

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

Type of Work: Change of Use Home Occupation - Licensed Esthetician - Facials, waxing, and eyelash lifting
Address of Work: 4080 Acushnet Ave
Owner Name: KATYU ANDRADE 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 ☒ SPECIAL PERMIT - ZBA

Reason For Rejection:

"See Attachments"

Fee

Permit #

Comments and Conditions:

Signed Danilo N. Romanowicz

Date: 9/8 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

4080 Acushnet Avenue – PLOT: 136 – LOT: 248 – ZONED DISTRICT: RA

Special Permit is Required from the Zoning Board of Appeals

Zoning Code Review as follows:

Special Permit

Zoning Board of Appeals

❖ SECTION

- **2500 – Home Occupations**
- **2520-2528 – Home Occupations by Special Permit**
- **5300-5330 & 5360-5390 – Special Permit**

2500. - HOME OCCUPATIONS.

2510. Home Occupations as of Right. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by the owner of that dwelling; provided, however, that all of the following conditions shall be satisfied:

2511. The occupation or profession shall be carried on wholly within the principal building.

2512. Not more than thirty (30) percent of the floor area of the residence shall be used in the home occupation.

2513. No person not a member of the household shall be employed on the premises in the home occupation.

2514. The home occupation shall not serve clients, customers, pupils, salespersons, or the like on the premises.

2515. There shall be no sign, exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.

2516. No use or storage hazardous materials in quantities greater than associated with normal household use shall be permitted.

2517. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

2518. Only one home occupation may be conducted on the premises.

(Ord. of 12-23-03, § 1)

2520. Home Occupations by Special Permit. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by the owner of that dwelling upon the issuance of a special permit by the Board of Appeals; provided, however, that all of the following conditions shall be satisfied:

2521. The occupation or profession shall be carried on wholly within the principal building, or within a building or other structure accessory thereto, which has been in existence at least five (5) years, without extension thereof.

2522. Not more than thirty (30) percent of the combined floor area of the residence and any qualified accessory structures shall be used in the home occupation.

2523. Only one home occupation may be conducted on the premises.

2524. The home occupation may serve clients, customers, pupils, salespersons, or the like on the premises, if the Board of Appeals determines that the neighborhood will not be detrimentally affected.

2525. Not more than one person not a member of the household shall be employed on the premises in the home occupation.

2526. An unlighted sign of not more than three (3) square feet in area may be permitted. The visibility of exterior storage of materials and other exterior indications of the home occupation, or other variation from the residential character of the premises, shall be minimized through screening and other appropriate devices.

2527. Parking generated by the home occupation shall be accommodated off-street, other than in a required front yard, and such parking shall not occupy more than thirty-five (35) percent of lot area.

2528. The use or storage of hazardous materials in quantities greater than associated with normal household use shall be subject to design requirements to protect against discharge to the environment.

(Ord. of 12-23-03, § 1)

State Law reference— Existing structures, uses or permits, M.G.L.A. c. 40A, § 6.

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.

Location: 4080 ACUSHNET AVE

Parcel ID: 136 248

Zoning: RA **Fiscal Year:** 2020

Current Owner Information:
DECOSTA ALEX R

4080 ACUSHNET AVENUE

NEW BEDFORD , MA 02745

Current Sales Information:

Sale Date:

03/13/2015

Sale Price:

\$222,400.00

Legal Reference:

11316-166

Grantor:

DPM DEVELOPMENT CORP,

Card No. 1 of 1

This Parcel contains 0.3348 acres of land mainly classified for assessment purposes as Single Fam with a(n) California -Style(Rectangle & Hip Roof) style building, built about 1922, having Wood Shingle exterior, Asphalt Shingles roof cover and 1615 Square Feet, with 1 unit(s), 6 total room(s), 3 total bedroom(s) 1 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value:

156400

Land Value:

127200

Yard Items Value:

0

Total Value:

283600



Fiscal Year 2020

Tax Rate Res.: 16.16
Tax Rate Com.: 33.59
Property Code: 101
Total Bldg Value: 156400
Total Yard Value: 0
Total Land Value: 127200
Total Value: 283600
Tax: \$4,582.98

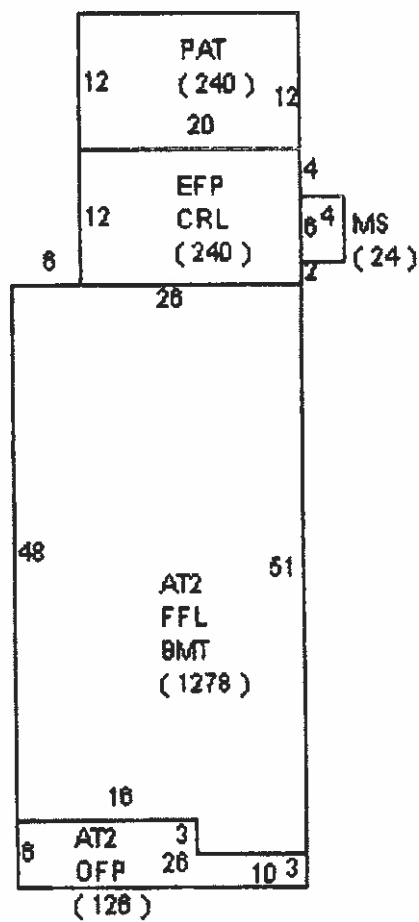
Fiscal Year 2019

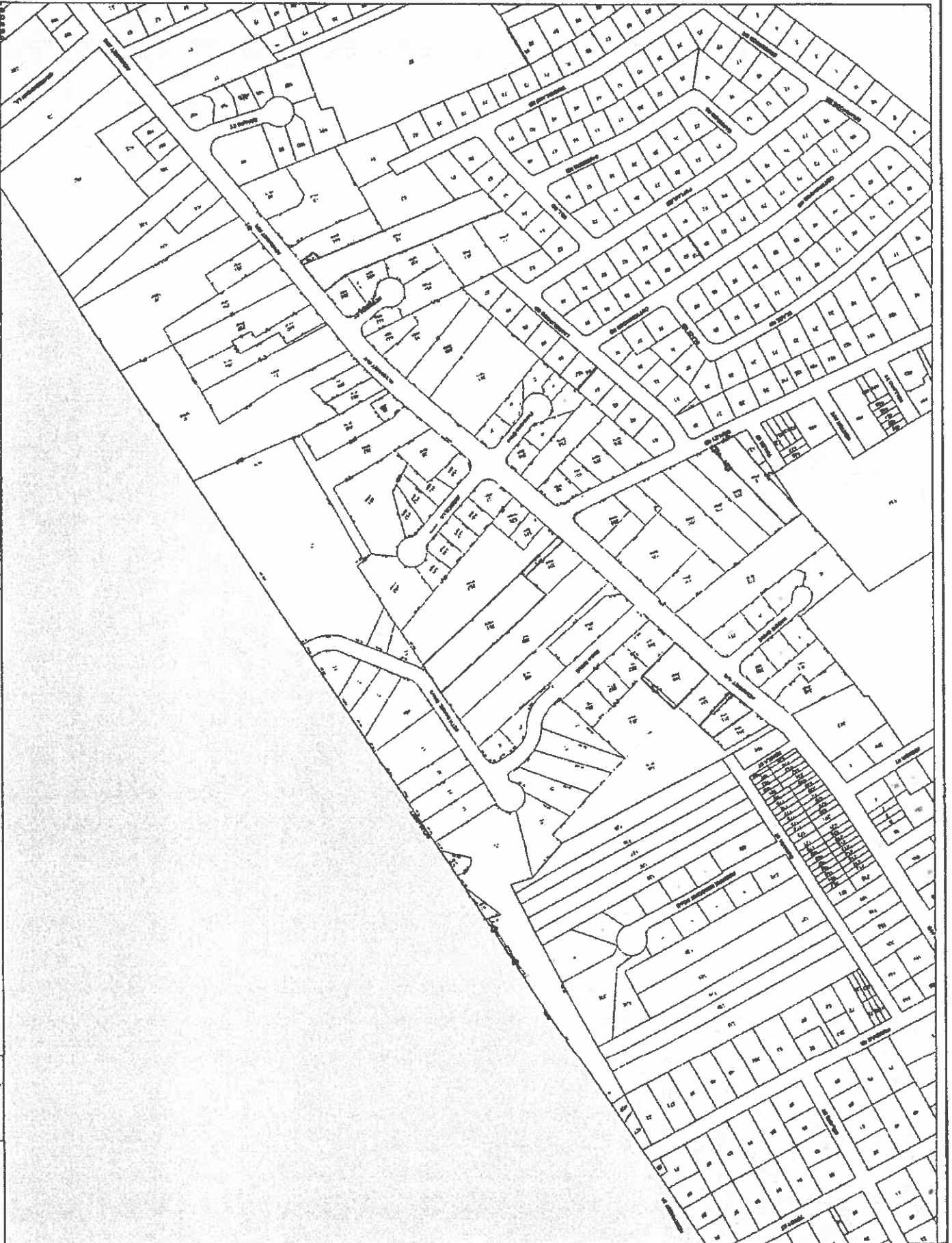
Tax Rate Res.: 16.47
Tax Rate Com.: 34.84
Property Code: 101
Total Bldg Value: 140400
Total Yard Value: 0
Total Land Value: 127200
Total Value: 267600
Tax: \$4,407.37

Fiscal Year 2018

Tax Rate Res.: 16.63
Tax Rate Com.: 35.65
Property Code: 101
Total Bldg Value: 125400
Total Yard Value: 0
Total Land Value: 127200
Total Value: 252600
Tax: \$4,200.74

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.





Legend

- ☐ Platted Subdivisions
- ☐ Contained Parcels
- ☐ Master Parcel (Linked to Assessor's DB)
- ☐ Assessor's Parcels

Water Features

- ☐ Town Boundary
- ☐ Expressing Lot Number
- ☐ Lot Area

Scale: 1 inch = 100 feet
 0 25 50 feet



City of New Bedford
 Massachusetts

Map: 136-1

Map Year: 2019
 This map was updated to reflect the current
 and available information.



Map Prepared By:
 The City of New Bedford
 Department of Planning
 January 2020

49
22461

58.1

128.

532
10679

150
121.44

123.28
114.3

248
14585

133.28

115.37

RES.A 72.72

RES

Google Maps 4080 Acushnet Ave



Imagery ©2020 Google, Map data ©2020, Map data ©2020 20 ft

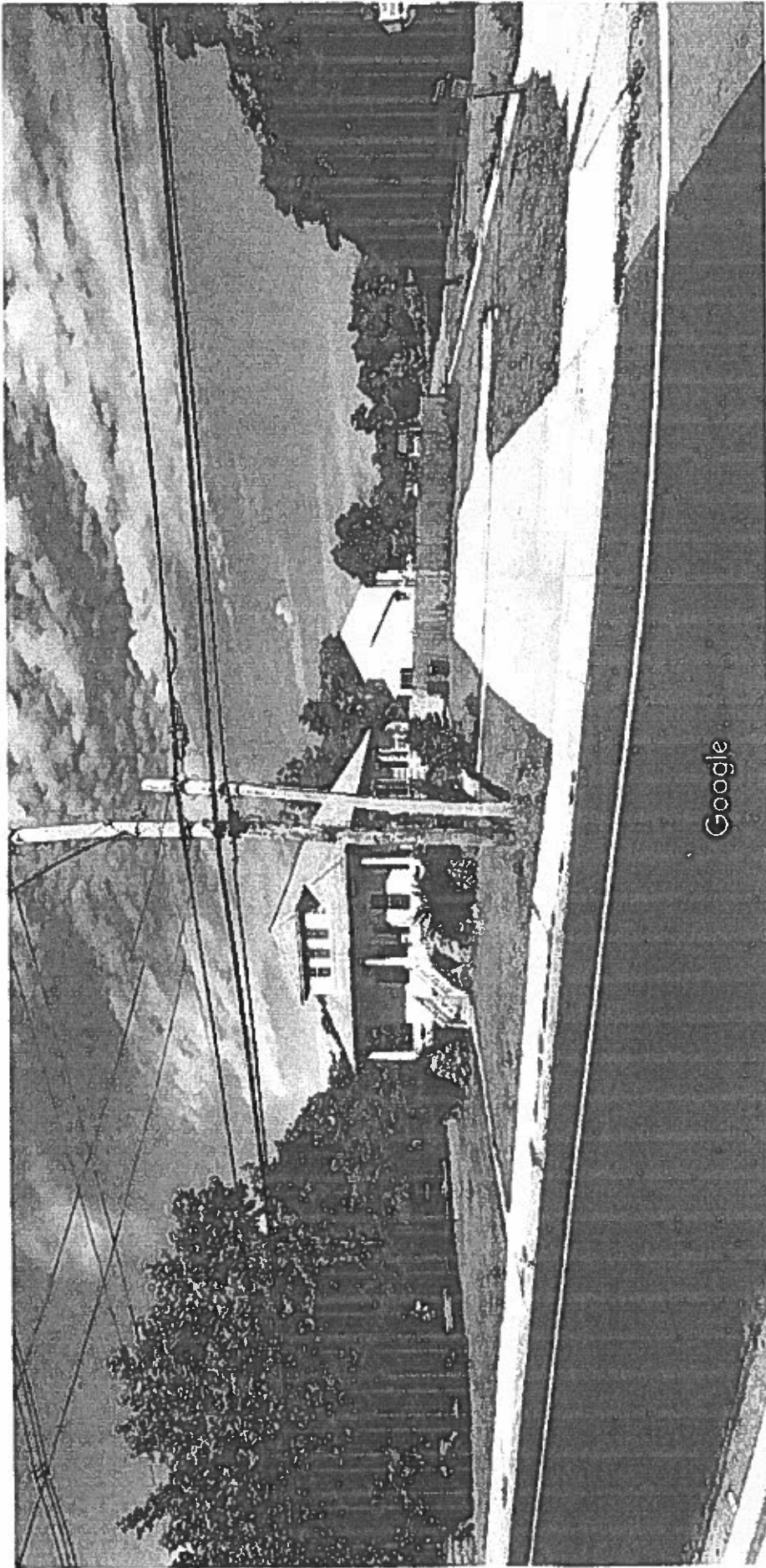


Image capture: Sep 2019 © 2020 Google

New Bedford, Massachusetts



Street View

