

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

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

100 BELLEVUE ST - PLOT: 8 - LOT: 141 - ZONED DISTRICT: Residential B

SPECIAL PERMIT Required from the Zoning Board of Appeals

Zoning Code Review as follows:

SPECIAL PERMIT

❖ SECTIONS

- 3100 PARKING AND LOADING
- 3110 APPLICABILTY
- 3149 SPECIAL PERMIT Vehicular access to a building accessed from a public way does not constitute frontage of a lot
- 5300-5330 & 5360-5390 SPECIAL PERMIT

PLANNING AUG 03 DEPARTMENT

IX. HOMEOWNER LICENSE EXEMPTION	
Supplement #1	
The current exemption for "homeowner" was extended to include owner-occupied dwellings of two units or less engage an individual for hire who does not possess a license, provided that the owner acts as supervisor. (State	ss and to allow such homeowners t
DEFINITION OF HOMEOWNER-	
Person(s) who own a parcel of land on which he cabe excited as in the case of	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 on be considered a homeowner. Such "homeowner shall submit to the Building Official, on a form acceptable to the Building permit. (Section 110.5)	e home in a two-year period shall no iliding Official, that he/she shall b
and the beautiff between (Section 110.5)	
The undersigned "homeowner assumes responsibility for compliance with the State Building Code and other applicable co and will comply with the City of New Bedford Building Department minimum inspection procedures and requirements.	odes, ordinance, rules and regulations
HOMEOWNERS SIGNATURE	
X. CONSTRUCTION DEBRIS DISPOSAL	
Supplement #2	
In accordance with provisions of Massachusetts General Law C40, S54, debris resulting form this work shall be disposed disposal facility as defined by Massachusetts General Law C111, S150A	d of in a properly licensed solid waste
The debris will be disposed of in:	
(Location of Facility)	······································
Signature of Permit Applicant Date	<u> </u>
XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT	If he brook
(Residential Use Only) Supplement to Permit Application	
Supplement #3	
MGLc, 142 A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improconstruction of an addition to any pre-existing owner-occupied building containing at least one but not me to structures which are adjacent to such residence of building."	vement, removal, demolition, or
requirements.	certain exceptions, along with other
Type of Work: FAUINCE OF NEW CIN NEWOLY Est. C	ost 2,800 —
Address of Work Dellevue St.	
Owner Name: Bevin Wedeiros Date of Permit Applicat	101115
hereby certify that: Registration is not required for the following reason(s):	non: PITITS
Whele ever indeed by Jan.	
work excluded by law Job under \$1,000 Building not owner-occupied	Owner obtaining own permit
Notice is hereby given that	, , , , , , , , , , , , , , , , , , ,
DWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLC. 142A.	E HOME IMPROVEMENT WORK
ligned under penalties of periury:	
hereby apply for a permit as the agent of the owner:	
Oate Contrador Signatura	·
OR:	Registration No.
Notwithstanding the above notice. I hereby above for a permit as the byner of the above property:	
John Multing Multing Market Signature	
(II. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS	
eason For Rejected Special Persuit ZBA Eason For Rejection: See ATTAChments	Feje
y	
San Arrayl	PLATINING
omments and Conditions:	· ·
	AUG 03 2015
	DEPARTMENT
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Not/kalid unless signed (not stamped) by Building Commissioner	



City of New Bedford, Massachusetts

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ISSUED BY JUL	a	Ħ	2019	ī	
JUL JUL	v	1	۷٠١٠	<i>,</i>	111

	Applicati	ilding Department ion for Plan Examination of Building Permit	DATE RECEIVED FOR RECEIVED BY: ISSUED BY: LLU 0 1 2015
MPORTANT — CO METWEEN PLOT PLANS FILED.	OMPLETE ALL-ITI	EMS - MARK BOXES WHERE APPLI ETTELL STREET) AND 141 DISTRICT &B	CROSS STREET) ACCEPTED STREET PS
II. TYPE AND COST OF BUILDI	NG – all applicants	s complete parts A through D - PRINT	
A TYPE OF IMPROVEMENT Addition of Assignment and Internation of Internation Inter		O.1 PROPOSED USE For demolition most recen 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
B. OWNERSHIP		D.2. Does this building contain asbestos?	27 School, library, other educational 28 Stores, mercantile
Private (individual, corporation, nonprofit institution, etc.) Public (Federal, State, or local go	vernment)	YES NO If yes complete the following: Name & Address of Asbestos Removal Firm:	29 Tanks, towers 30 Funeral homes 31 Food establishments
C. COST 10. Cost of construction To be installed but not included in the above cost a. Electrical b. Plumbing c. Heating, air conditioning d. Other (elevator, etc.) 11. TOTAL VALUE OF CONSTRUCTION 12. TOTAL ASSESSED BLDG. VALUE	2800 -	Submit copy of notification sent to DEQE and the State Dept. of Labor & Industries and results of all sample analysis after asbestos removal is complete. D.3. Non-residential — Describe in detail proposed ul machine shop, laundry building at hospital, elem parochial school, parking garage for department at industrial plant. If use of existing building is building in building is building	se of buildings, e.g., food processing plant, inentary school, secondary school, college, stone motal office building office building
III. SELECTED CHARACTERISTIC	S OF BUILDING	For new buildings complete part E through L. For for all others, (additions, alterations, repair, movi	demolition, complete only parts G; H-& I.
PRINCIPAL PYPE OF FRAME 33	44 Private (sep	DISPOSAL DIS	bldg. (\$8÷62) (front) (rear)

- 3100. PARKING AND LOADING.
- 3110. **Applicability.** Every building erected, enlarged, converted, or relocated and each use or change of use of land shall be provided with off-street parking spaces and off-street loading spaces in accordance with Section 3130, Table of Parking Requirements.
 - 3111. In the event of the enlargement of a structure existing on the effective date of the ordinance from which this Section is derived, or the construction or relocation of additional structures on a lot, after such effective date, the regulations of this Section shall apply only to the enlargement, construction or relocation thereof, except that any off-street parking and off-street loading facilities established to serve any buildings and any uses prior to such effective date shall not be reduced below the required number.
 - 3112. For a building or premises used for combined purposes, the number of off-street parking spaces and off-street loading spaces shall be determined as the sum of the required number of spaces in each component of the combined use.
 - 3113. Where the computation of required parking spaces and loading spaces result in a fractional number, the required parking spaces shall be the next whole number.

(Ord. of 12-23-03, § 1)

- 3120. **Special Permit.** Any parking or loading requirement set forth herein may be reduced upon the issuance of a special permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:
 - 3121. Use of a common parking lot for separate uses having peak demands occurring at different times;
 - 3122. Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;
 - 3123. Peculiarities of the use which make usual measures of demand invalid;
 - 3124. Availability of on-street parking or parking at nearby municipally owned facilities.
 - 3125. Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

(Ord. of 12-23-03, § 1)

3130. Table of Parking and Loading Requirements. See Appendix C.

(Ord. of 12-23-03, § 1)

3140. **Location and Layout of Parking and Loading Facilities.** Off-street parking and loading, for facilities other than single- or two-family residences, may be provided in structures or in the open air, and shall be subject to the following regulations pertaining to their layout and location:

- 3141. Parking spaces shall be located on the same lot as the building or use where they are intended to serve, except that they may be provided on an adjoining lot in the same ownership.
- 3142. Where the provisions of subsection 3141 cannot be satisfied and the parking lot contains five (5) or more required spaces, the required parking spaces may be located on a lot in the same ownership within two hundred (200) feet of the building or lot they are intended to serve.
- 3143. Parking space for three (3) or fewer vehicles may be provided in the form of a driveway on a lot; the improved surface may be extended to one foot of the side line.
- 3144. Where a drive or aisle, other than a street, is required to maneuver a vehicle into or out of a parking space, such drive or aisle shall be at least twenty-two (22) feet wide for parking spaces situated at right angles, or nearly right angles to the aisle. For parking spaces situated at an angle of thirty (30) to sixty (60) degrees to the aisle, the required width of the aisle shall be at least fifteen (15) feet.
- 3145. Open-air off-street parking facilities may be located in required front, rear and side yards, except that in a residential district, no open-air off-street parking space shall be located in front of the dwelling or principal building. Notwithstanding the previous sentence, in cases where a garage faces the frontage of the dwelling and is located beneath the dwelling, open-air off-street parking may be located in front of the dwelling in a residential district provided that the dwelling is set back a minimum of twenty (20) feet from the front property line and provided that said parking occurs only within the driveway, the width of which shall not exceed the lesser of the width of said garage or eighteen (18) feet. Any driveway in a residential district, requiring more than one curb cut, shall require Site Plan Approval. No driveway in a residential district shall exceed eighteen (18) feet in width.
- 3146. When five (5) or more parking spaces are required on a lot, the provisions of <u>Section 3300</u> 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

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 <u>Section 5400</u>, 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.

COTHER 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. IDEN	TIFICATION – ALL APPLICA	NTS – PLEASE PRINT	
OWNER OR LESSEE NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
Leun Medeiros	In Bellev	ue St.	50x 951-
	New God	Pard 10a	5824
CONTED A CTOD MANOE			
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE,	TELEPHONE NO.
	1459 AM ,HTUOMTAAC .V 0076-868 (808)	ABLE ASPHALT, INC.	
	MISS MOODCOCK HOVD	DARTMOUTH, MA 02747	
	ABLE ASPHALT INC.	(508) 636-9700 HOME IMP #	
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
		LICENSE #	
SIGNATURE OF OWNER	APPLICANT SIGNATURE	Mi	DATE 10/11/15
- July yalive			פיןויוש

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.

ABLE ASPHALT, INC. 128 WOODCOCK ROAD N. DARTMOUTH, MA 02747

Applicant's Signature

Address

City



City or Town:

Contact Person:

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): Address: City/State/Zip: / // Phone #: Are you an employer? Check the appropriate box: Type of project (required): 1. I am a employer with 4. I am a general contractor and I 6. New construction employees (full and/or part-time).* have hired the sub-contractors 2. I am a sole proprietor or partnerlisted on the attached sheet. 7. Remodeling ship and have no employees These sub-contractors have 8. Demolition working for me in any capacity. employees and have workers' 9. Building addition [No workers' comp. insurance comp. insurance.‡ 5. We are a corporation and its 10. Electrical repairs or additions required.1 3. I am a homeowner doing all work officers have exercised their 11. Plumbing repairs or additions myself. [No workers' comp. right of exemption per MGL 12. Roof répairs c. 152, §1(4), and we have no insurance required.] † 13. Other employees. [No workers' comp. insurance required.] *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:X 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. Signaturex PLANNING Phone #: Official use only. Do not write in this area, to be completed by city or town official.

Permit/License #

Phone #:

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector DEPARTMENT

Location: 100 BELLEVUE ST	Parcel ID: 8 141	Zoning: RB	Fiscal Year: 2015
	Current Sales In	formation:	
Current Owner Information: MEDEIROS EILEEN	Sale Date:		
	01/11/2011		
	Sale Price:		
100 BELLEVUE ST	\$0.00		Card No. 1 of 1
	Legal Reference	:	
NEW BEDFORD , MA 02744	22498		
, 1211 Dabi GND , 140 (02) 14	Grantor:		
	MEDEIROS EILEEI	٧,	

This Parcel contains 0.154 acres of land mainly classified for assessment purposes as Single Fam with a(n) RANCH style building, built about 1961, having Vinyl exterior, Asphalt Shingles roof cover and 1118 Square Feet, with 1 unit(s), 5 total room(s), 3 total bedroom(s) 1 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value: 73200	lue: Land Value: Yard Items Value: 87100 500		Total Value: 160800		
4 1077 25 25 25 25 25 25 25 25 25 25 25 25 25					

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:	101	Property Code:	101	Property Code:	101
Total Bldg Value:	73200	Total Bldg Value:	73800	Total Bldg Value:	72100
Total Yard Value:	500	Total Yard Value:	500	Total Yard Value:	600
Total Land Value:	87100	Total Land Value:	87100	Total Land Value:	101800
Total Value:	160800	Total Value:	161400	Total Value:	174500
Tax:	\$2,529.39	Tax:	\$2,446.83	Tax:	\$2,500.58

Disclaimer: Classification is not an indication of uses allowed under city zoning.

This information is believed to be correct but is subject to change and is not warranteed. NNING

AUG 03 2015

DEPARTMENT

Fere **PLANNING** AUG 03 2015

DEPARTMENT

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