

CITY OF NEW BEDFORD

MASSACHUSETTS

APPLICATION FOR
CONSTRUCTION OF
PAVED
SIDEWALK/DRIVEWAY

ENGINEERING - 508-979-1550

Application No. 11287

Expires: 9/28/17

Date: 9/28/14

Property Owner: Timothy Pezendor Tel: 508 207 0367

Address: 107 Mayland St New Bedford MA 02740
street city state zip code

The above hereby requests permission to construct a paved: X driveway / sidewalk located at
107 Mayland street, plot 127C, lot 271 in accordance with the
terms and conditions set forth herein, and the Ordinances of the City of New Bedford.

Sidewalk	Dimensions	Driveway	Width (ft)
<u> </u> Bituminous Concrete <u> </u>	<u> </u>	<u>X</u> Residential <u> </u>	<u>existing</u> <u>12' x 18'</u>
<u> </u> Concrete Full Width <u> </u>	<u> </u>	<u> </u> Commercial <u> </u>	<u> </u>
<u> </u> Concrete Ribbon <u> </u>	<u> </u>	<u> </u> Relocation/Widening <u> </u>	<u> </u>
<u> </u> Curb Needed <u> </u>	<u> </u>	<u> </u> Curb Removal <u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>X</u> Concrete <u> </u>	<u>Installed</u> <u>18' x 10'</u>
<u> </u>	<u> </u>	<u> </u> Bituminous Concrete <u> </u>	<u> </u>

Bonded Contractor: Renzling Tel:

Traffic Commission: Approved Rejected Date
W/A Signature

Building Dept. Approved (New Building)
X Approved - Bldg. Permit# B-15-285
 Rejected
Danny Romanowski Signature

Engineering Department Approved Rejected Date
Manuel Lee Signature

Permit/Inspection fee of \$150.00 must accompany this application.

SPECIAL REQUIREMENTS: Contractor to call 24 hrs. in advance for pre-inspection (prior to pouring)
If curbing is removed, it must be returned within 24 hrs to the D.P.I. Yard
1105 Shawmut Ave., New Bedford

PAID: 150.00

Manuel Lee Supervising Civil Engineer
BY: Manuel Lee
Property Owner Timothy Pezendor

Robert Bichel

From: Manuel Silva
Sent: Monday, September 19, 2016 2:50 PM
To: Robert Bichel
Subject: FW: Permit/Application: B-15-2851 at 167 MARYLAND ST for New Constr./Addition 1-2 Family

From: Maria Sequeira
Sent: Tuesday, September 13, 2016 2:37 PM
To: Manuel Silva; Ana S. Rosa; Donna M. Amado
Subject: Permit/Application: B-15-2851 at 167 MARYLAND ST for New Constr./Addition 1-2 Family

Please review the permit in the subject line above in the View Permit System. The paper work you need is attached to the application.

Thank you for your attention in this matter.
Maria Sequeira
Department of Inspectional Services

EXISTING 12' X 10'
CEMENT CONC. DRIVE BROW
WIDEN 6' FOR TOTAL 18' X 10'
167 MARYLAND ST.
TIMOTHY J. REZENDES
Plot 121C
Lot 271

NO GRANITE CURB

WIDEN 6' WITH CEMENT CONC.
FOR TOTAL OF 18' X 10' CEMENT CONC.

REP 9/16/16 DPI-ENG



City of New Bedford

ZONING BOARD OF APPEALS

JONATHAN F. MITCHELL
MAYOR

133 William Street, New Bedford
Massachusetts 02740
Telephone: (508) 979.1488
Facsimile: (508) 979.1576

NOTICE OF DECISION

Case Number:	#4226			
Request Type:	Variance			
Address:	167 Maryland Street			
Zoning:	Residential A Zoned District			
Recorded Owner:	Timothy J. Rezendes			
Owner's Address:	167 Maryland Street New Bedford, MA 02745			
Applicant:	Timothy J. Rezendes			
Applicant's Address:	167 Maryland Street New Bedford, MA 02745			
Application Submittal Date	Public Hearing Date	Decision Date		
March 22, 2016	April 28 th , 2016	April 28 th , 2016		
Assessor's Plot Number	Lot Number(s)	Book Number	Page Number	Certificate Number
127C	271	3456	59	

Variance under provisions of Chapter 9 comprehensive zoning sections 2700 (dimensional regulations), 2710 (general), and 2720 (table of dimensional requirements, appendix-B-rear yards), 2750 (yards in residence districts), 2753 (rear yard), 3100 (parking and loading), and 3145 (parking in front of dwelling and 18' maximum driveway width); relative to property located at 167 Maryland Street, assessor's map 127C, lot 271 in a residential-A [RA] zoned district; to allow the petitioner to demolish the existing carport and attached shed; and to erect a 16'x22' family room addition and expand the existing driveway as plans filed.

Action: GRANTED, WITH CONDITIONS, for the reasons set forth in the attached decision with the Conditions as described in the attached decision. (See Attachment)

A copy of this Decision was filed with the City Clerk of the City of New Bedford on May 5th, 2016. Any person aggrieved by this decision has twenty (20) days to appeal the decision in accordance with the procedures set forth in Section 17 of Chapter 40A of the General Laws of Massachusetts.

May 5, 2016

Date

MAY 26 2016

Date

Clerk, Zoning Board of Appeals

This is to certify that notice of the grant of this appeal was filed with City Clerk on MAY 5, 2016 and no appeal from the decision of the Board has been filed within the 21 day appeal period.

Jonathan F. Mitchell

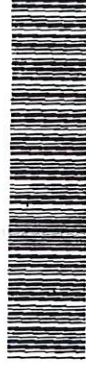
Date Issued MAY 26 2016

A TRUE COPY ATTEST

Jonathan F. Mitchell

CITY CLERK-NEW BEDFORD, MA

Registry of Deeds Use Only:



2016 00011419

Bk: 11697 Pg: 1 of 4 BS
Doc: ZV 05/26/2016 10:33 AM

2016 MAY 5 4 8 5
CITY CLERK

1.) APPLICATION SUMMARY

The petitioner proposes to demolish the existing carport and attached shed; and to erect a 16'x22' family room addition and expand the existing driveway as plans filed, which requires a variance under provisions of Chapter 9 comprehensive zoning sections 2700 (dimensional regulations), 2710 (general), and 2720 (table of dimensional requirements, appendix-B-rear yards), 2750 (yards in residence districts), 2753 (rear yard), 3100 (parking and loading), and 3145 (parking in front of dwelling and 18' maximum driveway width). This petition is relative to property located at 167 Maryland Street, assessor's map 127C, lot 271 in a residential-A [RA] zoned district.

2.) MATERIALS REVIEWED BY THE BOARD

Plans Considered to be Part of the Application

- Site Plan, drawn by unknown, not dated
- Plan Set, drawn by Paul M. Gerrior Designs, dated June 2015 including:
 - Proposed 1st Floor Plan
 - Foundation Plan
 - Typical Cross Section
 - Elevations

Other Documents & Supporting Material

- Completed Petition for a Variance Form, stamped received by City Clerk's Office March 22nd, 2016.
- Letter to ZBA from the Commissioner of Buildings & Inspectional Services, Danny D. Romanowicz, dated March 30th, 2016.
- Staff Comments to ZBA from Department of Planning, Housing and Community Development, dated April 1st, 2016.

3.) DISCUSSION

On the evening of the April 28th, 2016 meeting, board members: Leo Schick, Allen Decker, Sherry McTigue, John Walsh and Robert Schilling were present for the public hearing. City of New Bedford staff: Danny D. Romanowicz (Commissioner of Buildings & Inspectional Services) and Jennifer Gonet (Assistant Project Manager, Department of Planning, Housing & Community Development) were present during proceedings for the subject case review.

Mr. Decker made a motion, seconded by Ms. McTigue, to receive and place on file the communications from the Commissioner of Buildings & Inspectional Services, Danny D. Romanowicz, dated March 30th, 2016; Staff Comments from the Department of Planning, Housing & Community Development, dated April 1st, 2016; the appeal packet; the plan as submitted; and, that the owners of the lots as indicated are the ones deemed by the Board to be affected; and that the action of the Clerk in giving notice of the hearing as stated be and is hereby ratified. With all in favor, the motion carried.

Acting Chair Schick then declared the hearing open.

The petitioner: Mr. Timothy Rezendes (167 Maryland Street New Bedford, MA) presented his petition. He explained, he proposes to demolish the existing carport and replace it with a new family room

within the same footprint. He further explained the proposal includes a poured concrete foundation which will have a bulkhead to access the basement from outside. He explained currently he cannot access the basement from the outside of the house. This plan will connect the two basement sections. He also proposes to expand the driveway for two cars. The changes he noted would result in having parking in front of the house.

Mr. Decker clarified that currently the driveway fits two cars in tandem but not side by side. He asked if the petitioner wanted to expand the curb cut. Mr. Rezendes confirmed he proposes widening the existing 12' curb cut to the maximum 18' allowed by the city.

Following the petitioner's testimony, Acting Chair Schick invited to the podium anyone wishing to speak in favor of the application. No one in attendance spoke in support of the petition or wished to be recorded in favor of the petition.

Acting Chair Schick invited to the podium anyone wishing to speak in opposition of the petition. No one in attendance spoke in opposition of the petition or wished to be recorded in opposition of the petition.

Ms. McTigue confirmed the location of the bulkhead to be in the rear of the proposed structure.

With no further questions or concerns, Acting Chair Schick closed the hearing, and opened the floor for discussion amongst board members.

4.) FINDINGS

Criteria for Approval of Dimensional Variation (Ch. 9, Sect. 2730)

The Board of Appeals may vary otherwise applicable dimensional requirements pertaining to frontage, lot area, building height and sidelines upon finding the following:

- a.) *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;*

The Board found the location of the structure on the lot makes it difficult to expand habitable living space in any other place than where the carport and attached storage shed is located. Also, the expansion of the driveway makes for a safer and more convenient way of parking vehicles. The board found the hardship is reconfiguring the addition other than as proposed would add substantial cost to the project due to nontraditional framing lumber that would be necessary for the project.

- b.) *That desirable relief may be granted without substantial detriment to the public good;*

The Board found that sufficient information and testimony had been given to determine that granting the required relief would not result in substantial negative impact to the public good.

- c.) *And, that desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.*

The Board found that the impact of the dimensional relief would be minimal, and would not substantially derogate from the intent of the zoning ordinance.

5.) RELIEF

With respect to the relief requested by the Applicant, the Board has been presented with sufficient information at the hearing to justify the relief described below, subject to the conditions set forth below in Section 6.

The Board grants the Applicant's request for relief from Chapter 9 comprehensive zoning sections 2700 (dimensional regulations), 2710 (general), and 2720 (table of dimensional requirements, appendix-B-rear yards), 2750 (yards in residence districts), 2753 (rear yard), 3100 (parking and loading), and 3145 (parking in front of dwelling and 18' maximum driveway width); relative to property located at 167 Maryland Street, assessor's map 127C, lot 271 in a residential-A [RA] zoned district; to allow the petitioner to demolish the existing carport and attached shed; and to erect a 16'x22' family room addition and expand the existing driveway as plans filed.

6.) THE FOLLOWING CONDITIONS AND RESTRICTIONS SHALL APPLY

- a. The project shall be set forth according to plans submitted with the application, with conditions;
- b. The applicant shall ensure that a copy of this decision, bearing the certification of the City of New Bedford Clerk's Office, is recorded in the Registry of Deeds;
- c. The rights authorized by the granted Variances must be exercised, by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date they were granted or they will lapse.

7.) DECISION

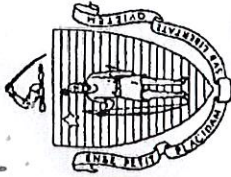
Based on a review of the application documents, testimony given at the public hearing and the findings described above, the Zoning Board of Appeals hereby GRANTS, WITH CONDITIONS, the requested variance.

On a motion by A. Decker, seconded by J. Walsh to grant the requested Variance, the vote carried 5-0 with members S. McTigue, A. Decker, L. Schick, J. Walsh and R. Schilling voting in the affirmative, no member voting in the negative. (Tally 5-0)

Filed with the City Clerk on:


Allen Decker, Clerk of the Zoning Board of Appeals

May 5, 2016
Date



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): CC CONSTRUCTION

Address: 1235 ROCKDALE AVE, NEW BEDFORD, MA 02745

City/State/Zip: NEW BEDFORD, MA 02745 Phone #: (508) 965 2637

Are you an employer? Check the appropriate box:

1. ☐ I am an employer with _____ employees (full and/or part-time).*
2. ☒ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
3. ☐ I am a homeowner doing all work myself. [No workers' comp. insurance required.] †
4. ☐ I am a general contractor and I have hired the sub-contractors listed on the attached sheet. ‡ These sub-contractors have workers' comp. insurance.
5. ☐ 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.]

Type of project (required):

6. ☐ New construction
7. ☐ Remodeling
8. ☐ Demolition
9. ☒ Building addition
10. ☐ Electrical repairs or additions
11. ☐ Plumbing repairs or additions
12. ☐ Roof repairs
13. ☐ Other _____

* 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 their workers' comp. policy information.

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: _____

Date: 11/19/2015

Phone #: 508 965 2637

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 #: _____



34	40.04	RES. A
4.25	40.03	
<u>880</u>	40.03	
2.19	40.03	
14.01	40.03	
<u>3814</u>	40.03	
1.54	40.03	
13.87	40.03	
<u>3776</u>	40.03	
2.89	40.04	
13.62	40.04	
<u>3708</u>	40.04	
91.23	40.04	

	RES. A	
70.60	89.54	
17	24	122.55
1	.14	
53	<u>98</u>	
40		
6.27		

RES.A	102.97	RES.A	80	263	11.75	3200	40.03	80	264	11.75	3200	40.04	80	265	23.51	6400	80.07	266	23.51	6400	80.07	267	36.07	9820	133.09	434	30.78	8300	21.00
RES.A	74.38	RES.A	80	269	23.50	6400	80.07	80	270	23.50	6400	80.07	80	271	23.51	6400	80.07	272	23.51	6400	80.07	273	11.75	3200	40.07	274	22.68	6175	2.6
RES.A	09.00	RES.A	80	275	18.59	5062	80.07	80	276	18.59	5062	80.07	80	277	18.59	5062	80.07	278	18.59	5062	80.07	279	18.59	5062	80.07	280	22.68	6175	2.6
RES.A	09.00	RES.A	80	281	23.51	6400	80.07	80	282	23.51	6400	80.07	80	283	23.51	6400	80.07	284	23.51	6400	80.07	285	23.51	6400	80.07	286	22.68	6175	2.6
RES.A	09.00	RES.A	80	287	23.51	6400	80.07	80	288	23.51	6400	80.07	80	289	23.51	6400	80.07	290	23.51	6400	80.07	291	23.51	6400	80.07	292	22.68	6175	2.6
RES.A	09.00	RES.A	80	293	23.51	6400	80.07	80	294	23.51	6400	80.07	80	295	23.51	6400	80.07	296	23.51	6400	80.07	297	23.51	6400	80.07	298	22.68	6175	2.6
RES.A	09.00	RES.A	80	299	23.51	6400	80.07	80	300	23.51	6400	80.07	80	301	23.51	6400	80.07	302	23.51	6400	80.07	303	23.51	6400	80.07	304	22.68	6175	2.6
RES.A	09.00	RES.A	80	305	23.51	6400	80.07	80	306	23.51	6400	80.07	80	307	23.51	6400	80.07	308	23.51	6400	80.07	309	23.51	6400	80.07	310	22.68	6175	2.6
RES.A	09.00	RES.A	80	311	23.51	6400	80.07	80	312	23.51	6400	80.07	80	313	23.51	6400	80.07	314	23.51	6400	80.07	315	23.51	6400	80.07	316	22.68	6175	2.6
RES.A	09.00	RES.A	80	317	23.51	6400	80.07	80	318	23.51	6400	80.07	80	319	23.51	6400	80.07	320	23.51	6400	80.07	321	23.51	6400	80.07	322	22.68	6175	2.6
RES.A	09.00	RES.A	80	323	23.51	6400	80.07	80	324	23.51	6400	80.07	80	325	23.51	6400	80.07	326	23.51	6400	80.07	327	23.51	6400	80.07	328	22.68	6175	2.6
RES.A	09.00	RES.A	80	329	23.51	6400	80.07	80	330	23.51	6400	80.07	80	331	23.51	6400	80.07	332	23.51	6400	80.07	333	23.51	6400	80.07	334	22.68	6175	2.6
RES.A	09.00	RES.A	80	335	23.51	6400	80.07	80	336	23.51	6400	80.07	80	337	23.51	6400	80.07	338	23.51	6400	80.07	339	23.51	6400	80.07	340	22.68	6175	2.6

[illegible]

RES. A	5112	5278	10
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Commonwealth of Massachusetts
CITY OF NEW BEDFORD
BUILDING PERMIT

City Hall, Room 308, 133 William Street New Bedford, MA 02740 (508) 979-1540



No. **B-15-2851**

MSBC Sect. 110.14 - Any permit issued shall be deemed abandoned and invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance.

This certifies that **Craig Crompton**

owner/contractor has permission to:

New Constr./Addition 1-2 Family

on: **167 MARYLAND ST**

Providing that the person accepting this permit shall in every respect conform to the terms of application therefore on file in this office; to the provisions of the statute of the Commonwealth adn to the by-laws of the City of New Bedford relating to the inspection, erection, enlarging, altering, raising, moving, repairing, or tearing down of a building.

Permit is issued subject to the following special requirements: (Restrictions)

CITY DEPARTMENT/COMMISSION COMMENTS

BUILDING DEPARTMENT COMMENTS

The following department/commission has expressed concern about the issuance of this permit. You are adviced to contact that agency and resolve this matter.

Department/Commission:

: construction of a 16'x22' family room addition and expand the existing driveway as plans filed and approved by the Zoning Board of Appeals #4226
: Work shall be performed in accordance w/ ZBA decision.

YOUR AREA INSPECTOR IS: **Thomas Welch**

Tel. (508) 979-1540 Between 8:00am - 9:00am

NOTICE: NOTIFY INSPECTOR 48 HOURS IN ADVANCE OF APPLYING SHEATHING OR LATHING

OCCUPANCY PERMIT REQUIRED BEFORE OCCUPANCY
No Building or Structure shall be used or occupied until the Certificate of Use and Occupancy shall have been issued by the Building Commissioner - MSBC, Sect. 120.1

This Card Must Be Displayed in a Conspicuous Place on the Premises and Not Torn Down or Removed Until Completion of Work

SUBJECT TO MASSACHUSETTS
STATE BUILDING CODE

Building Commissioner

Donny D. Lawrence

Plan Review Comments: : 167 MARYLAND ST.: variance req.- rear yard
: variance granted 4/28/16, case # 4226