



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 of Ordinances – Chapter-9***

### ***Zoning Review: Variance Required***

57 Parker St. Plot-71/Lot-161

Sections: 3100 Parking And Loading

- [ 3110 Applicability
- [ 3149 Special permit

**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, §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, §160A

The debris will be disposed of in: Rochester Bituminous  
(Location of Facility)

[Signature]  
Signature of Permit Applicant

Oct 24, 2014  
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 of building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work: Curb cut and concrete apron Est. Cost: 2750.-

Address of Work: 57 Parker St.

Owner Name: Deborah Drwan Date of Permit Application: Oct 24, 2014

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:

Oct 24, 2014 Date    [Signature] Contractor Signature    \_\_\_\_\_ Registration No.

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

Oct 24, 2014 Date    Deborah Drwan Owner Signature

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

C. Building Permit Rejected  Special Permit Fee \_\_\_\_\_  
Reason For Rejection: See Attachments Permit # B-14-2368

Comments and Conditions: \_\_\_\_\_

Signed [Signature] Date: \_\_\_\_\_ 20\_\_\_\_

Title Building Commissioner  
Not valid unless signed (not stamped) by Building Commissioner

Permit No. **B-14-2368**  
Completion Date



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

FOR BUILDING DEPT. USE

DATE RECEIVED: 10/24/14  
RECEIVED BY: \_\_\_\_\_  
ISSUED BY: \_\_\_\_\_

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

(A) LOCATION 57 Parker St.  
(CROSS STREET) \_\_\_\_\_ AND \_\_\_\_\_ (CROSS STREET)  
PLOT 71 LOT 161 DISTRICT \_\_\_\_\_ ACCEPTED STREET \_\_\_\_\_  
PLANS FILED  YES  NO

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

**A. TYPE OF IMPROVEMENT**

1  New Building  
 2  Addition (if residential, enter number of new housing units added, if any, in Part D, 14)  
 3  Alteration (if residential, enter number of new housing units added, if any, in Part D, 14)  
 4  Repair, replacement  
 5  Demolition (if multifamily residential, enter number of units in building in Part D, 14, if non-residential, indicate most recent use checking D-18 - D-27)  
 6  Moving (relocation)  
 7  Foundation only

**B. OWNERSHIP**

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

**C. COST**

10 Cost of construction To be installed but not included in the above cost ..... \$ 2750.00 (omit cents)  
 a. Electrical .....  
 b. Plumbing .....  
 c. Heating, air conditioning .....  
 d. Other (elevator, etc.) .....  
 11. TOTAL VALUE OF CONSTRUCTION .....  
 12. TOTAL ASSESSED BLDG. VALUE.....

**D1. PROPOSED USE — For demolition most recent use**

<b>Residential</b>	<b>Nonresidential</b>
13 <input type="checkbox"/> One family	19 <input type="checkbox"/> Amusement, recreational
14 <input type="checkbox"/> Two or more family — Enter number of units _____	20 <input type="checkbox"/> Church, other religious
15 <input type="checkbox"/> Transient hotel, motel, or dormitory — Enter number of units _____	21 <input type="checkbox"/> Industrial
16 <input type="checkbox"/> Garage	22 <input type="checkbox"/> Parking garage
17 <input type="checkbox"/> Carport	23 <input type="checkbox"/> Service station, repair garage
18 <input type="checkbox"/> Other — Specify _____	24 <input type="checkbox"/> Hospital, institutional
	25 <input 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 _____

**D2. Does this building contain asbestos?**  
 YES  NO If yes complete the following  
 Name & Address of Asbestos Removal Firm: \_\_\_\_\_  
 Submit copy of notification sent to DEDE and the State Dept. of Labor & Industries and results of air sample analysis after asbestos removal is completed.

**D3. 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 I. For demolition, complete only parts G, H & I. For all others, (additions, alterations, repair, moving, foundation), complete E through L.

<b>E. PRINCIPAL TYPE OF FRAME</b>	<b>G. TYPE OF SEWAGE DISPOSAL</b>	<b>J. DIMENSIONS</b>
33 <input type="checkbox"/> Masonry (wall bearing) 34 <input type="checkbox"/> Wood frame 35 <input type="checkbox"/> Structural steel 36 <input type="checkbox"/> Reinforced concrete 37 <input type="checkbox"/> Other — Specify _____	43 <input checked="" type="checkbox"/> Public or private company 44 <input type="checkbox"/> Private (septic tank, etc.)	
<b>F. PRINCIPAL TYPE OF HEATING FUEL</b>	<b>H. TYPE OF WATER SUPPLY</b>	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) _____
	38 <input type="checkbox"/> Gas 39 <input type="checkbox"/> Oil 40 <input type="checkbox"/> Electricity 41 <input type="checkbox"/> Coal 42 <input type="checkbox"/> Other — Specify _____	

**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.
Deborah Druan	11 Black Hull Court Marion MA		508-982-1493
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
Mergado Company	1 Annie's Path Lakeville MA		508-997-1022
	02347		
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
SIGNATURE OF OWNER		APPLICANT SIGNATURE	DATE
Deborah Druan		<i>[Signature]</i>	04/24/2014

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.

*[Signature]* \_\_\_\_\_ 1 Annie's Path \_\_\_\_\_ Lakeville \_\_\_\_\_  
 Applicant's Signature Address City

V. OTHER JURISDICTION APPROVALS AND NOTIFICATION

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

VI. ZONING REVIEW

DISTRICT: \_\_\_\_\_ 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, Morgado Company Inc.  
 (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.

Berkshire Hathaway Guard R2WC597920  
 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 \$1,500.00 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 24th day of October, 2014  
[Signature]

Location: 57 PARKER ST

Parcel ID: 71 161

Zoning: RB

Fiscal Year: 2015

**Current Owner Information:**

KOSHIOL DAVID A  
DRUAN DEBORAH E  
P O BOX 85

MARION , MA 02738

**Current Sales Information:**

**Sale Date:**

11/30/2004

**Sale Price:**

\$175,000.00

**Legal Reference:**

7298-49

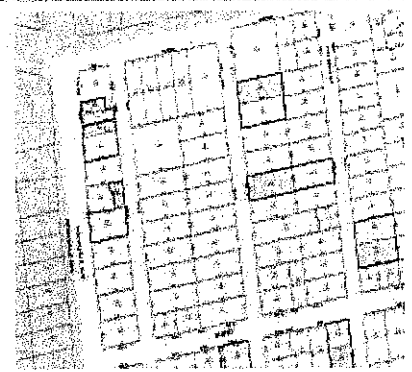
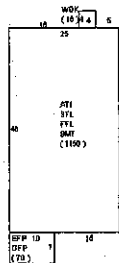
**Grantor:**

SILVEIRA ,LEONARD A

Card No. 1 of 1

This Parcel contains 0.075 acres of land mainly classified for assessment purposes as Two Fam with a(n) Two Family style building, built about 1873, having Wood Shingle exterior, Asphalt Shingles roof cover and 2300 Square Feet, with 2 unit(s), 12 total room(s), 4 total bedroom(s) 2 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value:	Land Value:	Yard Items Value:	Total Value:
90900	57900	0	148800



Fiscal Year 2015		Fiscal Year 2014		Fiscal Year 2013	
Tax Rate Res.:	15.73	Tax Rate Res.:	15.16	Tax Rate Res.:	14.33
Tax Rate Com.:	33.56	Tax Rate Com.:	31.08	Tax Rate Com.:	29.54
Property Code:	104	Property Code:	104	Property Code:	104
Total Bldg Value:	90900	Total Bldg Value:	91400	Total Bldg Value:	94900
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	57900	Total Land Value:	56300	Total Land Value:	68800
<b>Total Value:</b>	<b>148800</b>	<b>Total Value:</b>	<b>147700</b>	<b>Total Value:</b>	<b>163700</b>
<b>Tax:</b>	<b>\$2,340.63</b>	<b>Tax:</b>	<b>\$2,239.13</b>	<b>Tax:</b>	<b>\$2,345.82</b>

**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 use where they are intended to serve, except that they may be provided on an adjoining lot in the same ownership.

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

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

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

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

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

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

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

3149. Special Permit for Commercial Parking in Residential Districts. Commercial parking may be allowed on residentially zoned property, held in common ownership and located immediately adjacent to the commercial business to which it is to serve, upon the issuance of a special permit by the Zoning Board of Appeals, if the Board finds that said parking is not detrimental to public health and safety, and that said parking promotes a public benefit. A Special Permit for vehicular access to a building lot accessed from public way that does not constitute frontage of the lot. Upon the issuance of a special permit by the Zoning Board of Appeals, vehicular access may be allowed from a public way that does not constitute the legal frontage of the subject lot if said lot is residentially zoned, if the



proposed vehicular access is for the purpose of accessing parking spaces located beside or behind the dwelling or principal building, and if the Board finds that said vehicular access promotes a public benefit and is not detrimental to public health and safety. Notwithstanding Section 5240 of Chapter 9 of the Code of Ordinances or any other provision to the contrary, no fee of any kind shall be charged or imposed by the Special Permit Authority to the applicant of a Special Permit applied for under this Section.

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

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

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

(Ord. of 12-23-03, § 1)