



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***

401 ASHLEY BLVD. PLOT: 108 LOT: 314 ZONING-MUB

*Zoning Code Review as follows:*

**A VARIANCE IS REQUIRED**

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### **❖ SECTIONS**

- SECTION 3000 GENERAL REGULATIONS
- 3100 PARKING AND LOADING
- 3110 APPLICABILITY
- 3130 TABLE OF PARKING AND LOADING REQUIREMENTS
- APPENDIX C

**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: N/A  
Pedro Rodriguez (Location of Facility) 6/28/16  
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: Change of Tenant - Barber Shop Est. Cost \$500.00  
Address of Work 401 Ashley Blvd  
Owner Name: Pedro Rodriguez Date of Permit Application: 6/28/16

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:  
6/21/16 Pedro Rodriguez  
Date Owner Signature

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

C. Building Permit Rejected  Variance Rejection Date 7/14 2016  
Reason For Rejection: ZBA  
Fee \_\_\_\_\_  
Permit # \_\_\_\_\_  
"SEE ATTACHMENTS"

Comments and Conditions:

Signed Dennis A. Romanowski Date: \_\_\_\_\_ 20\_\_\_\_  
Title Building Commissioner  
Not valid unless signed (not stamped) by Building Commissioner



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 600 Washington Street  
 Boston, MA 02111  
 www.mass.gov/dia

**Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers**  
**Applicant Information** Please Print Legibly

Name (Business/Organization/Individual): PEDRO ~~RODRIGUEZ~~ RODRIGUEZ

Address: 401 Ashlee Blvd

City/State/Zip: New Bedford MA 02745 Phone #: 774-992-3038

Are you an employer? Check the appropriate box:

- 1.  I am an employer with \_\_\_\_\_ employees (full-and/or part-time).\*
- 2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
- 3.  I am a homeowner doing all work myself. [No workers' comp. insurance required.] †

- 4.  I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡
- 5.  We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]

Type of project (required):

- 6.  New construction
- 7.  Remodeling
- 8.  Demolition
- 9.  Building addition
- 10.  Electrical repairs or additions
- 11.  Plumbing repairs or additions
- 12.  Roof repairs
- 13.  Other \_\_\_\_\_

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

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

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

Insurance Company Name: \_\_\_\_\_

Policy # or Self-ins. Lic. #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Job Site Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

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

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

Signature: Pedro Rodriguez Date: 6/28/16

Phone #: 774 992 3038

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

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Electrical Inspector
- 5. Plumbing Inspector
- 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

V. OTHER JURISDICTION APPROVALS AND NOTIFICATION

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

VI. ZONING REVIEW

DISTRICT: \_\_\_\_\_ USE: \_\_\_\_\_

FRONTAGE: \_\_\_\_\_ LOT SIZE: \_\_\_\_\_

SETBACKS:

FRONT: \_\_\_\_\_ LEFT SIDE: \_\_\_\_\_ RIGHT SIDE: \_\_\_\_\_ REAR: \_\_\_\_\_

PERCENTAGE OF LOT COVERAGE PRIMARY BUILDING \_\_\_\_\_

VARIANCE HISTORY \_\_\_\_\_

VII. WORKER'S COMPENSATION INSURANCE AFFIDAVIT

I, \_\_\_\_\_  
 (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 Redis Rodriguez day of 6/28/16, 20 16

OTHER APPLICABLE REVIEWS

K. FLOODPLAIN

Is location within flood hazard area? yes no

If yes, zone : \_\_\_\_\_ and base elevation \_\_\_\_\_

L. WETLANDS PROTECTION

Is location subject to flooding? \_\_\_\_\_

Is location part of a known wetland? \_\_\_\_\_

Has local conservation commission reviewed this site? \_\_\_\_\_

IV. IDENTIFICATION – ALL APPLICANTS – PLEASE PRINT

OWNER OR LESSEE NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
Pedro Rodriguez	401 Ashlee Blvd	02745	774-992-3038
E-mail Address: _____			
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
		LICENSE #	
E-mail Address: _____			
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
		LICENSE #	
E-mail Address: _____			
SIGNATURE OF OWNER	APPLICANT SIGNATURE	DATE	
Pedro Rodriguez	Pedro Rodriguez	6/28/16	

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

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

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

Pedro Rodriguez 401 Ashlee BLVD NEW BEDFORD  
 Applicant's Signature Address City

<sup>Owner</sup>  
Santo P. Rodriguez

Tel. (508) 264-406

### TENANT AGREEMENT

1. \$ 500.00 is required as security deposit. Rent is \$350.00 Per month
2. Rent is payable on the first of every month, one month in advance.
3. Rent paid after the first of the month will be considered a breach of the agreement.
4. Tenants are to give a minimum of one (1) calendar month notice before terminating tenancy.
5. No pets, CB units, satellite dishes, or motorcycles shall be allowed on the premises.
6. Tenants are financially responsible for any damages incurred to the premises, whether it is themselves or their friends, family, relatives or visitors who do the actual damage. Any ceiling or wall stained as a result of tobacco usage is considered damage and not normal wear and tear.
7. Due to respect for other tenants, there will be no excess noise at any time. The tenant's responsibility also covers their friends, family, relatives or visitors.
8. The apartment will be kept clean and well maintained at all times. The tenant is financially responsible for the cleanliness of the apartment including carpeting upon vacating the apartment.
9. Tenants are responsible for the proper disposal of their rubbish in the garbage shed and putting it out on garbage day.
10. There will be no work done on any motor vehicle at any time on the premises, including washing vehicles.
11. Any off-street parking is for registered tenants' cars only. All other vehicles will be towed at vehicle owner's expense.
12. Any painting, wallpapering, or restructuring in any way is not allowed without written consent of the owner.
13. The halls and stairways cannot be used as storage areas for any reason.
14. There are no wall phones or stickers (that are put in bathtubs, on refrigerators, walls or woodwork) allowed on the premises. Any blinds or shades hung must be inside the window well and NOT on the window casings.
15. All drains and waste pipes are accepted as clear by the tenant and any cost(s) due to blockage occurring during tenancy will be the responsibility of the tenant.
16. Only the person(s) who signed this agreement or who has written consent of the owner may occupy this apartment.
17. Locks shall not be altered or replaced nor shall new locks be added without the owner's written permission. Any locks permitted to be installed shall then become the property of the owner, and all duplicate keys must be given to the owner.
18. The owner has the right to enter the apartment at any reasonable hour for general repairs with tenants' prior knowledge if possible and at any time for emergencies.
19. Owner does not supply heat for either the apartment or the water heater nor does he supply any electricity. All utilities (gas or electric) are supplied and paid for by the tenant.
20. Any and all costs relating to the eviction, and or collection of monies owed, will be the responsibility of the tenant.
21. The waiver of any term of this agreement at any time shall not be deemed as waiver on any other occasion nor of any other term.
22. If any provision of this agreement or portion of such provision be held invalid, the remainder shall not be affected.

**I have read and I understand and agree to the above.**

Address 401 Ashley Blvd, New Bedford MA 02745 APT. # \_\_\_\_\_

Date 06/13/2016 Signature Santo P. Rodriguez

Date 06/13/2016 Signature Pedro Rodriguez

SECTION 3000. - GENERAL REGULATIONS.

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



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>Fast-food drive-in, carry-out restaurants</p>	<p>One (1) space per each employee per shift for a minimum of five (5) spaces plus one (1) space per 100 sq. ft. of gross floor area with a minimum of twenty (20) spaces</p>	<p>One (1) loading space for each building</p>
<p>Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein</p>	<p>One (1) space per each 200 sq. ft. of gross floor area, but not less than two (2) spaces for each business use intended to occupy the premises. After 20,000 sq. ft. gross floor area, one space per 400 sq. ft.</p>	<p>One loading space for each building containing more than 5,000 and less than 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</p>
<p>Businesses engaged in retail sale, rental, repair, servicing, storage and distribution of motor vehicles, trailers, campers, boats, furniture or building materials</p>	<p>One (1) space per each 400 sq. ft. of gross floor area, but not less than two (2) spaces for each business use intended to occupy the premises</p>	
<p>Hospital, convalescent homes, nursing homes, rest homes or homes for the aged</p>	<p>One (1) space per three (3) beds, three (3) space Drop-Off Zone.</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</p>



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

FOR BUILDING DEPT. USE

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

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

ISSUED BY: 8/20/16

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

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

(AT LOCATION) 401 Ashley Blvd  
 (NO) (STREET)  
 BETWEEN \_\_\_\_\_ AND \_\_\_\_\_  
 (CROSS STREET) (CROSS STREET)  
 PLOT 108 LOT 314 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

- Change of Tenant  
Barbador Shop
- 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

Residential

- 13  One family
- 14  Two or more family — Enter number of units \_\_\_\_\_
- 15  Transient hotel, motel, or dormitory — Enter number of units \_\_\_\_\_
- 16  Garage
- 17  Carport
- 18  Other — Specify \_\_\_\_\_

Nonresidential

- 19  Amusement, recreational
- 20  Church, other religious
- 21  Industrial
- 22  Parking garage
- 23  Service station, repair garage
- 24  Hospital, institutional
- 25  Office, bank, professional
- 26  Public utility
- 27  School, library, other educational
- 28  Stores, mercantile
- 29  Tanks, towers
- 30  Funeral homes
- 31  Food establishments
- 32  Other — Specify C.O.T.

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

- (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 \$1500.00
  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.

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.)

H. TYPE OF WATER SUPPLY

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

J. DIMENSIONS

- 53 Number of stories \_\_\_\_\_
- 54 Height \_\_\_\_\_
- 55 Total square feet of floor area, all floors based on 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) \_\_\_\_\_

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

Appeal No. 1628  
Appellant: Cecylia Piwowarczyk  
Locus: 401 Ashley Boulevard  
Hearing: February 6, 1963  
Action: Granted\*

A communication from John J. Chadwick, Superintendent of Buildings dated January 10, 1963 was received and placed on file, said communication stating that Cecylia Piwowarczyk, through her son Edward Piwowarczyk, has applied for permission to make alterations to a three (3) story, six (6) tenement house in order to provide for a barber shop in the cellar. The property is located at 401 Ashley Boulevard in an area zoned for Business.

An appeal from the decision of the Superintendent of Buildings, submitted by Edward Piwowarczyk was received and placed on file.

A plan, submitted with the appeal and showing the proposed change was received and placed on file.

Voted, that on the appeal of Cecylia Piwowarczyk the owners of the following lots shown on a plan prepared from the latest record of ownership in the Assessors Office are the ones deemed by this Board to be affected.

Plot 108    Lots 109    45    58    59    98    99    100    101    102    107    108  
                  113    114    115    116    142

It was announced that, by order of the clerk, notice of a hearing to be held February 6, 1963 on the appeal of Cecylia Piwowarczyk was published in the Standard-Times of January 16, and January 23, 1963 also that on January 30, 1963 written notice was sent by mail to the owners of all the property deemed by the Board to be affected.

Voted, that the action of the clerk in giving notice of a hearing as stated be and it hereby is ratified.

The hearing was then declared open.

APPEARANCES -

Proponents: Attorney Paul Mathieu of 190 William Street represented the petitioner. The petitioner's son has been conducting his business at 1708 Acushnet Avenue, but the building is going to be sold therefore, he would like to have his barber shop at 401 Ashley Boulevard.

He has been approached by the State Inspector of Barbers and they have approved the plans. He plans to have two chairs in the shop. The interior will be of 8" cement blocks. The exterior will be the foundation of the house as it is now. The area is zoned for Business but permission must be received from the Board of Appeals because it is a three tenement house. It would be permissible to do this in a two tenement house.

Mr. Stykowski, the owner of the property north of this, has given Mr. Piwowarczyk the right to have his customers park on his property.

Edward Piwowarczyk of 63 Maryland Street said the area would be improved and then showed plans of what the building would look like when the barber shop was completed. The front would be a store type front. At the most there would be one step and probably no step as the driveway is on the same side and the inclination will go to nothing. The step, if needed, will be about 6" in height.

Stanislaw Piwowarczyk of 401 Ashley Boulevard was also present at the meeting and in favor of the petition.

Opponents: A communication was received from Mrs. Augusta M Hairo, 0-10 Overlook Place, Fair Lawn, New Jersey stating that she was opposed to the appeal because many vacant stores were available for this purpose. It was voted to place this communication on file.

John J. Chadwick said this case was not a violation of the zoning laws as it is a Business Zone, but it would be in violation of the Building Codes, as no store can be built in a three story wood frame house. A two story house would be within the building code.

Emeric Chenel asked if the petitioner had agreed to comply with the building codes and Mr. Chadwick answered "YES." Both Emeric Chenel and John Josepek said they were in favor of the barber shop.

It was unanimously agreed by all to Grant this appeal for Hardship reasons.

The petitioner was told that work must be started within six months from the date of the Grant and also that all changes made, must comply with the plan submitted to the Building Department.

February 7, 1963

Charles W. Deasy  
City Clerk  
New Bedford, Mass.

Dear Sir:

At a duly advertised public hearing of the Board of Appeals held on February 6, 1963 the petition of Cecylia Piwowarczyk, through her son Edward Piwowarczyk, for permission to make alterations to a three (3) story, six (6) tenement house in order to provide for a barber shop in the cellar was considered. The property is located at 401 Ashley Boulevard in an area zoned for Business.

Attorney Paul Mathieu of 190 William Street represented the petitioner. Cecylia, Stanislaw and Edward Piwowarczyk appeared in favor of the petition.

A communication, signed by Mrs. Augusta M. Hairo, an abutter, was placed on file. The communication stated that Mrs. Hairo was opposed to this petition.

After some discussion it was voted unanimously to Grant this petition. The petitioner was told that work must be started within six months from the date of the Grant and also that all changes made, comply with plan submitted to the Building Department.

Sincerely yours,

Joseph M. Jaworski, Chairman

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