



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***

321 ARNOLD ST – PLOT: 44 – LOT: 292 – ZONED DISTRICT: RB

**SPECIAL PERMIT Required from the Zoning Board of Appeals**

***Zoning Code Review as follows:***

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### **❖ SECTIONS**

#### **1200- DEFINITIONS**

**LOT: ANY LOT OR PLOT, IN ONE OWNERSHIP AND NOT DIVIDED BY A STREET AND NOT WITHIN THE LIMITS OF A PUBLIC WAY UPON WHICH THE LOT ABUTS, OCCUPIED BY ONE BUILDING AND ITS ACCESSORY BUILDINGS AND USES AND INCLUDING SUCH OPEN SPACES AS ARE REQUIRED BY THIS ORDINANCE.**

*Frontage-of:* A lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and actual physical vehicular access to the lot, said line to be measured continuously along a single street for the entire width of the lot. Vehicular access to a building site on the lot shall be exclusively through the legal frontage of the lot.

- **5300-5330 & 5360-5390 – SPECIAL PERMITS**

any portion thereof." The word "person" includes a firm, association, organization, partnership, company, or corporation, as well as an individual. Terms and words not defined herein but defined in the Commonwealth of Massachusetts state building code shall have the meaning given therein unless a contrary intention is clearly evident in this Ordinance.

**Accessory building:** A subordinate building located on the same lot as the main, or principal building or principal use, the use of which is customarily incidental to that of the principal building or use of the land.

**Accessory dwelling unit:** A dwelling unit, subordinate to the dwelling unit in a single-family structure, whether located within the principal structure or in a detached structure on the property.

**Accessory use:** A use customarily incidental to that of the main or principal building or use of the land, and located on the same lot.

**Adult day care facility:** A social day care or adult day health facility, as those terms are defined by the Commonwealth's Department of Elder Affairs.

**Adult entertainment establishment:** An establishment having a substantial or significant portion of its business activity, stock in trade, or other materials for sale, rental or display, which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual conduct as defined in M.G.L.A. c. 272, § 31, including but not limited to the following: any adult bookstore, adult live entertainment establishment, adult motion picture theatre, adult mini motion picture theatre, adult paraphernalia store or adult video store as defined below:

**Adult bookstore:** An establishment having as a substantial or significant portion of its stock in trade printed matter, books, magazines, picture periodicals, motion picture films, video cassettes, computer compact disks, computer disks or diskettes, or coin-operated motion picture machines for sale, barter or rental which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "sexual conduct" as that term is defined in M.G.L.A. c. 272, § 31, "sexual devices" or an establishment having for sale sexual devices which shall mean any artificial human penis, vagina or anus or other device primarily designed promoted or marketed to physically stimulate or manipulate the human genitals, pubic area or anal area, including dildos, penisators, vibrators, penis rings, erection enlargement or prolonging creams or other preparations or an establishment with a segment or section devoted to the sale or display of such materials.

**Adult live entertainment establishments:** Establishments which feature live entertainment which consists of entertainers engaging in "sexual conduct" or "nudity" as defined in M.G.L.A. c. 272, § 31.

**Adult motion picture theater:** An enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating "sexual conduct" as defined in M.G.L.A. c. 272, § 31, for observation by patrons therein.

**Adult mini motion picture theater:** An enclosed building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by emphasis on matter depicting, describing or relating to "sexual conduct" as defined in M.G.L.A. c. 272, § 31, for observation by patrons therein.

**Adult paraphernalia store:** An establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their association with sexual activity, including sexual conduct or sexual excitement as defined in M.G.L.A. c. 272, § 31.

**Adult video store:** An establishment having a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by an emphasis on matter depicting, describing or relating to "sexual conduct" as defined in M.G.L.A. c. 272, § 31.

As to Adult Entertainment, "Substantial or significant portion" shall mean at least that portion of:

- (i) Retail sales accounting for at least twenty (20) percent of gross sales; or
- (ii) Merchandise accounting for at least twenty (20) percent of total merchandise available for sales; or
- (iii) Shelf space and display space which when combined is in excess of eighty (80) square feet; or
- (iv) Twenty (20) percent or more of the hours during which the establishment is open.

**Advertising blimp:** An advertising blimp is an inflatable sign that by way of gas or other manner is caused to float above the structure it is attached to. Further, such inflatable sign is capable of moving from place to place and is not permanently affixed to the ground or structure.

**Agricultural use, nonexempt:** Agricultural use of property not exempted by M.G.L.A. c. 40A, § 3.

**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: New Bedford (Location of Facility)

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

Date: 4/18/2016

**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: Curb Cut - Driveway

Est. Cost: 2,000

Address of Work: 301 ARNOLD STREET

Owner Name: M. Swift

Date of Permit Application: 4/18/2016

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: 4/18/2016 Contractor Signature: \_\_\_\_\_

Registration No. ON FILE

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    Rejection Date: 4/28 20 16

Reason For Rejection: Permit

Fee \_\_\_\_\_

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

See Attachments

Comments and Conditions:

Signed: [Signature] Date: \_\_\_\_\_ 20 \_\_\_\_\_  
Title: Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner

per meeting attended, but in no event shall any member receive in excess of five hundred dollars (\$500.00) in any fiscal year.

5211. In case of a vacancy, inability to act, or interest on the part of a member of the Board of Appeals, such member's place shall be taken by an associate member designated by the presiding member of the Board. There shall be five (5) associate members of the Board of Appeals, who shall be appointed by the mayor and confirmed by the City Council. Annually in the month of January, one member shall be appointed for a term of five (5) years. Vacancies shall be filled in the manner as provided for original appointments. All associate members of the Board of Appeals shall be residents of the City. Each associate member shall be paid at the rate of twenty dollars (\$20.00) per meeting attended, as a member replacing an absent member, and only when acting in that capacity according to the first sentence of this subsection; but in no event shall any associate member receive in excess of five hundred dollars (\$500.00) in any fiscal year.

(Ord. of 12-23-03, § 1)

5220. **Powers.** The Board of Appeals shall have and exercise all the powers granted to it by M.G.L.A. c. 40A, c. 40B, and c. 41 and by this Ordinance. The Board's powers are as follows:

5221. To hear and decide applications for special permits. Where specified herein, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of Section 5300, or as otherwise specified.

5222. To hear and decide appeals or petitions for variances from the terms of this Ordinance, with respect to particular land or structures, as set forth in M.G.L.A. c. 40A, § 10. The Board of Appeals may not grant use variances.

5223. To hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8 and 15.

5224. To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in M.G.L.A. c. 40B, §§ 20—23.

(Ord. of 12-23-03, § 1)

5230. **Regulations.** The Board of Appeals may adopt rules and regulations for the administration of its powers.

(Ord. of 12-23-03, § 1)

5240. **Fees.** The Board of Appeals may adopt reasonable administrative fees and technical review fees for petitions for variances, administrative appeals, and applications for comprehensive permits.

(Ord. of 12-23-03, § 1)

*State law reference— Zoning board of appeals, M.G.L.A. c. 40A, § 14 et seq.*

## 5300. - SPECIAL PERMITS.

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

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

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

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

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

5323. Adequacy of utilities and other public services;

5324. Neighborhood character and social structures;

5325. Impacts on the natural environment; and

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

(Ord. of 12-23-03, § 1)

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

(Ord. of 12-23-03, § 1)

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

(Ord. of 12-23-03, § 1)

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

**5351. Physical Environment.**

- (a) Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, archeological, scenic and historical features or structures, location of significant viewpoints, stone walls, trees over sixteen (16) inches in diameter, trails and open space links, and indigenous wildlife.
- (b) Describe how the project will affect these conditions, providing a complete physical description of the project and its relationship to the immediate surrounding area.

**5352. Surface Water and Subsurface Conditions.**

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

**5353. Circulation Systems.**

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

**5354. Support Systems.**

- (a) **Water Distribution:** Discuss the types of wells or water system proposed for the site, means of providing water for firefighting, and any problems unique to the site.
- (b) **Sewage Disposal:** Discuss the type of on-site or sewer system to be used, suitability of soils, procedures and results of percolation tests, and evaluate impact of disposal methods on surface and groundwater.
- (c) **Refuse Disposal:** Discuss the location and type of facilities, the impact on existing City refuse disposal capacity, hazardous materials requiring special precautions.
- (d) **Fire Protection:** Discuss the type, location, and capacity of fuel storage facilities or other flammables, distance to fire station, and adequacy of existing firefighting equipment to confront potential fires on the proposed site.
- (e) **Recreation:** Discuss the distance to and type of public facilities to be used by residents of the proposed site, and the type of private recreation facilities to be provided on the site.
- (f) **Schools:** Project the increase to the student population for nursery, elementary, junior high school, and high school levels; also indicating present enrollment in the nearest public schools serving these categories of students.

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

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

*(Ord. of 12-23-03, § 1)*

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

*(Ord. of 12-23-03, § 1)*

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

*(Ord. of 12-23-03, § 1)*

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

*(Ord. of 12-23-03, § 1)*

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

*(Ord. of 12-23-03, § 1)*

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

#### 400. - 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



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

FOR BUILDING DEPT. USE  
 DATE RECEIVED: APR 15 2016  
 RECEIVED BY:  
 ISSUED BY: *[Signature]*

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

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

(AT LOCATION) 361 ARNOLD ST.  
(NO) (STREET)  
 BETWEEN ARMOUR AND BROWNELL ST  
(CROSS STREET) (CROSS STREET)  
 PLOT 44 LOT 292 DISTRICT RB 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

- |  |  |
|--|--|
| <b>Residential</b>   | <b>Nonresidential</b>  |
| 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 _____        | 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 type="checkbox"/> Food establishments                |
|  | 32 <input type="checkbox"/> Other — Specify _____              |

B. OWNERSHIP

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

D.2. Does this building contain asbestos?

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

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

C. COST

- (Omit cents)
- 10 Cost of construction ..... \$ 2,100  
To be installed but not included in the above cost
  - a. Electrical .....
  - b. Plumbing .....
  - c. Heating, air conditioning .....
  - d. Other (elevator, etc.) .....

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.

11. TOTAL VALUE OF CONSTRUCTION .....

12. TOTAL ASSESSED BLDG. VALUE .....

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

E. PRINCIPAL TYPE OF FRAME

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

G. TYPE OF SEWAGE DISPOSAL

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

J. DIMENSIONS

- 53 Number of stories
- 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 \_\_\_\_\_

H. TYPE OF WATER SUPPLY

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

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 REV  VS

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.
M. Swift	374 Smith Neck RD	02116	508-889-6566
E-mail Address:			
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
FARLAND Corp	401 County St. N.B.	02740	508-717-3479
			774-930-1000
E-mail Address:			
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
E-mail Address:			
SIGNATURE OF OWNER	APPLICANT SIGNATURE	DATE	
See letter		4/19/2016	

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.

401 County St N.B.  
 Applicant's Signature Address City





Ronald H. Labelle  
Commissioner

**CITY OF NEW BEDFORD**  
Jonathan F. Mitchell, Mayor

Water  
Wastewater  
Highways  
Engineering  
Cemetery

To Whom It May Concern:

I M. Swift manager member Bodley Property Mgmt. LLC, being  
(Name) (Mailing Address)

Owner of property located at

361 Arnold Street

Plot 44, Lot 292, hereby agree to allow Farland Corp.  
(Name)

401 County Street New Bedford MA to act on my behalf including affixing my  
(Mailing Address)

signature in securing permit for:

- Sewer/Drain Service Permits
- Water Service Permits
- Driveway Installation Permits
- Sidewalk Installation Permits

I further agree to conform to, and abide by, All City rules and ask regulations applicable to the permit (s) being applied for:

Name M. Swift for BPR LLC  
Signature

374 Smith Neck Rd  
Address

So. Dartmouth 02748  
Date Telephone number

March 22, 2015 508-889-6560



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): FARLAND CORPORATION  
 Address: 401 COUNTY ST.  
 City/State/Zip: MA - 02740 Phone #:

<p>Are you an employer? Check the appropriate box:</p> <p>1. <input type="checkbox"/> I am an employer with <u>40</u> employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]</p> <p>3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.] †</p> <p>4. <input type="checkbox"/> 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. ‡</p> <p>5. <input type="checkbox"/> 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.]</p>		<p>Type of project (required):</p> <p>6. <input type="checkbox"/> New construction</p> <p>7. <input type="checkbox"/> Remodeling</p> <p>8. <input type="checkbox"/> Demolition</p> <p>9. <input type="checkbox"/> Building addition</p> <p>10. <input type="checkbox"/> Electrical repairs or additions</p> <p>11. <input type="checkbox"/> Plumbing repairs or additions</p> <p>12. <input type="checkbox"/> Roof repairs</p> <p>13. <input type="checkbox"/> Other _____</p>
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\*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: [Handwritten Signature] Date: 4/19/2016  
 Phone #: 508 717 3479

<p><i>Official use only. Do not write in this area, to be completed by city or town official.</i></p>	
City or Town: _____	Permit/License # _____
<p>Issuing Authority (circle one):</p> <p>1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector</p> <p>6. Other _____</p>	
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 \_\_\_\_\_

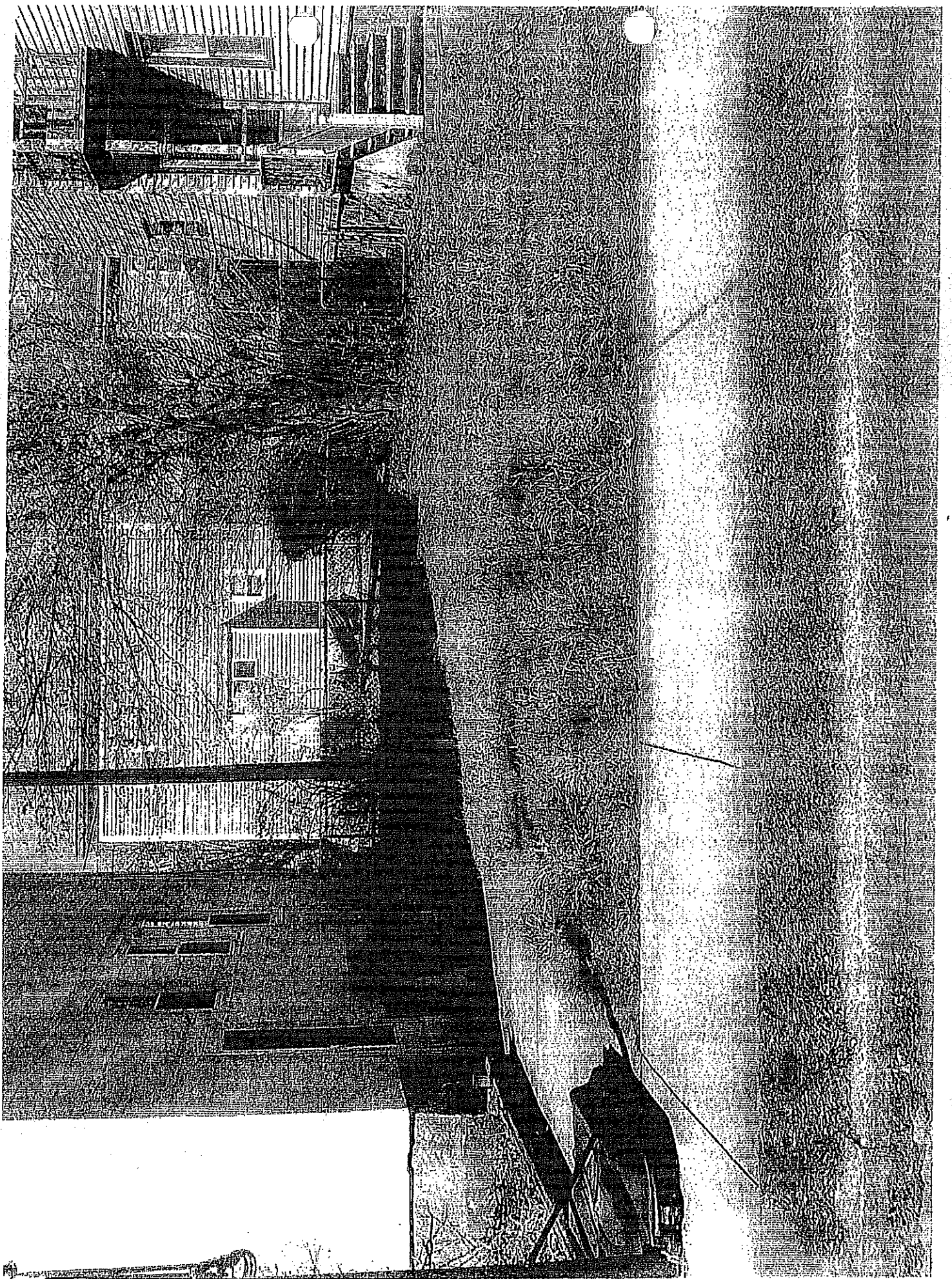
Name of contractor \_\_\_\_\_ Insurance Company/policy number \_\_\_\_\_

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.

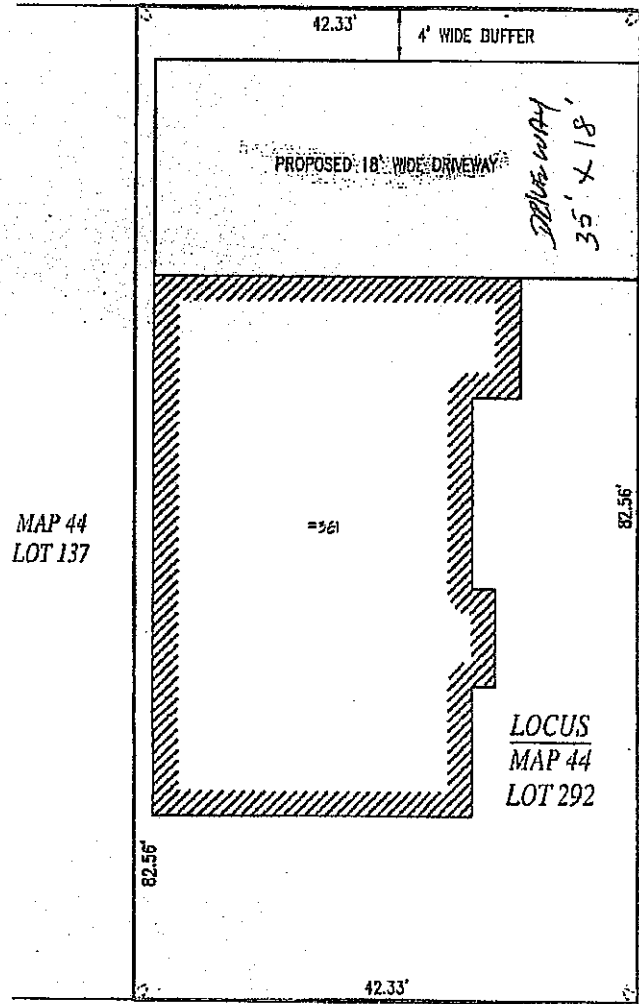
I understand that a copy of this statement will be forwarded to the Department of Industrial Accidents' Office of Insurance for coverage verification and that failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties consisting of a fine of up 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 18th day of APRIL, 20 16



APR 7 @ 2016  
MPC

MAP 44  
LOT 300



MAP 44  
LOT 137

361

LOCUS  
MAP 44  
LOT 292

ARNOLD STREET

ARMOUR STREET

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SKETCH PLAN

361 ARNOLD STREET  
ASSESSORS MAP 44 LOT 292  
NEW BEDFORD, MASSACHUSETTS



www.FarlandCorp.com  
401 COUNTY STREET  
NEW BEDFORD, MA 02740  
P.508.717.3479  
OFFICES IN:  
•TAUNTON  
•MARLBOROUGH  
•WARWICK, RI

PREPARED FOR:  
BOULEY PROPERTY MGMT  
374 SMITH NECK ROAD  
SOUTH DARTMOUTH, MA  
02748

SCALE: 1"=10'  
APRIL 8, 2016  
JOB NO: 16-262

not be included. Further, floor area intended or designed for the parking of motor vehicles or for the housing of heating and ventilation equipment shall not be included.

**Group home:** A nonprofit boarding home, licensed by the Commonwealth of Massachusetts, for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may provide some combination of personal care, social or counseling services, and transportation.

**Hazardous material:** Any substance which is listed in, but not limited to, the EPA priority pollutants as described in section 307(a) of the Clean Water Act, as amended.

**Home occupation:** An occupation, business, trade, service or profession which is incidental to and conducted in a dwelling unit, by a permanent resident thereof. No more than one home occupation can be conducted on any premises.

**Hospital:** An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illnesses, disease, injury and other conditions, and related facilities, such as laboratories, outpatient facilities, training facilities, offices, and staff residences.

**Hotel:** A building occupied as a temporary abode of individuals, in which provision is not made for cooking in any room, and in which there are more than twenty (20) sleeping rooms, a public dining room, and a general kitchen.

**Inn:** An establishment where transient guests are lodged for a consideration and where they may receive for a consideration meals, maid or room service, telephone or desk service and all other necessities, conveniences and facilities.

**Junk:** Any article or material or collection thereof, which is worn out, cast off or discarded and which is ready for destruction or has been collected or stored for salvage or conversion. Any article or material which, unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall be considered junk.

**Junk motor vehicle:** A motor vehicle which is worn out, cast off, or discarded and which is ready for dismantling or destruction, or which has been collected or stored for salvage, or for stripping in order to make use of the parts thereof. Any parts from such a vehicle shall be considered a junk motor vehicle under this Ordinance.

**Junkyard or automobile graveyard:** The use of any area or any lot, whether inside or outside of a building, for the storage, keeping, or abandonment of junk, scrap or discarded materials, or the dismantling, demolition, or abandonment of automobiles, other vehicles, machinery, or parts thereof, licensed therefor.

**Kenel:** Premises used for the harboring and/or care of more than three (3) dogs or other domestic, non-farm animals (three (3) months old or over). Use shall be so classified regardless of the purpose for which the animals are maintained, whether fees are charged or not, and whether the use is a principal or accessory one.

**Light manufacturing:** Fabrication, assembly, processing, finishing work or packaging, but excluding fish processing.

**Loading space, off-street:** Space located on the same lot with a main building, or contiguous to a group of buildings, for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filed. Such space shall abut a street, alley, or other appropriate means of ingress or egress.

**Lot:** Any lot or plot, in one ownership and not divided by a street and not within the limits of a public or private way upon which the lot abuts, occupied by one building and its accessory buildings and uses and including such open spaces as are required by this Ordinance.

**Area:** The horizontal area of the lot exclusive of any area in a street or recorded way open to public use. At least eighty (80) percent of the lot area required for zoning compliance shall be contiguous land other than that under any water body, bog, swamp, wet meadow, marsh, or other wetland, as defined in M.G.L.A. c. 131, § 40, as amended.

**Corner:** A lot with two (2) adjacent sides abutting upon streets or other public spaces.

**Depth of:** The mean distance from a street line of the lot to its opposite rear line, measured in the mean general direction of the side lines of the lot.

**Frontage of:** A lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and actual physical vehicular access to the lot, said line to be measured continuously along a single street for the entire width of the lot. Vehicular access to a building site on the lot shall be exclusively through the legal frontage of the lot.