

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

Type of Work Driveway Est. Cost _____

Address of Work 130 Sumner St

Owner Name: Kevin Lebed 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:

7-21-20 Date [Signature] Contractor Signature [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 ☒ ZBA VARIANCE Fee _____

Reason For Rejection: Planning board - Site Plan Review - Special Permit Permit # 15-20-1103

" See Attachments "

Comments and Conditions:

Signed [Signature] Date: 7/30 2020

Title Building Commissioner

Not valid unless signed (not stamped) by Building Commissioner



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

130 Summer Street – PLOT: 58 – LOT: 150, 151, & 477 – ZONED DISTRICT: RB

Site Plan Review & Special is Required from the Planning Board

Variance is Required from the Zoning Board of Appeals

Site Plan Review	Planning Board
------------------	----------------

❖ SECTIONS

- 3100 – Parking and Loading
- 3110 – Applicability
 - 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.
- 3140 – Location and Layout of Parking and Loading Facilities
 - 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.
 - 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.
- 3300 – Screening and Landscaping
- 3310 – Purpose
- 3320 – Applicability
 - 3323 – Any nonresidential or multifamily parking facility of five (5) spaces or more which adjoins or abuts any residential use or residential district;
- 3330 – Requirements
- 3350 – Coordination with Site Plan Approval
- 5400 – Site Plan Review
- 5410 – Purpose
- 5420 – Applicability
 - 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
- 5430-5490B



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

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

Special Permit

Planning Board

❖ Section

- 3000 – General Regulation
- 3100 – Parking and Loading
- 3110 – Applicability
- 3130 – Table of Parking Loading Requirements – Appendix C
 - Three-family dwelling
- 5300-5390 – Special Permit

Variance

Zoning Board of Appeals

❖ SECTIONS

- 2700 – Dimensional Regulations
- 2710 – General
- 2720 – Table of Dimensional Requirements – Appendix B
 - Minimum Lot Size (Sq. Ft.)
 - Lot Frontage (Ft.)
 - Front Yard (Ft.)
 - Side Yard (Ft.)
 - Rear Yard (Ft.)
 - Lot Coverage by Building (%)
- 2750 – Yards in Residence District
- 2751 – Front Yard
- 2753 – Rear Yard
- 2755 – Side Yard



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

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

Parking Spaces Calculations

Building Use – Mixed Use – 3 Apartment Unit

Number of Parking Spaces Required – 1 Residential Unit

Number of Space required = 2 Parking Spaces/Residential Unit x 3 Residential Unit = 6 Parking Spaces

Number of Parking Spaces Provided = 5 Parking Spaces as per plan submitted

Number of Parking Spaces Required for Relief = 1 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 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 ~~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 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 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)

3300. - SCREENING AND LANDSCAPING.

3310. Purpose. This section is designed to accomplish the following objectives:

- 3311. To provide a suitable boundary or buffer between residential uses and districts and abutting nonresidential uses;
- 3312. To separate different and otherwise incompatible land uses from each other in order to partially or completely reduce or obscure potential nuisances such as dirt, dust, litter, noise, glare from motor vehicle headlights, intrusion from artificial light (including ambient glare), or view of signs, unsightly buildings or parking lots;
- 3313. To provide visual relief to parking lots and protection from wind in open areas;
- 3314. To preserve or improve the visual and environmental character of New Bedford, as generally viewed from residential or publicly accessible locations; and
- 3315. To offer residential property owners protection against diminution of property values due to adjacent nonresidential use.

(Ord. of 12-23-03, § 1)

3320. Applicability. The requirements of this Section shall apply to:

- 3321. Any nonresidential use which adjoins or abuts any residential use or residential district or street;
- 3322. Any nonresidential use which adjoins or abuts any educational use;
- 3323. Any nonresidential or multifamily parking facility of five (5) spaces or more which adjoins or abuts any residential use or residential district;
- 3324. Any nonresidential or multifamily area used for loading or storage of new or discarded materials, products or wastes, in bulk or in containers, in open-air or unenclosed structures.

(Ord. of 12-23-03, § 1)

3330. Requirements. The street or property line(s) separating residential uses or districts from adjoining or abutting nonresidential uses shall be screened from the uses specified herein by means of vegetation, plantings, or fencing, to be provided and maintained by the owner of the property used for nonresidential or multifamily purposes. Fencing shall be of a type approved by the Inspector of Buildings.

3331. A screen may consist of plant materials, at least three (3) feet in height at the time of planting which will provide a compact dense form year-round and will reach a height at maturity of at least six (6) feet or a masonry wall or wooden fence designed in an attractive manner to visually obscure.

3332. A screen shall occupy a strip of land at least five (5) feet in width along a property line or along the perimeter of a storage area. Where a screen consists of a masonry wall, wooden fence or a vinyl fence produced to resemble a classical wooden fence, the remainder of the required five-foot strip shall be landscaped with trees and shrubs. Lawn or bark mulch may be used as ground cover in conjunction with such trees and shrubs. The schedule and amount of plantings will be determined subject to the schedule found in Appendix B and shall be reviewed during the site plan review process described in Section 5400 of this Code.

3333. A screen other than of plant materials, shall be at least six (6) feet in height above the ground elevation. Where a screen is required to visually obscure a storage area, the height of such screen shall not be less than six (6) feet and shall be equal to the height of materials stored above six (6) feet, but in no instance shall the materials to be screened be in excess of ten (10) feet in height.

3334. Except for on-premises directional signs not in excess of six (6) square feet in area, no sign shall be attached to or suspended from a screen.

(Ord. of 12-23-03, § 1)

3340. **Special Permit.** Any screening or landscaping 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.

(Ord. of 12-23-03, § 1)

3350. Coordination with Site Plan Approval. The Planning Board shall not approve a site plan unless said plan complies in all pertinent respects with the requirements of section 3300.

(Ord. of 12-23-03, § 1)

3360. Maintenance. The owner of the property used for nonresidential or multifamily purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this Section. All plant materials required by this Ordinance shall be maintained in a healthful condition. Dead limbs, refuse and debris shall be promptly removed. Ground cover materials shall be maintained so as to control weed growth. Dead plantings shall be replaced with new live plantings at the earliest appropriate season. Fences or walls shall be maintained in good repair and presentable appearance, or shall be replaced forthwith.

(Ord. of 12-23-03, § 1)

5400. - 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 Planning Board taking action on said site plan said Applicant may file a statement with the Board that the Board has received complete information in accordance with this Ordinance and has had adequate time to consider the Site Plan. Upon receiving said statement, the Planning Board shall act on said Site Plan at its next meeting, if said Board determines that the Board has, in fact, received complete information in accordance with this Ordinance. The decision of the Planning Board shall be a vote of a majority of the members of the Planning Board and shall be in writing. No building permit, for activities requiring site plan approval, shall be issued by the Inspector of Buildings without the written approval of the site plan by the Planning Board.

5431. Application for Building Permit. An application for a building permit to perform work as set forth in Section 5410 available as of right shall be accompanied by an approved site plan.

5432. Application for Special Permit or Variance. An application for a special permit or a variance to perform work as set forth in Section 5420 shall be accompanied by an approved site plan; in the alternative, any special permit or variance granted for work set forth in Section 5420 shall contain the following condition and cause the same to be written on such special permit or variance:

The work described herein requires the approval of a site plan by the New Bedford Planning Board pursuant to Section 5400 of the Zoning Ordinance. Any conditions imposed in such site plan approval shall also be conditions of this special permit/variance.

5433. Where the Planning Board approves a site plan "with conditions", and said approved site plan accompanies a special permit or variance application to the Board of Appeals, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit or variance by the Board of Appeals.

5434. Where the Planning Board serves as the special permit granting authority for proposed work, it shall consolidate its site plan review and special permit procedures.

5435. The applicant may request, and the Planning Board may grant by majority vote of its' membership, an extension of the time limits set forth herein.

5436. No deviation from an approved site plan shall be permitted without modification thereof.

5437. Site plan approval does not constitute a certification that the proposed plan conforms to applicable zoning regulations, wetland regulations and/or any other City, state or federal requirements that must be obtained prior to implementation the of elements of the site plan.

(Ord. of 12-23-03, § 1)

5440. Preparation of Plans. Applicants are invited to submit a pre-application sketch of the proposed project to the Planning Department and are encouraged to schedule a pre-submission meeting with the Planning Department. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1" = 40'.

(Ord. of 12-23-03, § 1)

5450. Contents of Plan. The contents of the site plan are as follows:

5451. Plan sheets prepared at a scale of one inch equals forty (40) feet or such other scale as may be approved by the Planning Board. The plans are as follows:

5451. a. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, general circulation plan for vehicles and pedestrians, drive-thru windows, curb cut locations, parking, fences, walls, walks, outdoor lighting including proposed fixtures, loading facilities, solid waste storage locations, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one inch

equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the Planning Board.

5451.b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling stormwater runoff drainage.

5451.c. Utility plan, which shall include all facilities for refuse and sewerage disposal or storage of all these wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas.

5451.d. Architectural plan, which shall include the ground floor plan, proposed exterior building materials, treatments and colors and architectural elevations of all proposed buildings and a color rendering where necessary to determine the proposal's affect on the visual environment.

5451.e. Landscaping plan, showing the limits of work, existing tree lines as well as those tree lines to remain, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures during construction.

5451.f. Lighting plan showing the location and orientation of all existing and proposed exterior lighting, including building and ground lighting. The plan shall note the height, initial foot-candle readings on the ground and the types of fixtures to be used.

5452. The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

5453. A written summary of the contemplated project shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and

off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this Ordinance.

5454. The site plan shall be accompanied by drainage calculations by a registered professional engineer as well as wetland delineations, if applicable. Storm drainage design must conform to City of New Bedford subdivision regulations.

5455. The Planning Board may require a DIS as set forth in Section 5300, above.

5456. Certification that the proposal is in compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

(Ord. of 12-23-03, § 1)

5460. Waivers. The Planning Board may, upon written request of the applicant, waive any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans.

(Ord. of 12-23-03, § 1)

5470. Approval. Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives: The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

5471. Minimize: the volume of cut and fill, the number of removed trees six-inch caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and the threat of air and water pollution;

5472. Maximize: pedestrian and vehicular safety to and from the site;

5473. Minimize obstruction of scenic views from publicly accessible locations;

5474. Minimize visual intrusion by controlling the layout and visibility of parking, storage, or other outdoor service areas viewed from public ways or premises which are residentially used or zoned;

5475. Minimize glare from vehicle headlights and lighting fixtures;

5476. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.

5477. Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of solid and liquid wastes and hazardous substances;

5478. Ensure compliance with the provisions of this Zoning Ordinance.

5479. Minimize damage to existing adjacent public ways.

5479A. Promote orderly and reasonable internal circulation within the site so as to protect public safety and not unreasonably interfere with access to a public way or circulation of traffic on a public way in general.

(Ord. of 12-23-03, § 1)

5480. Lapse. Site plan approval shall lapse after one year from the final approval if a substantial use in accordance with such approved plans has not commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant, within this one-year period.

(Ord. of 12-23-03, § 1)

5490. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.

(Ord. of 12-23-03, § 1)

5490A. Fee. The Planning Board may, from time to time, adopt reasonable administrative fees and technical review fees for site plan review.

(Ord. of 12-23-03, § 1)

5490B. Appeal. Any person aggrieved by a decision of the Planning Board rendered pursuant to Section 5400 may appeal such decision to the Zoning Board of Appeals as provided in M.G.L.A. c. 40A, § 8.

(Ord. of 12-23-03, § 1)

2700. - DIMENSIONAL REGULATIONS.

2710. General. No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this Section, unless exempted by this Ordinance or by statute.

2711. Lot change. No existing conforming or nonconforming lot shall be changed in size or shape except through a public land taking or donation for road widening, drainage, utility improvements or except where otherwise permitted herein, so as to violate the provisions of this Ordinance with respect to the size of lots or yards or to create a nonconformity or increase the degree of nonconformity that presently exists.

2712. Merger of lots. Adjacent lots held in common ownership on or after the effective date of this Section shall be treated as a single lot for zoning purposes so as to minimize nonconformities with the dimensional requirements of this Ordinance. Notwithstanding the previous sentence, adjacent lots in common ownership may be treated as separate lots for zoning purposes upon a finding by the zoning enforcement officer that the owner of said lots has expressly exhibited the intent to maintain the lots as separate. In making said finding the zoning enforcement officer shall rely on the following factors:

2712.a. The existence and maintenance of walls or fences along the original lot lines;

2712.b. The fact that the lots are separately assessed for tax purposes;

2712.c. The placement of structures on the various lots.

The manner in which said lots were acquired or the fact that said lots were separately described on a deed shall not be considered by the zoning enforcement officer in making said finding.

2713. Recorded Lots. A lot or parcel of land having an area or frontage of lesser amounts than required in the following schedule of dimensional requirements may be considered as satisfying the area and frontage requirements of this Section provided such lot or parcel of land was shown on a plan or described in a duly

recorded deed or registered at the time of adoption of this Ordinance and did not at the time of adoptions of adjoin other land of the same owner available for use in connection with such lot or parcel.

(Ord. of 12-23-03, § 1)

2720. Table of Dimensional Requirements. See Appendix B.

(Ord. of 12-23-03, § 1)

2730. Dimensional Variation. The Board of Appeals may vary otherwise applicable dimensional requirements pertaining to frontage, lot area, building height and sidelines upon finding that owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

(Ord. of 12-23-03, § 1)

2740. Vision Clearance on Corner Lots in Residence Districts. On a corner lot no fence, wall or structure more than three and one-half (3½) feet high above the plane of the established grades of the streets shall be erected on a front or side yard herein established which is included within the street lines of the intersecting streets and a straight line connecting said street lines at points which are twenty (20) feet distant from their point of intersection, measured along said street line, and no trees or hedges which will materially obstruct the view of a driver of a vehicle approaching the street intersection shall be placed or maintained within such area.

(Ord. of 12-23-03, § 1)

2750. Yards in Residence Districts.

2751. Front Yards. No story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street line of any street on which it fronts than the average alignment of the corresponding stories or parts of existing

buildings within two hundred (200) feet on each side of the lot and within the same block and district. Where there is a building on one or both of the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this Ordinance. If there are no existing buildings on the same side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on each side of and directly opposite the lot shall govern. Nothing in this Ordinance shall require any story or part of a building to set back more than fifteen (15) feet from any street line. One street frontage of a corner lot shall be exempt from these provisions as provided in subsection 2752. The front yard of a lot shall remain clear of debris and junk.

2752. Where the alignment of a building is not controlled by subsection 2751, between every building and the line of the street upon which it fronts there shall be a front yard of a clear depth of fifteen (15) feet, except that on one side of a corner lot a yard of a clear depth of not less than ten (10) feet shall be provided, in which case this distance shall not be considered in determining the front yard depths on such street.

2753. Rear Yards. There shall be a rear yard on every lot and it shall be at least thirty (30) feet deep behind a dwelling, except that a ground story deck or porch, without a permanent roof, a patio, or a pool (including any projections therefrom) may extend to six (6) feet of a rear lot line. An unattached private garage may extend to four feet of a rear yard. A storage shed may extend to eighteen (18) inches of a rear yard unless a fence is erected on the property along the rear yard line. In such case the storage shed may extend to eighteen (18) inches of the fence or fence post whichever is closest. Unless referenced in this Code, nothing may be placed or constructed in or upon the ground within six (6) feet of a rear lot line. Notwithstanding the previous sentence, a fence may be constructed near or along a rear lot line and vegetation may also be planted within six (6) feet of a rear lot line.

2754. Where a lot is more than one hundred (100) feet deep, one-half (½) of the additional depth of the lot in excess of one hundred (100) feet shall be added to said rear yard depth; but in no case shall a rear yard depth in excess of forty (40) feet be required. The setbacks referenced in the previous section shall also apply to this Section.

2755. Side Yards. There shall be a side yard on every lot and it shall be at least ten (10) feet on one side and twelve (12) feet on the other side. The side yard shall be unobstructed from the line of the street to the rear lot line except that open porches, decks, steps, patios and pools (including any projections therefrom), which are located behind the dwelling within the rear yard, may extend to six (6) feet of a side lot line, driveways may extend to four (4) feet of a side lot line and storage sheds, which are located behind the dwelling within the rear yard may extend to eighteen (18) inches of a side yard unless a fence is erected on the property along the side yard line. In such case the storage shed may extend eighteen (18) inches of the fence or fence post whichever is closest. For all driveways, including those regulated under Section 2756, the area between a driveway and the side lot line shall be of a different material than the material used for the driveway and shall not be covered with an impervious surface or crushed stone.

Notwithstanding any provision to the contrary, any driveway existing prior to April 15, 2009, that is made of a material that creates an impervious surface, may be permitted for repair, resurfacing or reconstruction with substantially the same type of material provided that the dimensions of the driveway are not increased and the location of the driveway layout is not altered.

2756. Special Driveway Side Yard Requirements. For existing dwellings on lot sizes of less than five thousand (5,000) square feet, driveways shall not extend to the side lot line closer than ten (10) percent of the distance between the side lot line and the principle dwelling. For any driveway in excess of thirteen (13) feet in width, the provisions of Section 2755 regulating driveway setbacks shall apply and this section shall not apply.

(Ord. of 12-23-03, § 1; Ord. of 4-15-10, § 1; Ord. of 10-20-11, § 1; Ord. of 1-15-13, §§ 1, 2)

2760. Cornices and Belt Courses.

2761. A cornice shall not project more than one-third (1/3) of the width of a required open space.

2762. A belt course or other ornamental feature shall not project more than nine (9) inches into a required open space.

(Ord. of 12-23-03, § 1)

2770. Courts.

2771. If any part of a story of a nonresidence building is used for offices, studios or workshops which are not lighted from the street or the rear yard, there shall be a court starting not more than fifty (50) feet from the main exterior walls of that story.

2772. If any part of a story is used for living or sleeping rooms which are not lighted from the street or the rear yard, such court shall be required starting not more than two (2) rooms or thirty-five (35) feet from the main exterior walls of that story.

2773. An inner court shall be at least one-third (1/3) as wide as it is high, measured from the sills of the lowest windows served by it to the average level of the tops of the enclosing walls, and shall be at least twice as long as its required width or of an equivalent area, but no court shall be less than ten (10) feet in width.

2774. The minimum width of an outer court shall be double that required in this Section for an inner court.

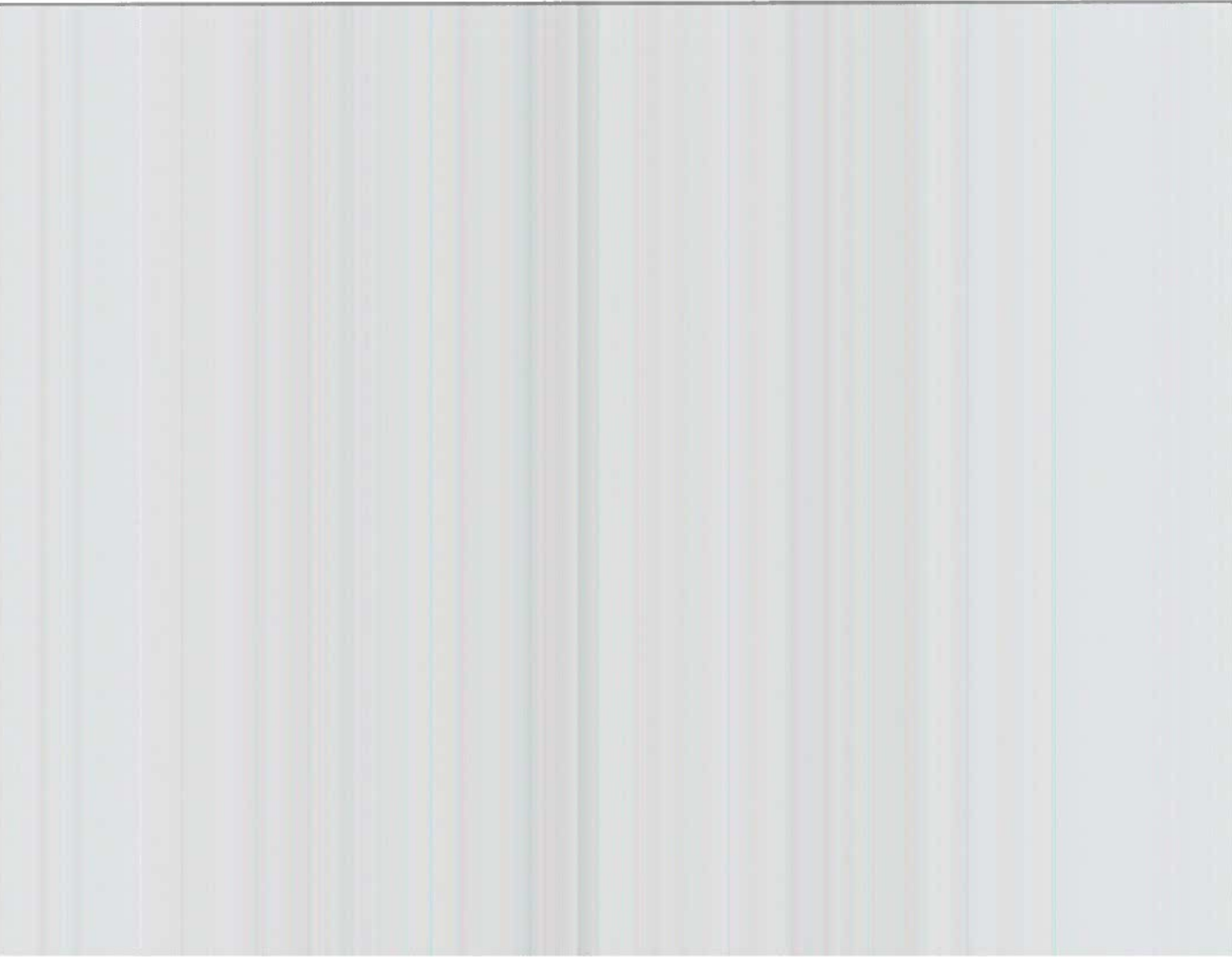
2775. A cornice or belt course shall not project more than six (6) inches into any inner court.

(Ord. of 12-23-03, § 1)

2780. **Height of Buildings.** The provisions governing the height of buildings in Appendix B shall apply to chimneys, cooling towers, flagpoles, elevator bulkheads, skylights, ventilators, and other necessary appurtenant features usually carried above roofs; to domes, stacks or spires and also to wireless communications facilities.

(Ord. of 12-23-03, § 1)

0



APPENDIX B - TABLE OF DIMENSIONAL REGULATIONS

DISTRICTS

REQUIREMENT	RA	RB	RC	RAA	MUB	PB	IA	IB	IC	WI
Minimum Lot Size (sq. ft.)	8,000	8,000 for uses allowed in RA; 10,000 for two family units	8,000 for uses allowed in RA; 10,000 for two family units; 15,000 for 3 or more family units	16,000	8,000 for uses allowed in residence A; 10,000 for two family units; 15,000 for 3 or more family units	0	0	0	0	0

Density of Dwelling Units per Lot	1 per 10,000 sq. ft.	1 per 10,000 sq. ft. for single family; 1 per 5,000 sq. feet for two family	1 per 10,000 sq. ft. for single family; 1 per 5,000 sq. feet for two family; 1 per 1,000 sq. feet for three or more family	1 per 16,000 sq. ft.	1 per 10,000 sq. ft. for single family; 1 per 5,000 sq. feet for two family; 1 per 1,000 sq. feet for three or more family	N/A	N/A	N/A	N/A	N/A
-----------------------------------	----------------------	---	--	----------------------	--	-----	-----	-----	-----	-----

Lot Frontage (ft.)	75	75 for uses allowed in RA; 100 for two family	75 for uses allowed in RA; 100 for two family; 150 for 3 or more family	150	75 for uses allowed in RA; 100 for two family; 150 for 3 or more family; 0 for other allowed uses	0	0	0	0	0
-----------------------	----	--	---	-----	--	---	---	---	---	---

Height of Buildings (ft.)	45; 60 for religious, educational, or institutional buildings	45; 60 for religious, educational, or institutional buildings	60	35; 60 for religious, educational, or institutional buildings	45 for single or two family; 60 for three family, 100 ¹ for other allowed uses	25	100	100	100	100 ¹
Height of Buildings (# stories)	2.5; 3 for religious, educational, or institutional buildings	2.5; 3 for religious, educational, or institutional buildings	4	2.5; 3 for religious, educational, or institutional buildings	2.5 for uses allowed in residence A or B; 4 for three or more family; 7 for other allowed uses	2	7	7	7	7

Front Yard (ft.)	20 ²	20 ²	20 ²	40 ²	20 for uses allowed in residential district 1; 0 for other allowed uses	25	25	25	25	10
------------------	-----------------	-----------------	-----------------	-----------------	---	----	----	----	----	----

Side Yard (ft.)	10 on one side; 12 on the other	10 on one side; 12 on the other	10 on one side; 12 on the other	16 on one side; 24 on the other	10 on one side, 12 on the other for uses allowed in residential district; for other uses, 10 on any side where adjacent lot is in a residential district or used for residential purposes	25	25	25	25	10
-----------------	---------------------------------	---------------------------------	---------------------------------	---------------------------------	---	----	----	----	----	----

Rear Yard (ft.)	30	30	30	30	30 for uses allowed in residential district; for other uses, 10 for 1-2 story buildings; 20 feet for 3 or more stories	25	25	25	25	10 for 1-2 story buildings; 20 feet for 3 or more stories
-----------------	----	----	----	----	--	----	----	----	----	---

Lot Coverage by Buildings (%)	30; 40 on comer lots	30; 40 on corner lots	30; 40 on comer lots	30; 40 on corner lots	30; 40 on corner lots for uses allowed in residential district; 0 for other uses	50	50	50	50	50
Green Space	35%	35%	35%	35%	35% for uses allowed in residential districts; 0 for other uses	20%	20%	20%	20%	20%

¹ Provided, however, that no part of any building shall be erected to a height in excess of 1¾ times the horizontal distance from its face to the opposite street line.

² Provided, however, that no story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street line of any street on which it fronts than the average alignment of the corresponding stories or parts of existing buildings within two hundred (200) feet on each side of the lot and within the same block and district. Where there is a building on one or both of the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this chapter. If there are no existing buildings on the same side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on each side of and directly opposite the lot shall govern. One street frontage of a corner lot shall have a clear depth of no less than ten (10) feet, in which case this distance shall not be considered in determining the front yard depths on such street. Nothing in this chapter shall require any building hereafter erected between two (2) existing buildings or immediately adjacent lots to set back from the street a greater distance than that one of such two (2) existing buildings which is farther from the street line.

(Ord. of 12-23-03, § 1; Ord. of 11-27-13, § 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 area	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

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.



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

FOR BUILDING DEPT. USE
DATE RECEIVED
RECEIVED BY
ISSUED BY JUL 21 2020
DK

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

Permit No. **B-20-1103**
Completion Date
(A) LOCATION: **130 Summer St** (NO) **150** (GROSS STREET) AND **MAXFIELD** (GROSS STREET)
BETWEEN **Hillman** (GROSS STREET) LOT **150** DISTRICT
PLOTS FILED ☒ YES ☐ NO ACCEPTED STREET

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

A. TYPE OF IMPROVEMENT

- ☐ New Building
- ☐ Addition (If residential, enter number of new housing units added, if any, in Part D, 14)
- ☐ Alteration (If residential, enter number of new housing units added, if any, in Part D, 14)
- ☐ Repair, replacement
- ☐ 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)
- ☐ Moving (relocation)
- ☐ Foundation only

B. OWNERSHIP

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

C. COST

- 10 Cost of construction, To be installed but not included in line above cost **9000** (omit cents)
a. Electrical
b. Plumbing
c. Heating, air conditioning
d. Other (elevator, etc.)
11 TOTAL VALUE OF CONSTRUCTION **9000**
12 TOTAL ASSESSED BLDG. VALUE

D. PROPOSED USE — For demolition most recent use

- 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
27 ☐ School, library, other educational
28 ☐ Stores, mercantile
29 ☐ Tanks, towers
30 ☐ Funeral homes
31 ☐ Food establishments
32 ☐ Other — Specify

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 DECE and the State Dept. of Labor & Industries and results of air sample analysis after asbestos removal is completed.

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

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 I.

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.)

H. TYPE OF WATER SUPPLY

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

I. TYPE OF MECHANICAL

- 38 ☒ Gas
39 ☐ Oil
40 ☐ Electricity
41 ☐ Coal
42 ☐ Other — Specify
47 ☐ YES ☐ NO
48 ☐ YES ☐ NO
49 ☐ YES ☐ NO
50 ☐ YES ☐ NO
51 ☐ YES ☐ NO
52 ☐ YES ☐ NO

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)

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.
Hein Welch	223 Sawgust Unit 1E		781-760-4062
	NR MA 02246		
E-mail Address:			
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
TL Const Inc	415 Lake Rd	02278	774-263-2197
	Tuxton RI		
E-mail Address:		HOME MAP #	
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
		LICENSE #	
E-mail Address:			
SIGNATURE OF OWNER	APPLICANT SIGNATURE	DATE	
		7-21-20	

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

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
<input type="checkbox"/> I am a sole proprietor and have no one working for me.	
<input type="checkbox"/> 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
<input type="checkbox"/> 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 21 day of July, 2020



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

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY OF NEW BEDFORD
INSPECTIONAL SERVICES DEPARTMENT
133 WILLIAM ST. NEW BEDFORD MA 02740

AFFIDAVIT
Home Improvement Contractor Law
Supplement to Permit Application

The Office of Consumer Affairs and Business Regulation ("OCABR") regulates the registration of contractors and subcontractors performing improvements or renovations on detached one to four family homes. Prior to performing work on such homes, a contractor must be registered as a Home Improvement Contractor ("HIC").

M.G.L. Chapter 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 or building" be done by registered contractors.

Note: If the homeowner contracted with a corporation or LLC, that entity must be registered.

Type of Work: Driveway Est. Cost _____

Address of Work: 130 Summer St NB MA

Date of Permit Application: 7-21-20

I hereby certify that:

Registration is not required for the following reason(s):

- ☐ Work excluded by law (explain) _____
- ☐ Job under \$1,000.00 _____
- ☐ Building not owner-occupied _____
- ☐ Owner obtaining own permit (explain) _____
- ☐ Other (specify) _____

OWNERS OBTAINING THEIR OWN PERMIT OR ENTERING INTO CONTRACTS WITH UNREGISTERED CONTRACTORS OR SUBCONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK ARE NOT ELIGIBLE FOR AND DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OR GUARANTY FUND UNDER M.G.L. Chapter 142A.

Signed under the penalties of perjury:

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

Date: 7-21-20 Contractor Name: Tile & Co Inc HIC Registration No.: 163481

OR:

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

Date: _____ Owner Name and Signature: _____



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): JLC Const Co Inc

Address: 415 Lake Rd

City/State/Zip: Tinton RI 02878 Phone #: 724-263-2877

Are you an employer? Check the appropriate box:

- | | | |
|---|--|--|
| <p>1. <input checked="" type="checkbox"/> I am an employer with <u>4</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> |
|---|--|--|

*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 attach 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: [Signature] Date: 7-21-22

Phone #: 724-263-2197

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector 6. Other _____

Contact Person: _____ Phone #: _____

Location: 130 130 1/2 SUMMER ST Parcel ID: 58 150 Zoning: RB Fiscal Year: 2020 Card #: 1

Current Owner Information:
WELCH KEVIN
Current Sales Information:
Sale Date: 06/06/2012
Sale Price: \$80,000.00

283 SAWYER STREET APT #1E
Legal Reference: 10412-186
This Parcel has 2 cards :
- 1 - 2 -

NEW BEDFORD , MA 02746
Grantor: WELCH,KEVIN

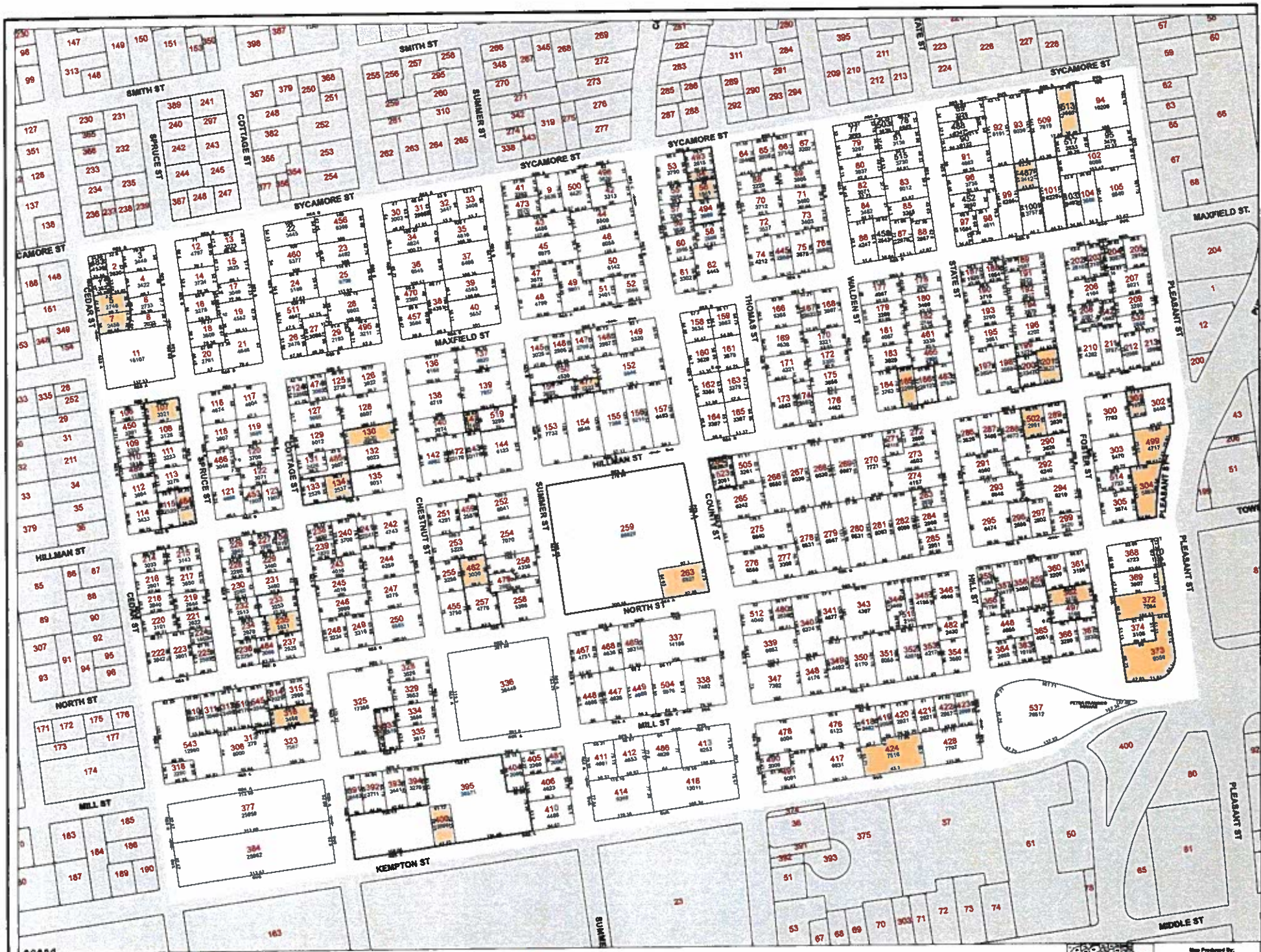
This Parcel contains 0.1041 acres of land mainly classified for assessment purposes as Apt 4-8 with a(n) Three Family style building, built about 1893, having Vinyl exterior, Asphalt Shingles roof cover and 3390 Square Feet, with 3 unit(s), 15 total room(s), 9 total bedroom(s), 3 total bath(s), 0 3/4 baths, and 0 total half bath(s).

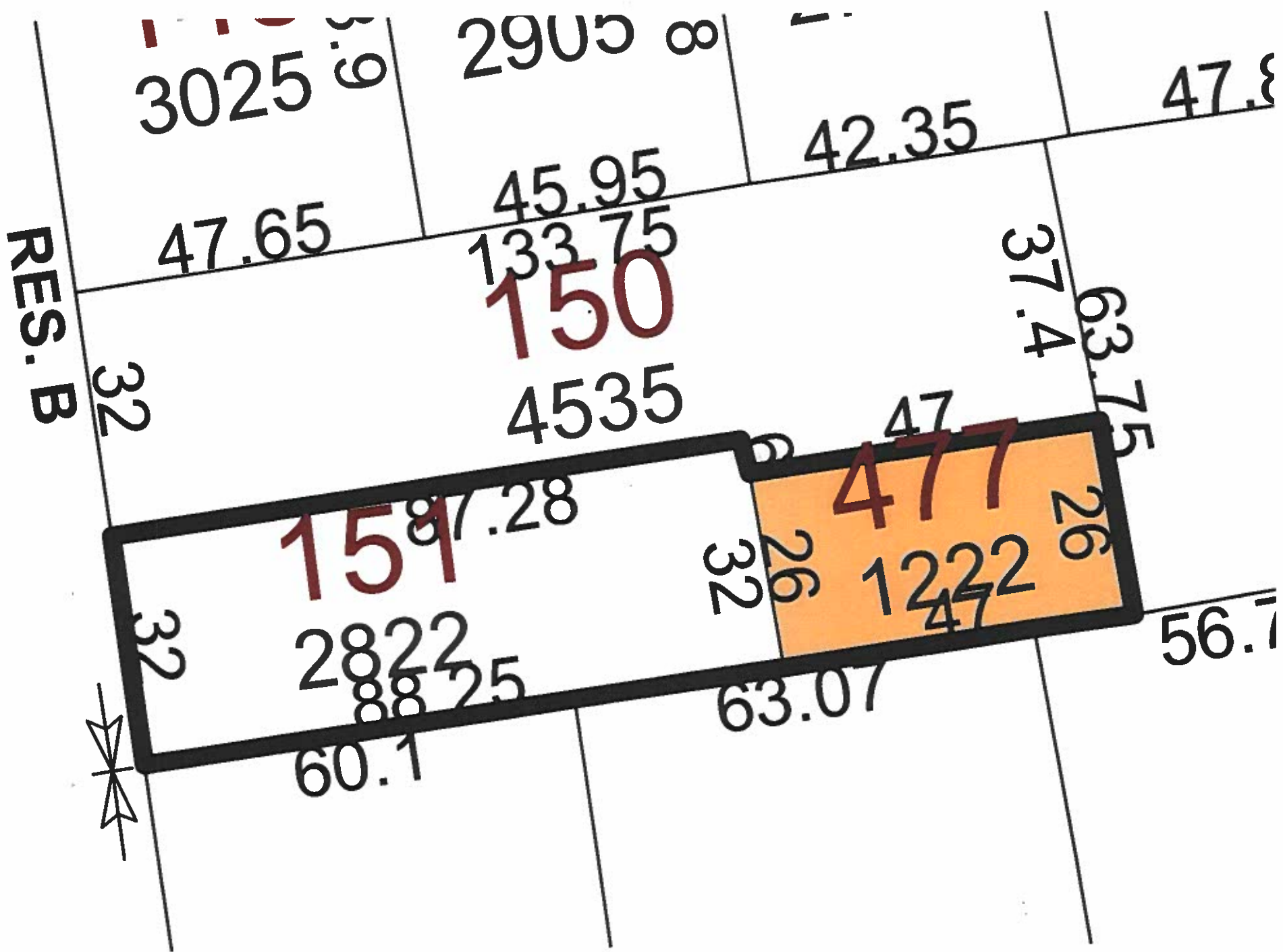
Building Value:	Land Value:	Yard Items Value:	Total Value:
195700	52500	0	248200



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:	111	Property Code:	111	Property Code:	111
Total Bldg Value:	282800	Total Bldg Value:	237500	Total Bldg Value:	211500
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	52500	Total Land Value:	52500	Total Land Value:	52500
Total Value:	335300	Total Value:	290000	Total Value:	264000
Tax:	\$5,418.45	Tax:	\$4,776.30	Tax:	\$4,390.32

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 warranted.







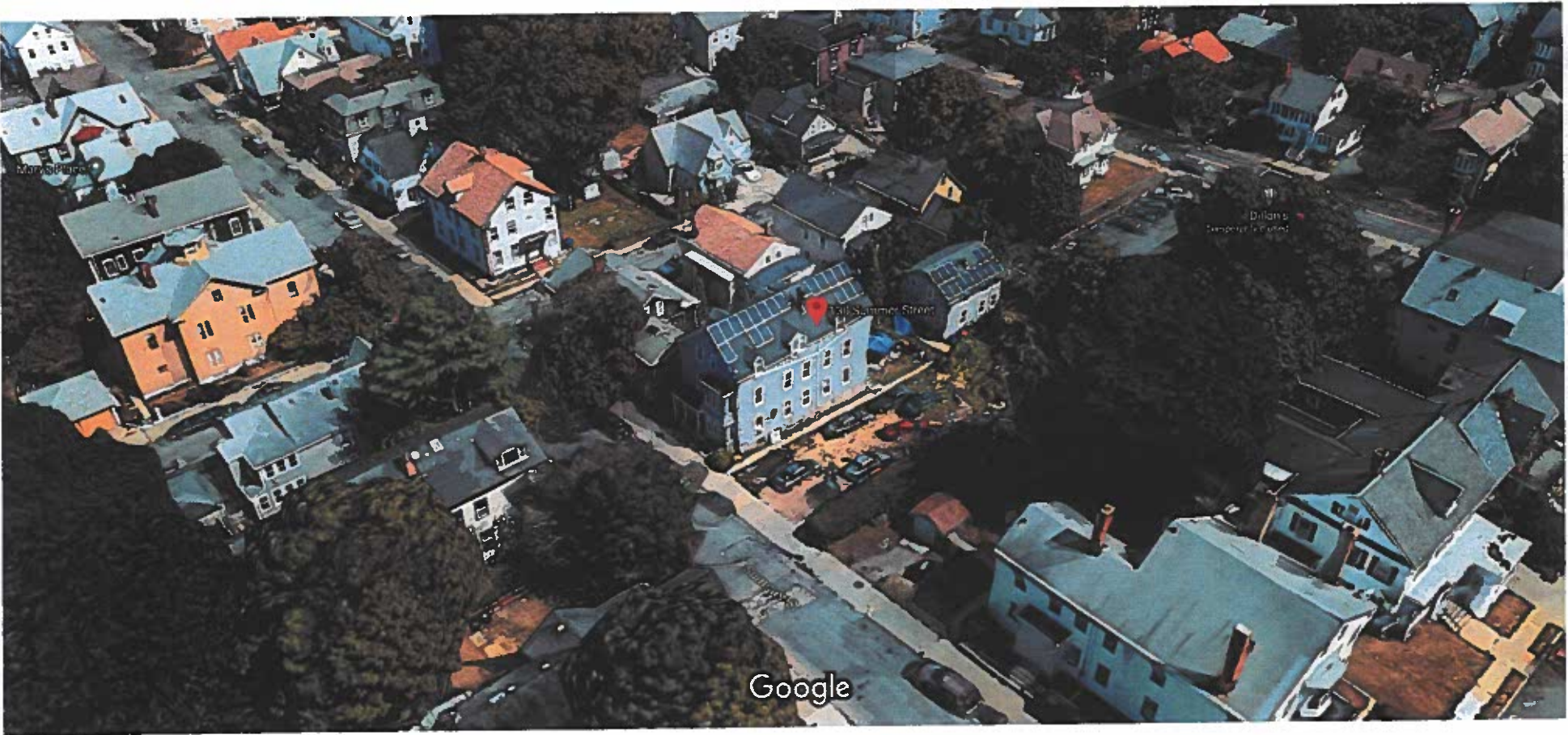






Image capture: Aug 2017 © 2020 Google

New Bedford, Massachusetts



Street View



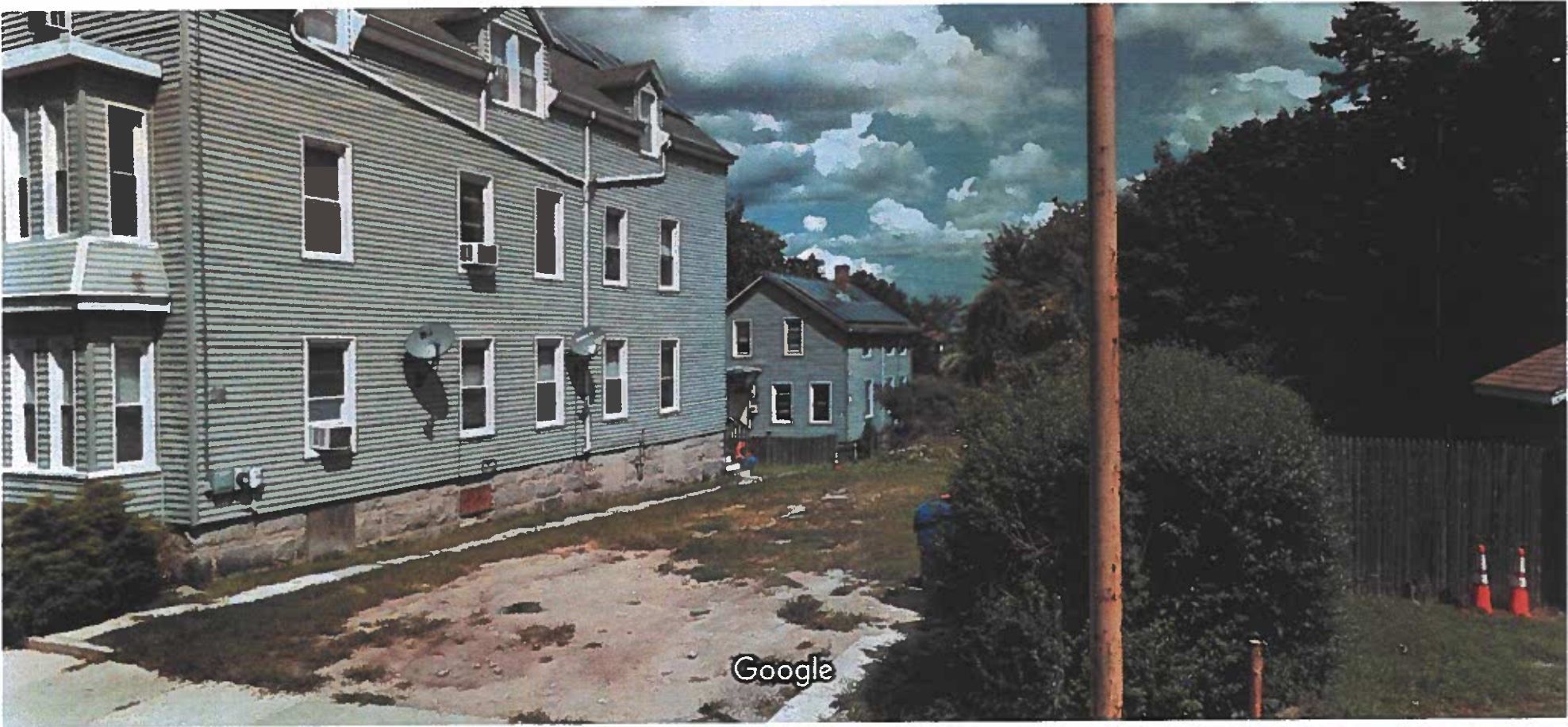


Image capture: Aug 2017 © 2020 Google

New Bedford, Massachusetts



Street View





LOCATION MAP

SCALE: 1"=1000' ±

ZONING DATA

DISTRICT:	RESIDENCE B
MINIMUM REQUIREMENTS:	
LOT AREA	10,000 SF.
LOT FRONTAGE	100 FT.
FRONT YARD	3.5 FT.
SIDE YARD	10 FT. (LEFT)
REAR YARD	12 FT. (RIGHT)
MAX LOT BLD. COVERAGE	30%
GREEN SPACE	35%

15000 APPROX. B. NOTE: 2
THE ZONING DISTRICT IS A BUILDING ON ONE OR BOTH OF
THE ADJACENT LOTS. THE FRONT YARD FOR A
BUILDING ON ONE OR BOTH OF THE ADJACENT LOTS
IS THE FRONT YARD OF THE LOT.

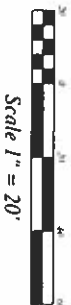
EXISTING CONDITIONS

FOR RECORD USE ONLY

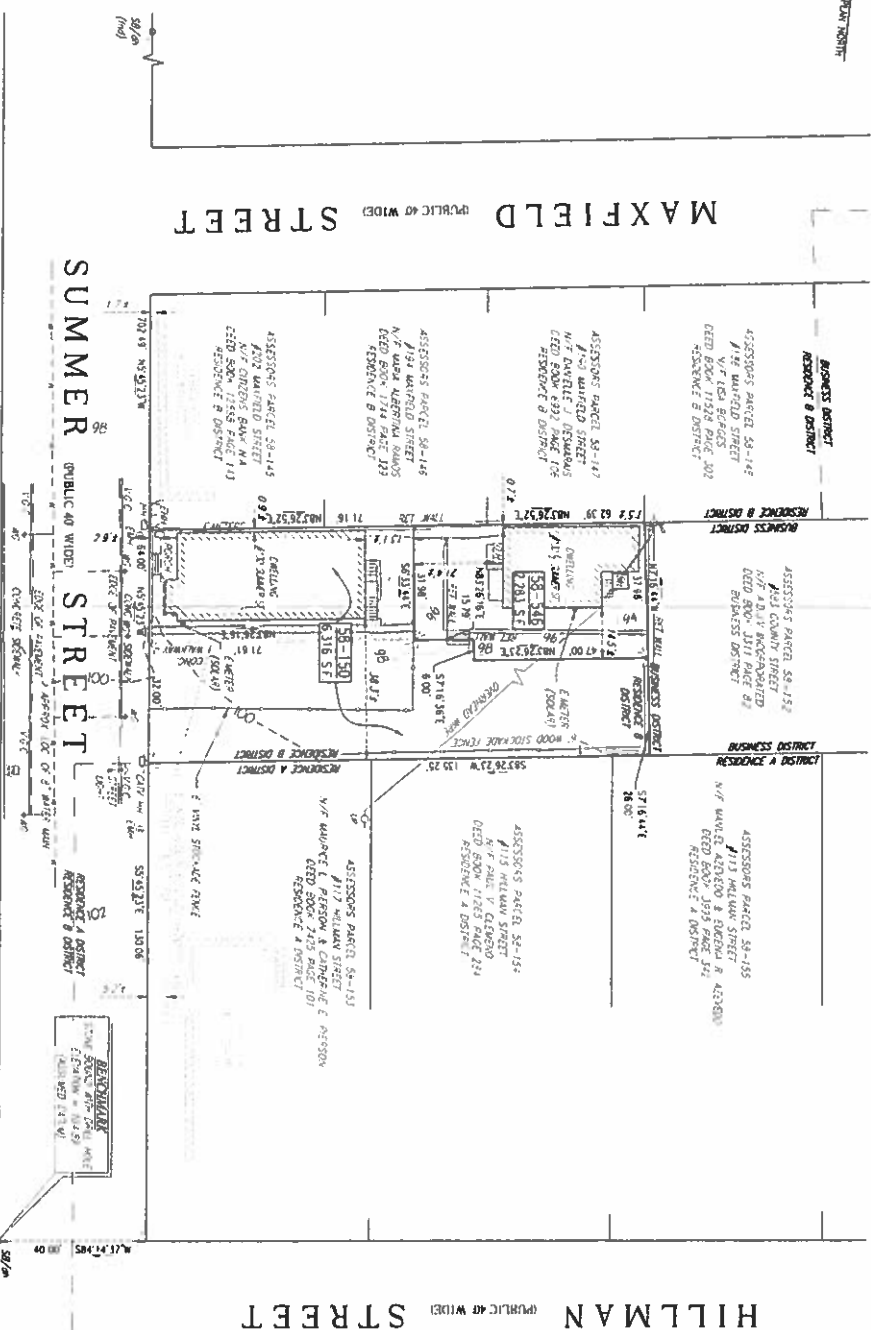
- NOTES:
1. INFORMATION SHOWN ON THIS PLAN IS BASED UPON AN ON THE GROUND SURVEY PERFORMED BY
GRADY CONSULTING, LLC ON JANUARY 17, 2019 AND OCTOBER 31, 2019.
 2. THE LOTS IS ZONED RESIDENCE B.
 3. THE PURPOSE OF THIS PLAN IS TO DIVIDE ASSESSOR'S PARCEL 58-150 AND TWO (2)
PARCELS, A AND B PARCEL, IS TO BE CONVERTED TO ASSESSOR'S PARCEL 58-546
TO ALLOW OFF STREET PARKING SUPPLEMENT ON THE LOT IT IS INTENDED TO SEPARATE ASSESSOR'S
PARCELS 58-150 AND 58-546 ARE BOTH PRE-EXISTING NON-CONFORMING LOTS.
 4. NO WETLAND RESOURCE AREAS WERE OBSERVED DURING THIS SURVEY.
 5. BY GRAPHIC NOTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" OF THE FLOOD HAZARD
DATE MAP AS DERIVED ON COMMUNITY PANEL NO. 255216.03A2, WHICH BEARS AN
EFFECTIVE DATE OF MAY 15, 2014, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN
CONFORMANCE WITH THE RULES AND REGULATIONS OF THE
RECORDS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DONALD BAKER P.L.S. #35385



Scale 1" = 20'



RECORD OWNER:
#130 SUMMER STREET
ASSESSOR MAP 58 LOT 150
KEVIN WELCH
283 SUMMER STREET, UNIT 1E
NEW BEDFORD, MA 02746

DEED REFERENCE:
DEED BOOK 10419 PAGE 198
DEED BOOK 12849 PAGE 207

RECORD OWNER:
#130 SUMMER STREET
ASSESSOR MAP 58 LOT 150
KEVIN WELCH
283 SUMMER STREET, UNIT 1E
NEW BEDFORD, MA 02746

DEED REFERENCE:
DEED BOOK 12849 PAGE 209

SITE PLAN
SUMMER STREET
NEW BEDFORD, MASSACHUSETTS
ASSESSORS MAP 58 LOT 150

PREPARED FOR:
KEVIN WELCH
283 SUMMER STREET, UNIT 1E
NEW BEDFORD, MA 02746
DATE: MAY 18, 2020
SCALE: 1"=20'
JOB NO: 19-011
GRADY CONSULTING, LLC
Civil Engineers, and Land Surveyors
71 Evergreen Street, Suite 1, Kingston, MA 02164
Phone (781) 585-2000 Fax (781) 585-2318

