

## **Section 9 – Building Permit Rejection Package**

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**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

N.A.**X. CONSTRUCTION DEBRIS DISPOSAL****Supplement #2**

In accordance with provisions of Massachusetts General Law C40, §54, debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by Massachusetts General Law C111, §150A

The debris will be disposed of in:

T.B.D.

(Location of Facility)

Signature of Permit Applicant

Date

**XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT**

(Residential Use Only) Supplement to Permit Application

**Supplement #3**

MGLc. 142A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units... or to structures which are adjacent to such residence or building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work:

N.A.

Est. Cost

Address of Work

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 ☒SITE Plan Review - Planning Board

Fee

Reason For Rejection:

"See Attachments"

Permit #

Comments and Conditions:

Signed

Danny D. Romanowicz

Date:

3/262018

Title

Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner



CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

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

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

ES John Vertente Boulevard – PLOT: 133 – LOT: 61 – ZONED DISTRICT: IC

*Site Plan Review is Required from the Planning Board*

*Zoning Code Review as follows:*

*Site Plan Review*

*Planning Board*

❖ **SECTIONS**

- 5400 – SITE PLAN REVIEW
- 5410 – PURPOSE
- 5420 – APPLICABILITY
  - 5421 – Any new industrial or commercial construction or expansion over two thousand (2,000) gross square feet or any new industrial or commercial construction or expansion requiring more than five (5) additional parking spaces
- 5430-5490B

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 \_\_\_\_\_

IN ORDER TO COMPLETE THIS FORM, MARK BOXES WHERE APPLICABLE. PRINT

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

**II. TYPE AND COST OF BUILDING** (In complete and accurate detail) PRINT

**A. TYPE OF IMPROVEMENT**

- 1 ☒ New Building
- 2 ☐ Addition (to existing building)
- 3 ☐ Alteration (to existing building)
- 4 ☐ Repair (to existing building)
- 5 ☐ Demolition (of existing building)
- 6 ☐ Moving (relocation)
- 7 ☐ Foundation only

- 8 ☐ One-family
- 9 ☐ Two-family (duplex)
- 10 ☐ Multi-family (apartment house)
- 11 ☐ Industrial (warehouse, etc.)
- 12 ☐ Commercial (store, etc.)
- 13 ☐ Public (school, etc.)
- 14 ☐ Other (specify) \_\_\_\_\_

- 15 ☐ Non-residential
- 16 ☐ Amusement, recreational
- 17 ☐ Church, other religious
- 18 ☒ Industrial
- 19 ☐ Parking garage
- 20 ☐ Service station, repair garage
- 21 ☐ Hospital, institutional
- 22 ☐ Office, bank, professional
- 23 ☐ Public utility
- 24 ☐ School, library, other educational
- 25 ☐ Stores, mercantile
- 26 ☐ Tanks, towers
- 27 ☐ Funeral homes
- 28 ☐ Food establishments
- 29 ☐ Other — Specify \_\_\_\_\_

**B. OWNERSHIP**

- 1 ☒ Private (individual, corporation, nonprofit institution, etc.)
- 2 ☐ Public (Federal, State or local government)

Does this building contain asbestos?  
☐ YES ☐ NO If yes, complete the following:  
 Name & Address of Asbestos Removal Firm \_\_\_\_\_

**C. COST**

- 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.) \_\_\_\_\_

**TRD**

Submit copy of notification sent to DEED and the State Dept. of Labor & Industries and materials at least 10 days before removal work is completed.

D. Non-residential — Describe in detail proposed use of building, e.g., food processing plant, machine shop, etc. (If building is hospital, elementary school, secondary school, college, hospital, school, etc., the purpose for department store, retail office building, office building, etc., industrial plant, etc., or if building is being changed, enter proposed use.)

**DISTRIBUTION WARE HOUSE + CORPORATE OFFICES**

- 11. TOTAL VALUE OF CONSTRUCTION \_\_\_\_\_
- 12. TOTAL ASSESSED B.D. VALUE \_\_\_\_\_

**III. SELECTED CHARACTERISTICS OF BUILDING**

For new building, complete G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. For existing building, complete G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. For demolition, complete only parts G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z.

**E. PRINCIPAL TYPE OF FRAME**

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

**F. TYPE OF SEWER DISCHARGE**

- 38 ☒ Public or private company
- 39 ☐ Private (septic tank, etc.)

**H. TYPE OF WATER SUPPLY**

- 40 ☒ Public or private company
- 41 ☐ Private (well, cistern)

**F. PRINCIPAL TYPE OF HEATING FUEL**

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

**I. TYPE OF MECHANICAL**

- 43 Is there a fire sprinkler system?  
 44 ☒ YES 45 ☐ NO
- 46 Will there be central air conditioning?  
 47 ☒ Yes 48 ☐ No
- 49 Will there be an elevator?  
 50 ☐ Yes 51 ☒ NO

**J. DIMENSIONS**

- 52 Number of stories
- 53 Height
- 54 Total square feet of floor area
- 55 Total square feet of exterior dimensions
- 56 Building length
- 57 Building width
- 58 Total sq. ft. of bldg. footprint
- 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. (58+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)

**40' ±**  
**175,200 SF**  
**489'**  
**380'**  
**175,200 SF**  
**785'**  
**749'**  
**1650'**  
**44.8 AC**  
**8.9%**  
**394.7'**  
**128.2'**  
**252.9'**  
**499.0'**