following narrative reports or data:

- (A) A proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated cost of construction and date of completion;
- (B) Information pertaining to any organization which the Applicant proposes to form where the development is to be a condominium development, including forms and plans to be used to organize and manage the same, for approval as to form by City Solicitor;
- (C) Copies of all proposed covenants, easements, and other restrictions which the Applicant proposes to grant to the City, the Conservation Commission, utility companies, any condominium organization and the owners thereof, including plans of land to which they are intended to apply, for approval as to form by City Solicitor;

4563. Any and all other information that the Zoning Board may reasonably require in a form acceptable to it to assist in determining whether the Applicant's proposed development plan meets the objectives of this Section.

4564. New Bedford Historic Commission approval, if applicable.

(Ord. of 12-23-03, § 1; Ord. of 5-4-07, § 4)

4570. Action by the Zoning Board of Appeals. The Board may grant a special permit where it makes the following findings:

4571. The proposed project complies with the requirements of this Section;

4572. The proposed project does not cause substantial detriment to the neighborhood after considering the following potential consequences:

- a. noise, during the construction and operational phases;
- b. pedestrian and vehicular traffic;
- c. environmental harm;
- d. visual impact caused by the character and scale of the proposed structure(s);
- e. where relief to parking requirement has been sought, applicant has demonstrated that reasonable efforts have been made to comply with parking requirements;
- f. For conversions of existing structures, the Zoning Board of Appeals must find that the proposed project protects the City's heritage by minimizing removal or disruption of historic, traditional or significant uses, structures or architectural elements, whether these exist on the site or on adjacent properties. If the building is

a municipally owned building, the proposed uses and structures are consistent with any conditions imposed by the Planning Board on the sale, lease, or transfer of the site.

(Ord. of 12-23-03, § 1)

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)

APPENDIX C - TABLE OF PARKING AND LOADING REQUIREMENTS

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
<p>One-family dwelling Two-family dwelling Multi-family (3) or more per structure</p>	<p>Two (2) spaces per dwelling unit Two (2) spaces per dwelling unit</p>	<p>One (1) loading space for each multifamily dwelling containing more than ten (10) dwelling units, or more than twenty (20) housekeeping units</p>
<p>Hotel, motel, bed and breakfast, rooming or boarding or lodging house, tourist home, dormitories, or other non-family residence accommodations, excluding group homes</p>	<p>One (1) space per each employee per shift, who does not reside on the premises; one (1) space per guest room, dwelling parking requirements, if applicable</p>	<p>One (1) loading space for each building containing more than 20 guest rooms</p>
<p>Offices: General, professional, business, banks, medical clinics and laboratories, radio and television stations; office of non-profit educational, cultural, or charitable organizations</p>	<p>One (1) space per each 200 sq. ft. of gross floor area but not less than two (2) spaces for each business unit intended to occupy the premises. After 10,000 sq. ft. of gross floor area, one space for every 1,000 sq. ft. of gross floor area</p>	<p>One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for 100,000 sq. ft. or more of gross floor area</p>

<p>Places of assembly, including theaters, veterans, fraternal, social and recreational clubs and organizations not operated for a profit; facilities primarily for the education and instruction of persons sixteen (16) yrs. of age and older; taxi, bus & railroad passenger terminals; auditoriums, theaters, bowling alleys and dance halls; sports facilities; places of worship; funeral homes</p>	<p>One (1) space per five (5) seats for which the building is designed or one (1) spaces for each 200 sq. ft. of gross floor area whichever results in the greatest number</p>	
<p>Businesses engaged in the manufacturing, processing, assembly, fabrication of products, including research and testing laboratories and facilities</p>	<p>One (1) space per each 500 sq. ft. of gross floor area plus one (1) space for each vehicle used in conducting the business</p>	<p>Two (2) loading spaces for each building containing 10,000 sq. ft. of gross floor area. Thereafter, one (1) additional loading space shall be required for each additional 25,000 sq. ft. of gross floor area or for each fifteen (15) feet of dock, platform or opening in the building where the loading or unloading of commodities is intended to occur, whichever is the greatest</p>

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.

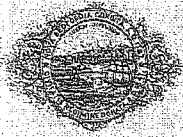
(Ord. of 12-23-03, § 1)

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) 117 Union Street
(IND.) (STREET)
 BETWEEN Acushnet Avenue AND North Second Street
(CROSS STREET) (CROSS STREET)
 PLOT 53 LOT 40, 41, 215, 216 DISTRICT MUB & DBOD ACCEPTED STREET Yes
 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

- | | |
|--|--|
| <i>Residential</i> | <i>Nonresidential</i> |
| 13 <input type="checkbox"/> One family | 19 <input type="checkbox"/> Amusement, recreational |
| 14 <input checked="" type="checkbox"/> Two or more family — Enter number of units <u>42</u> | 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 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 checked="" 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 DEDE and the State Dept. of Labor & Industries and results of air sample analysis after asbestos removal is completed

C. COST (Omit cents)

- 10. Cost of construction \$ _____
To be installed but not included in the above cost
- a. Electrical _____
- b. Plumbing _____
- c. Heating, air conditioning _____
- d. Other (elevator, etc.) _____
- 11. TOTAL VALUE OF CONSTRUCTION _____
- 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.

First floor - cafe/coffee shop
Floors 2 through 5 - Forty-two apartments

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 I.

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 5
- 54 Height <100
- 55 Total square feet of floor area, all floors based on exterior dimensions 40,000
- 56 Building length 115
- 57 Building width 70
- 58 Total sq. ft. of bldg. footprint 40,800
- 59 Front lot line width 68
- 60 Rear lot line width 72.06
- 61 Depth of lot 117.01
- 62 Total sq. ft. of lot size 8,200
- 63 % of lot occupied by bldg. (58-62) 98
- 64 Distance from lot line (front) 0
- 65 Distance from lot line (rear) 1'
- 66 Distance from lot line (left) 1'
- 67 Distance from lot line (right) 1'

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

OTHER APPLICABLE REVIEWS

K. FLOODPLAIN

Is location within flood hazard area? Yes (RD)
 If yes, zone: _____ and base elevation: _____

L. WETLANDS PROTECTION

Is location subject to flooding? No
 Is location part of a known wetland? No
 Has local conservation commission reviewed this site? No

IV. IDENTIFICATION - ALL APPLICANTS - PLEASE PRINT			
OWNER OR LESSEE NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
117 Union Street LLC	128 Union Street, New Bedford, MA 02740		(619) 316-5895
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
Louis Kraft, Stantec	311 Summer Street, Boston, MA 02210-1723		(617) 234-3124
SIGNATURE OF OWNER	APPLICANT SIGNATURE		DATE
<i>Paula Pina</i>	<i>[Signature]</i>		1.31.19

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

The applicant 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 B 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.

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: MUB & DBOD USE: Retail on first floor; apartments above

FRONTAGE: 117.01 LOT SIZE: 8,200 SF

SETBACKS:

FRONT: 0 LEFT SIDE: 1' RIGHT SIDE: 1' REAR: 1'

PERCENTAGE OF LOT COVERAGE PRIMARY BUILDING 98

VARIANCE HISTORY None

VII. WORKER'S COMPENSATION INSURANCE AFFIDAVIT

I, _____
 (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 _____ day of _____, 20____

Location: 117 UNION ST

Parcel ID: 53 216

Zoning: MUB

Fiscal Year: 2019

Current Owner Information:

PIVA PAUL A
FLOREK GAIL
10 PEQUOD ROAD

FAIRHAVEN , MA 02719

Current Sales Information:

Sale Date:

12/31/1989

Sale Price:

\$0.00

Legal Reference:

1838-1144

Grantor:

N/A

Card No. 1 of 1

This Parcel contains 0.020 acres of land mainly classified for assessment purposes as RETAIL with a(n) GENERAL RETAIL style building, built about 1930, having Brick exterior, Tar&Gravel roof cover and 873 Square Feet, with 1 unit(s), total room(s), total bedroom(s) 0 total bath(s), 0 3/4 baths, and 1 total half bath(s).

Building Value:	Land Value:	Yard Items Value:	Total Value:
59200	67500	0	126700



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:	325	Property Code:	325	Property Code:	325
Total Bldg Value:	59200	Total Bldg Value:	57700	Total Bldg Value:	57700
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	67500	Total Land Value:	65600	Total Land Value:	65600
Total Value:	126700	Total Value:	123300	Total Value:	123300
Tax:	\$4,414.23	Tax:	\$4,395.65	Tax:	\$4,442.50

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.



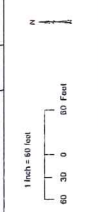
Map Produced by:
 City of New Bedford
 Department of
 Management Information Systems
 January 2017



Fiscal Year 2017
 This parcel map should be used for planning
 and assessment purposes only.

Map: 053

City of New Bedford Massachusetts



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

185.15

IND. A RKERS LN

BUS.

36

70.3

49.5

40

65.3

3881120

14611

13

41

116.92

14

266

17.46

16

18.1

4325

17

1300

18

67.5

22

51

53

215216

51

44.5

17

2141

68

77.5

40

17.7

10.3

37

BUS.

0.05

206.17

18



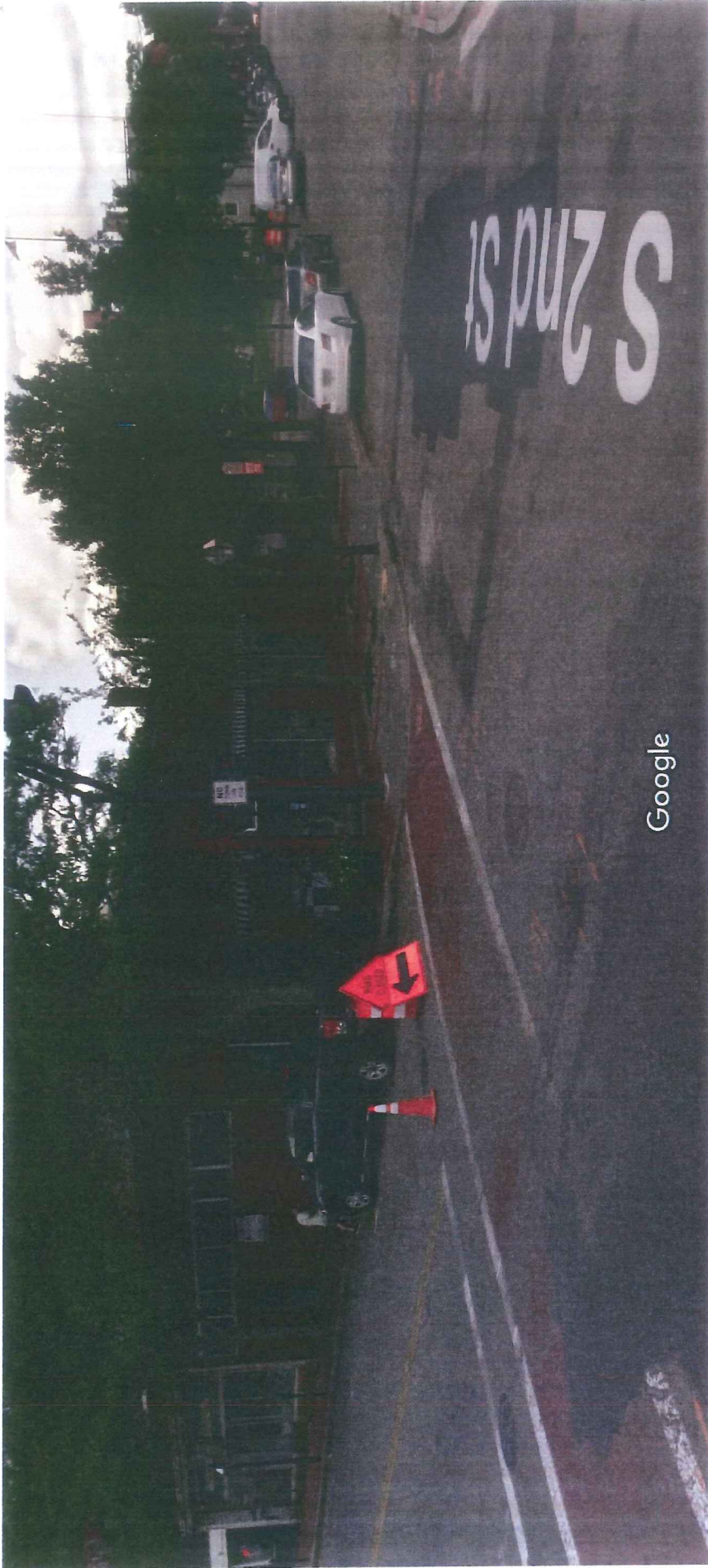


Image capture: Aug 2017 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2017



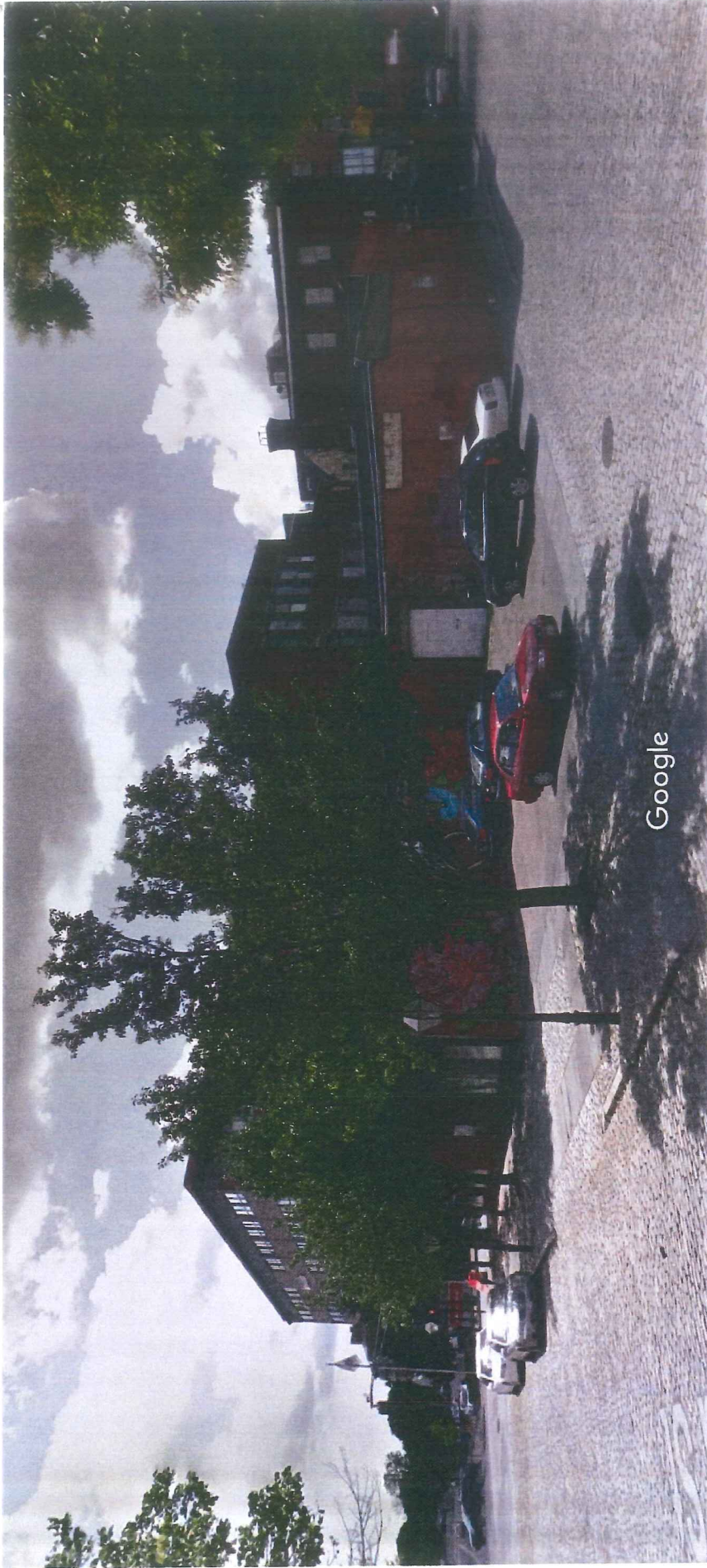


Image capture: Aug 2017 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2017





Image capture: Aug 2017 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2017



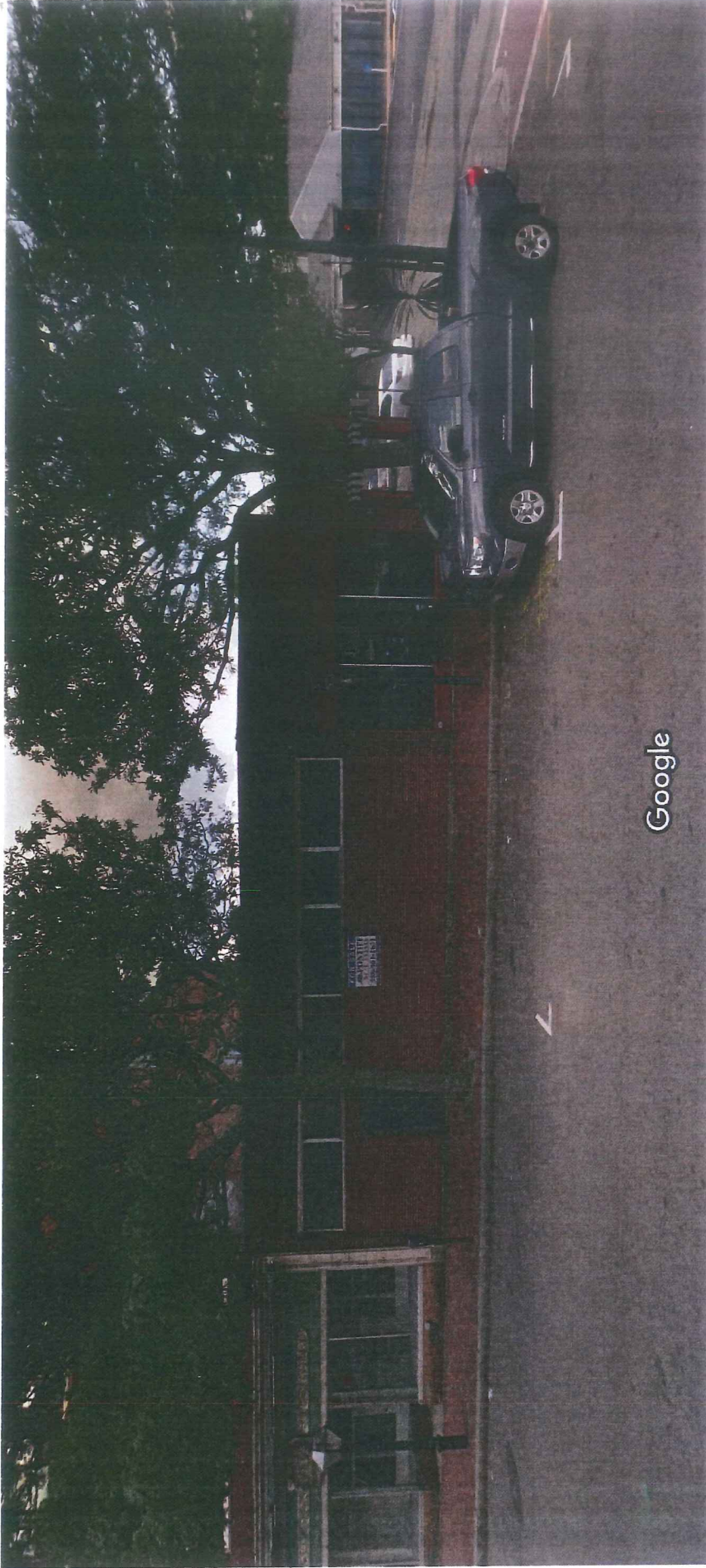


Image capture: Aug 2017 © 2019 Google

New Bedford, Massachusetts



Street View - Aug 2017

