

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

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

138-142 Arnold Street - PLOT: 45 - LOT: 212 - ZONED DISTRICT: MUB Variance is Required from the Zoning Board of Appeals

**Zoning Code Review as follows:** 

Variance

**Zoning Board of Appeals** 

## **❖** SECTIONS

- 3100 Parking and Loading
- 3110 Applicability
- 3130 Table of Parking Loading Requirements Appendix-C
  - Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein
  - Businesses engaged in the warehousing and distribution of goods & materials including building & construction contractors, equipment & supplies on premises



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

## **Parking Spaces Calculations**

## 138-142 Arnold Street - Storefronts

## Parking Spaces

<u>Number of Spaces Required - 1<sup>st</sup> & 2<sup>nd</sup> Floor - Primary Use</u> - Businesses engaged in retail sale of goods and services, not elsewhere enumerated herein

Number of Space Required = 3,646sf / 200sf gross floor/parking space = 18.3 = 19 Parking Spaces

<u>Number of Spaces Required - Basement - Accessory Use</u> - Businesses engaged in the warehousing and distribution of goods & materials including building & construction contractors, equipment & supplies on premises (Storage)

Number of Space Required = 1,920sf / 1,500sf gross floor/parking space = 1.3 = 2 Parking Spaces

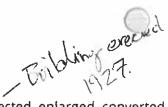
**Total Number of Spaces Required = 21 Parking Spaces** 

No Parking Spaces are Provided

**Number of Parking Spaces Required for Relief = 21 Parking Spaces** 



## 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 offstreet 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.

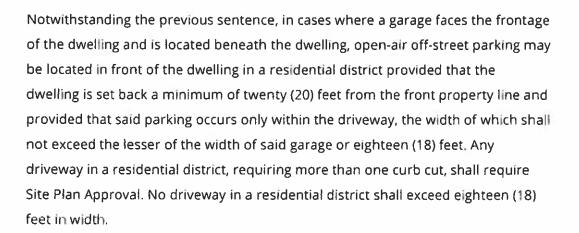
3142. Where the provisions of subsection 3141 cannot be satisfied and the parking lot contains five (5) or more required spaces, the required parking spaces may be located on a lot in the same ownership within two hundred (200) feet of the building or lot they are intended to serve.

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.

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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

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vehicular access is for the purpose of accessing parking that is 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 <u>Chapter 9</u> 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 offstreet parking space in the computation of required off-street parking space.

(Ord. of 12-23-03, § 1)

APPENDIX C - TABLE OF PARKING AND LOADING REQUIREMENTS

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
One-family dwelling Two-family dwelling Multi-family (3) or more per structure	Two (2) spaces per dwelling unit Two (2) spaces per dwelling unit	One (1) loading space for each multifamily dwelling containing more than ten (10) dwelling units, or more than twenty (20) housekeeping units
Hotel, motel, bed and breakfast, rooming or boarding or lodging house, tourist home, dormitories, or other non-family residence accommodations, excluding group homes	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	One (1) loading space for each building containing more than 20 guest rooms
Offices: General, professional, business, banks, medical clinics and laboratories, radio and television stations; office of non-profit educational, cultural, or charitable organizations	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	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

Fast-food drive-in, carry-out	One (1) space per each employee per	One (1) loading space for each
restaurants	shift for a minimum of five (5) spaces	building
	plus one (1) space per 100 sq. ft. of	
	gross floor area with a minimum of	
	twenty (20) spaces	
Businesses engaged in retail sale of	One (1) space per each 200 sq. ft. of	One loading space for each building
goods and services, not elsewhere	gross floor area, but not less than	containing more than 5,000 and less
enumerated herein	two (2) spaces for each business use	than 10,000 sq. ft. of gross floor area.
	intended to occupy the premises.	Thereafter, one (1) additional loading
	After 20,000 sq. ft. gross floor area,	space shall be required for each
	one space per 400 sq. ft.	additional 25,000 sq. ft. of gross floor
	4	area
Businesses engaged in retail sale,	One (1) space per each 400 sq. ft. of	
rental, repair, servicing, storage and	gross floor area, but not less than	
distribution of motor vehicles,	two (2) spaces for each business use	
trailers, campers, boats, furniture or	intended to occupy the premises	
building materials		
Hospital, convalescent homes,	One (1) space per three (3) beds,	One (1) loading space for each
nursing homes, rest homes or	three (3) space Drop-Off Zone.	building containing 10,000 sq. ft. or
homes for the aged		more of gross floor area. Two (2)
		loading spaces for buildings

Places of assembly, including	One (1) space per five (5) seats for	containing 100,000 sq. ft. or more of
theaters, veterans, fraternal, social	which the building is designed or one	gross floor area
and recreational clubs and	(1) spaces for each 200 sq. ft. of gross	
organizations not operated for a	floor area whichever results in the	
profit; facilities primarily for the	greatest number	
education and instruction of persons		
sixteen (16) yrs. of age and older;		
taxi, bus & railroad passenger		
terminals; auditoriums, theaters,		
bowling alleys and dance halls;		
sports facilities; places of worship;		
funeral homes		
Businesses engaged in the	One (1) space per each 500 sq. ft. of	Two (2) loading enaces for each
		(2) Odd (3) Od
manufacturing, processing,	gross floor area plus one (1) space	building containing 10,000 sq. ft. of
assembly, fabrication of products,	for each vehicle used in conducting	gross floor area. Thereafter, one (1)
including research and testing	the business	additional loading space shall be
laboratories and facilities		required for each additional 25,000
		sq. ft. of gross floor area or for each

loading or unloading of commodities

fifteen (15) feet of dock, platform or

opening in the building where the

Businesses engaged in the warehousing and distribution of goods & materials including building & construction contractors, equipment & supplies on premises, motor freight terminal, facilities for storing & servicing of motor vehicles used in conducting a business or public transportation, industrial machinery & equipment, grain, petroleum products & junkyards	One (1) space per 1500 sq. ft. of gross floor area up to 15,000 sq. ft.  Thereafter, one (1) additional space for each 5,000 sq. ft. or portion thereof in excess of 15,000 sq. ft., plus one (1) space for each vehicle utilized in the business	is intended to occur, whichever is the greatest
Schools, Adult Day Care Centers, Day Care Centers, excluding family day care homes	One (1) space for each employee in addition to three (3) space Drop-Off Zone	One (1) loading space for each building containing 10,000 sq. ft. or more of gross floor area. Two (2) loading spaces for buildings containing 100,000 sq. ft. or more of gross floor area
Group Homes	One (1) space for each employee per shift	One (1) loading space for each building containing more than twenty (20) guest rooms

Family Day Care Home, Large Family	One (1) space for each non-resident	N/A
Day Care Home	employee in addition to residential	
	parking requirement	

(Ord. of 12-23-03, § 1)

7/23/2019

## City of New Bedford , Massachusetts

DATE RECEIVED 9 2019	
HARTEINED, BA.	7
ISSUED BY:	-

Application	uilding Department tion for Plan Examination nd Building Permit	RECEIVED 9 2019
IMPORTANT — COMPLETE ALL IT  IAT LOCATION) 142 ARNOL  INO)  BETWEEN ARCH ST  ICROSS STREE  PLOT 45212  LOT  PLOT 45212  LOT  REALIZED STREET  PLOT 45212	D ST. (STREET) AND ASI	
II. TYPE AND COST OF BUILDING - all applicar	nts complete parts A through D = 6	PRINT
A TYPE OF IMPROVEMENT  1 New Building 2 Addition (If residential, enter number of new housing units added, if amy, in Part D, 14) 3 Alteration (if residential, enter number of new housing units added, if amy, in Part D, 14) 4 Mepair, 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  B OWNERSHIP  8 Private (individual, corporation, nonprofit institution, etc.) 9 Public (Federal, State, or local government)	O 1 PROPOSED USE — For demolition in  Residential  13 One lamily  14 Two or more lamily — Enter number of units  15 Transient hotel, motel, or dormitory — Enter number of units  16 Garage  17 Carport  18 Other — Specify  Other — Specify  VES NO If yes complete the Name & Address of Asbesios Removal	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, fibrary, other educational 28 Stores, mercantile 29 Tanks, towers 30 Funeral homes 31 Food establishments
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	machine shop, laundry building at hos parochial school, parking garage for at industrial plant. If use of existing by SMALL GROCERY/PRO	roposed use of buildings, e.g., load processing plant, spital, elementary school, secondary school, college, lepartment store, rental office building, office building pidding is being changed, enter proposed use.  VISTONS STORE — SEEKING  TREET PARKING
34 Wood frame 35 Structural steel 36 Reinforced concrete 37 Other — Specify 46 Private  F. PRINCIPAL TYPE OF HEATING FUEL 38 Gas Is there a fire st. 39 Oth	G — For all others, (additions, alterations, in GE DISPOSAL sprivate company (septic tank, etc.)  I SUPPLY sprivate company (well, cistern)  NICAL sprinkler system? 48 NO 63 % of lot of other and other system? 50 No 65 Distance 6 delevator? 46 Distance 6 delevator?	stories  re feet of floor area, assed on exterior dimensions might idth  of bldg, footprint ne width on a stories of the stori

## 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? \_\_\_\_\_ No

Has local conservation commission reviewed this site? No

Is location part of a known wetland?

IV. IDENTIFICATION – ALL APPLICANTS – PLEASE PRINT						
OWNER OR LESSEE NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.			
IAN SHIELDS	P.O. Box 51204, BOSTON, MA.	02205	617-835-1516			
dba Coastal Provisions						
E-mail Address:						
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.			
		LICENSÉ #				
E-mail Address:		HOME IMP 9				
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.			
		LICENSE #				
E-mail Address:						
SIGNATURE OF OWNER	APPLICANTSIGNATURE		8/29/19			

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.

Applicant's Signature

Address

City

	CHECK	DATE OBTAINED	BY
Electrical			
Plumbing			
Fire Department			
Water			
Planning			-
Conservation			
Public Works			
Health			
Licensing			
Other			
VI. ZONING REVI	EW		
DISTRICT:	USE:		
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ETBACKS:		· · · · · · · · · · · · · · · · · · ·	
FRONT:	LEFT SIDE:	RIGHT SIDE:	REAR:
PERCENTAGE OF	LOT COVERAGE PRI	MARY BUILDING	
ARIANCE HISTO	ORY		
(City/State/Zip) do	hereby certify, under the pains providing worker's comp		ployees working on this job.
(City/State/Zip) do	hereby certify, under the pains of providing worker's comp	and penalties of perjury, that: ensation coverage for my emp	oloyees working on this job.
(City/State/Zip) do  ] I am an employer  Insurance Company	hereby certify, under the pains or providing worker's comp	and penalties of perjury, that: ensation coverage for my emp Policy Number	ployees working on this job.
(City/State/Zip) do ] I am an employer Insurance Company ] I am a sole propr	hereby certify, under the pains providing worker's comp	and penalties of perjury, that: ensation coverage for my emp Policy Number orking for me.	oloyees working on this job.
(City/State/Zip) do ] I am an employer  Insurance Company ] I am a sole propri	hereby certify, under the pains of providing worker's composite of the pains of the	Policy Number or homeowner and have hired trance policies:	
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(City/State/Zip) do ] I am an employer  Insurance Company ] I am a sole propulate the following we  Name of contractor	hereby certify, under the pains of providing worker's composite or and have no one worker's compensation insurance.	Policy Number or homeowner and have hired arance policies:  Insurance Compa	d the contractors listed below who
(City/State/Zip) do  I am an employer  Insurance Company I am a sole proposition I am a sole proposition I am a sole proposition Name of contractor  Name of contractor I am a homeown E: Please be aware g of not more than the ly considered to be elemented	providing worker's composite or and have no one worsetor, general contractor, orker's compensation insufactor, some all the work that while homeowners where units in which the homeowners under the Work permit may evidence the lost this statement will be for at failure to secure covera	Policy Number Policy Number orking for me. or homeowner and have hired arance policies:  Insurance Compa  Insurance Compa  k myself. ho employ persons to do main meowner also resides or on th ters' Compensation Act (GL. of legal status of an employer un rwarded to the Department of ge as required under Section 2 0 and/or imprisonment of up	d the contractors listed below who

SHIELDS IAN

Location: 138 142 ARNOLD ST

**Current Owner Information:** 

791 TREMONT STREET APT #W118

BOSTON, MA 02118-1089

Fiscal Year: 2020 Zoning: MUB

**Current Sales Information:** 

Sale Date:

Parcel ID: 45 212

05/20/2014

Sale Price:

\$165,000.00

**Legal Reference:** 

11079-179

**Grantor:** 

AGHAI, DOROTHY E M "TRUSTEE"

Card No. 1 of 1

This Parcel contains 0.0497 acres of land mainly classified for assessment purposes as Mix Res-Com with a(n) MIXED USE style building, built about 1927, having Brick exterior, Rubber Sheathing roof cover and 3646 Square Feet, with 3 unit(s), 9 total room(s), 3 total bedroom(s) 3 total bath(s), 0 3/4 baths, and 3 total half bath(s).

Building	Value:
120100	

## **Land Value:**

## Yard Items Value:

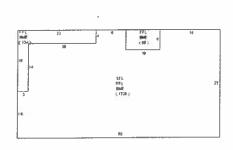
## **Total Value:**

129100

52700

0

181800







Fiscal Year 2020		Fiscal Year 2019		Fiscal Year 2018	
Tax Rate Res.:	16.16	Tax Rate Res.:	16.47	Tax Rate Res.:	16.63
Tax Rate Com.:	33.59	Tax Rate Com.:	34.84	Tax Rate Com.:	35.65
Property Code:	013	Property Code:	013	Property Code:	013
Total Bldg Value:	129100	Total Bldg Value:	132400	Total Bldg Value:	122000
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	52700	Total Land Value:	52700	Total Land Value:	52700
Total Value:	181800	Total Value:	185100	Total Value:	174700
Tax:	\$4,522.27	Tax:	\$4,748.74	Tax:	\$4,566.66

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

Location: 138 142 ARNOLD ST

791 TREMONT STREET APT #W118

BOSTON, MA 02118-1089

Parcel ID: 45 212

Zoning: MUB

Fiscal Year: 2019

**Current Sales Information:** 

Sale Date:

**Current Owner Information:** 05/20/2014

Sale Price:

\$165,000.00

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Grantor:

AGHAI, DOROTHY E M "TRUSTEE"

3 apt / hour down

This Parcel contains 0.050 acres of land mainly classified for assessment purposes as Mix Res-Com with a(n) MIXED USE style building, built about 1927, having Brick exterior, Rubber Sheathing roof cover and 3646 Square Feet, with 3 unit(s), 9 total room(s), 3 total bedroom(s) 3 total bath(s), 0 3/4 baths, and 3 total half bath(s).

**Building Value:** 

132400

SHIELDS IAN

Land Value:

Yard Items Value:

**Total Value:** 

52700

185100







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Tax R	ate	Re	S.:		

Fiscal Year 2018 Tax Rate Res.:

16.63

Tax Rate Res. 16.69

Tax Rate Com.: 34.84 Property Code: 013

Tax Rate Com.:

Tax Rate Com.:

Fiscal Year 2017

Total Bldg Value: 132400

Total Bldg Value:

Property Code:

013 Property Code: 122000 Total Bldg Value:

013 122000

36.03

Total Yard Value:

0 Total Yard Value:

0 52700

35.65

Total Yard Value: Total Land Value:

0 52700

Total Land Value: **Total Value:** 

185100

52700

16.47

**Total Value:** 

Total Land Value:

174700

**Total Value:** 

174700

Tax:

\$4,748.74

Tax:

\$4,566.66

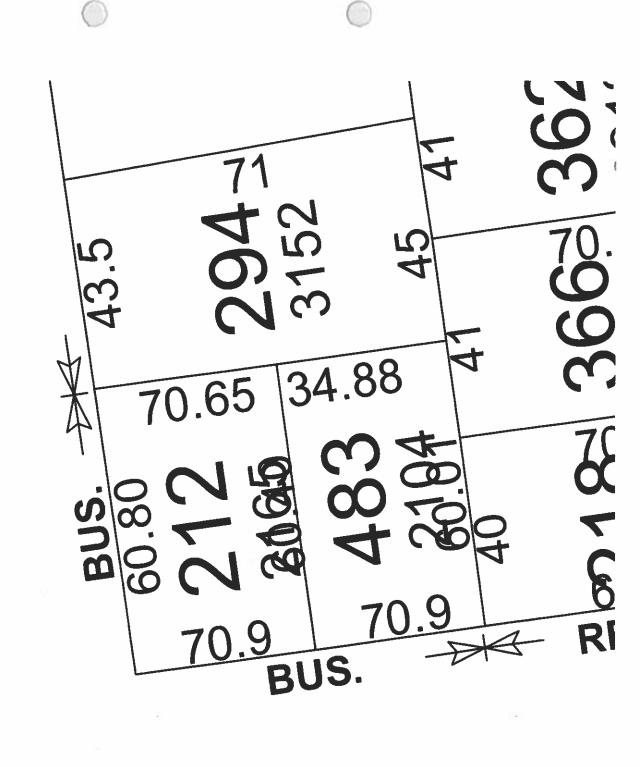
Tax:

\$4,605.09

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.



21.3 37.29 BUS. is.



BUS. 33

# Google Maps 142 Arnold St



imagery @2019 Google, Map data @2019 , Map data @2019 10 ft

# Google Maps 142 Arnold St

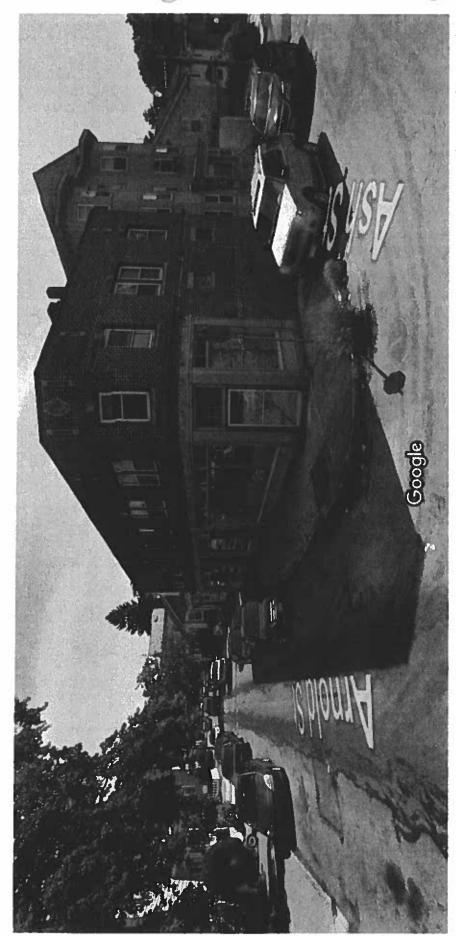


image capture. Sep 2012 @ 2019 Google

New Bedford, Massachusetts

Google

# Google Maps 135 Arnold St



Image capture: Sep 2012 @ 2019 Google

New Bedford, Massachusetts

Google

# Google Maps 138 Arnold St



Image capture. Sep 2012 @ 2019 Google

New Bedford, Massachusetts

Google

## Google Maps 142 Ash St



Image capture Sep 2012 @ 2019 Google

New Bedford, Massachusetts

Google