



## DEPARTMENT OF INSPECTIONAL SERVICES

133 WILLIAM STREET - ROOM 308

NEW BEDFORD, MA 02740

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

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

888 Ashley Boulevard – PLOT: 127C – LOT: 134 – ZONED DISTRICT: MUB

Appealed decision to be heard by the Zoning Board of Appeal

Special Permit is Required from the Zoning Board of Appeals

Site Plan Review is Required from the Planning Board

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

#### ***Administrative Appeal***

***Zoning Board of Appeals***

##### **❖ SECTION**

- 3200 – Sign Regulations
- 3201 – Purpose
- 3220 – Prohibited Signs
- 3222 – Any sign which incorporates moving, flashing, animated or intermittent lighting, excluding public service signs such as those that display time and temperature.
- 5220 – **Power:** 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:
  - 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.

#### ***Special Permit***

***Zoning Board of Appeals***

##### **❖ SECTIONS**

- 2200 – Use Regulations
- 2210 – General
- 2230 – Table of Principal Use Regulations – Appendix A
  - Commercial - #23. Restaurant, Fast Food

#### ***Site Plan Review***

***Planning Board***

##### **❖ SECTIONS**

- 5400 – Site Plan Review
- 5410 – Purpose
- 5420 – Applicability
  - 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
  - 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.
  - 5427 – Commercial or industrial ground signs.
- 5430-5490B

## 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: \_\_\_\_\_  
(Location of Facility)

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

Date \_\_\_\_\_

## XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT

(Residential Use Only) Supplement to Permit Application

### Supplement #3

MGLc. 142 A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units... or to structures which are adjacent to such residence of building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work: Construct a Dunkin Donut Fast Food Restaurant

Address of Work: 888 Ashley Blvd.

Owner Name: \_\_\_\_\_ Date of Permit Application: \_\_\_\_\_

I hereby certify that: Registration is not required for the following reason(s):

\_\_\_\_\_ Work excluded by law \_\_\_\_\_ Job under \$1,000 \_\_\_\_\_ Building not owner-occupied \_\_\_\_\_ Owner obtaining own permit

Other (specify) \_\_\_\_\_

Notice is hereby given that:

**OWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLc. 142A.**

signed under penalties of perjury:

I hereby apply for a permit as the agent of the owner:

Date \_\_\_\_\_ Contractor Signature \_\_\_\_\_ Registration No. \_\_\_\_\_

OR:

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

Date \_\_\_\_\_ Owner Signature \_\_\_\_\_

## XII. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS

C. Building Permit Rejected <input checked="" type="checkbox"/> Administrative Appeal + Special Permit - ZBA	Fee
Reason For Rejection: <u>Site Plan Review - Planning Board</u> <u>"See Attachments"</u>	Permit #

Comments and Conditions:

Signed Danny H. Romanowicz Date: 4/10 2020

Title Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner