



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

FOR BUILDING DEPT. USE

DATE RECEIVED _____
 RECEIVED BY _____
 ISSUED BY _____

Permit No. _____
 Completion Date _____

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

Address: ES. Davenport Street
 (NOT) (IF APPLICABLE)
 (CROSS STREET) AND (GROSS STREET)
 Block: USA Lot: 473 District: Ind. B Access to Street: Davenport St.
 Plans filed: Yes No (Partial Plans)

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

A. TYPE OF IMPROVEMENT

1. New Building

2. Addition of residential units (number of units, including 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212nd, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 311st, 312nd, 313th, 314th, 315th, 316th, 317th, 318th, 319th, 320th, 321st, 322nd, 323rd, 324th, 325th, 326th, 327th, 328th, 329th, 330th, 331st, 332nd, 333rd, 334th, 335th, 336th, 337th, 338th, 339th, 340th, 341st, 342nd, 343rd, 344th, 345th, 346th, 347th, 348th, 349th, 350th, 351st, 352nd, 353rd, 354th, 355th, 356th, 357th, 358th, 359th, 360th, 361st, 362nd, 363rd, 364th, 365th, 366th, 367th, 368th, 369th, 370th, 371st, 372nd, 373rd, 374th, 375th, 376th, 377th, 378th, 379th, 380th, 381st, 382nd, 383rd, 384th, 385th, 386th, 387th, 388th, 389th, 390th, 391st, 392nd, 393rd, 394th, 395th, 396th, 397th, 398th, 399th, 400th, 401st, 402nd, 403rd, 404th, 405th, 406th, 407th, 408th, 409th, 410th, 411st, 412nd, 413th, 414th, 415th, 416th, 417th, 418th, 419th, 420th, 421st, 422nd, 423rd, 424th, 425th, 426th, 427th, 428th, 429th, 430th, 431st, 432nd, 433rd, 434th, 435th, 436th, 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580th, 581st, 582nd, 583rd, 584th, 585th, 586th, 587th, 588th, 589th, 590th, 591st, 592nd, 593rd, 594th, 595th, 596th, 597th, 598th, 599th, 600th, 601st, 602nd, 603rd, 604th, 605th, 606th, 607th, 608th, 609th, 610th, 611st, 612nd, 613th, 614th, 615th, 616th, 617th, 618th, 619th, 620th, 621st, 622nd, 623rd, 624th, 625th, 626th, 627th, 628th, 629th, 630th, 631st, 632nd, 633rd, 634th, 635th, 636th, 637th, 638th, 639th, 640th, 641st, 642nd, 643rd, 644th, 645th, 646th, 647th, 648th, 649th, 650th, 651st, 652nd, 653rd, 654th, 655th, 656th, 657th, 658th, 659th, 660th, 661st, 662nd, 663rd, 664th, 665th, 666th, 667th, 668th, 669th, 670th, 671st, 672nd, 673rd, 674th, 675th, 676th, 677th, 678th, 679th, 680th, 681st, 682nd, 683rd, 684th, 685th, 686th, 687th, 688th, 689th, 690th, 691st, 692nd, 693rd, 694th, 695th, 696th, 697th, 698th, 699th, 700th, 701st, 702nd, 703rd, 704th, 705th, 706th, 707th, 708th, 709th, 710th, 711st, 712nd, 713th, 714th, 715th, 716th, 717th, 718th, 719th, 720th, 721st, 722nd, 723rd, 724th, 725th, 726th, 727th, 728th, 729th, 730th, 731st, 732nd, 733rd, 734th, 735th, 736th, 737th, 738th, 739th, 740th, 741st, 742nd, 743rd, 744th, 745th, 746th, 747th, 748th, 749th, 750th, 751st, 752nd, 753rd, 754th, 755th, 756th, 757th, 758th, 759th, 760th, 761st, 762nd, 763rd, 764th, 765th, 766th, 767th, 768th, 769th, 770th, 771st, 772nd, 773rd, 774th, 775th, 776th, 777th, 778th, 779th, 780th, 781st, 782nd, 783rd, 784th, 785th, 786th, 787th, 788th, 789th, 790th, 791st, 792nd, 793rd, 794th, 795th, 796th, 797th, 798th, 799th, 800th, 801st, 802nd, 803rd, 804th, 805th, 806th, 807th, 808th, 809th, 810th, 811st, 812nd, 813th, 814th, 815th, 816th, 817th, 818th, 819th, 820th, 821st, 822nd, 823rd, 824th, 825th, 826th, 827th, 828th, 829th, 830th, 831st, 832nd, 833rd, 834th, 835th, 836th, 837th, 838th, 839th, 840th, 841st, 842nd, 843rd, 844th, 845th, 846th, 847th, 848th, 849th, 850th, 851st, 852nd, 853rd, 854th, 855th, 856th, 857th, 858th, 859th, 860th, 861st, 862nd, 863rd, 864th, 865th, 866th, 867th, 868th, 869th, 870th, 871st, 872nd, 873rd, 874th, 875th, 876th, 877th, 878th, 879th, 880th, 881st, 882nd, 883rd, 884th, 885th, 886th, 887th, 888th, 889th, 890th, 891st, 892nd, 893rd, 894th, 895th, 896th, 897th, 898th, 899th, 900th, 901st, 902nd, 903rd, 904th, 905th, 906th, 907th, 908th, 909th, 910th, 911st, 912nd, 913th, 914th, 915th, 916th, 917th, 918th, 919th, 920th, 921st, 922nd, 923rd, 924th, 925th, 926th, 927th, 928th, 929th, 930th, 931st, 932nd, 933rd, 934th, 935th, 936th, 937th, 938th, 939th, 940th, 941st, 942nd, 943rd, 944th, 945th, 946th, 947th, 948th, 949th, 950th, 951st, 952nd, 953rd, 954th, 955th, 956th, 957th, 958th, 959th, 960th, 961st, 962nd, 963rd, 964th, 965th, 966th, 967th, 968th, 969th, 970th, 971st, 972nd, 973rd, 974th, 975th, 976th, 977th, 978th, 979th, 980th, 981st, 982nd, 983rd, 984th, 985th, 986th, 987th, 988th, 989th, 990th, 991st, 992nd, 993rd, 994th, 995th, 996th, 997th, 998th, 999th, 1000th

D. PROPOSED USE (Use domestic and non-domestic)

Residential

1. One-family

2. Two or more family — Enter number of units

3. Transient home (multiple occupancy) — Enter number of units

4. Garage

5. Other — Specify _____

Nonresidential

19. Amusement, recreational

20. Church, other religious

21. Industrial

22. Parking garage

23. Service station, repair garage

24. Retail, institutional

25. Office, bank, professional

26. Public utility

27. School, library, other educational

28. Store, mercantile

29. Tank, tower

30. Funeral home

31. Food establishments

32. Other — Specify _____

B. OWNERSHIP

1. Private (individual, corporation, nonprofit institution, etc.)

2. Public (Federal, State or local government)

D2. Does this building contain asbestos?

YES NO (If so, indicate the following Name & Address of Asbestos Removal Firm: _____)

C. COST

10. Cost of construction (Value installed, including materials, labor, electrical, plumbing, etc.) \$ 115,000

11. TOTAL VALUE OF CONSTRUCTION \$ 175,000

12. TOTAL ASSESSED BLDG. VALUE \$ 175,000

D3. Non-Residential — Describe in detail proposed use of building, e.g., food processing plant, machine shop, laundry, building of hospital, elementary school, secondary school, college, parochial school, parking garage, and determine store, rental office building, office building, industrial plant, use of existing building is being changed, other proposed use

N/A

III. SELECTED CHARACTERISTICS OF BUILDING — For new buildings complete parts 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

40. Public or private company

41. Private (septic tank, etc.)

H. TYPE OF WATER SUPPLY

42. Public or private company

43. Private (well, cistern)

DIMENSIONS

58. Number of stories 2

59. Height 19'

60. Total square feet of floor area 2288 SF

61. Total square feet of exterior dimensions 914'

62. Building length 26'

63. Building width 77.44 SF

64. Area sq. ft. of bldg. footprint 775

65. Front lot line width 60

66. Rear lot line width 0.000 SF

67. Depth of lot 75

68. Total area of lot 1176

69. % of lot occupied by bldg. (58-62) 24

70. Distance front lot line (front) 30'

71. Distance front lot line (rear) 46'

72. Distance front lot line (left) 35'

73. Distance front lot line (right)

F. PRINCIPAL TYPE OF HEATING FUEL

38. Gas

39. Oil

40. Electricity

41. Coal

42. Other — Specify _____

I. TYPE OF MECHANICAL

44. Is there a fire sprinkler system?

YES NO

45. Will there be central air conditioning?

YES NO

46. Will there be an elevator?

YES NO

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 or building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work: N/A Est. Cost _____

Address of Work _____

Owner Name: _____ Date of Permit Application: _____

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

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

Other (specify) _____

Notice is hereby given that: **OWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLC. 142A.**

signed under penalties of perjury:

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

Date _____ Contractor Signature _____

Registration No. _____

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

Date _____ Owner Signature _____

XII. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS

C. Building Permit Rejected

Rejection Date April 3, 2014

Fee _____

Reason For Rejection:

Permit # _____

Comments and Conditions: Lacking Frontage as per Zoning Code Attached is Definition

Signed Danny R Romanowicz Date: _____ 20 _____

Title _____

Not valid unless signed (not stamped) by Building Commissioner

Frontage of: A lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and actual physical vehicular access to the lot, said line to be measured continuously along a single street for the entire width of the lot. Vehicular access to a building site on the lot shall be exclusively through the legal frontage of the lot.

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? Portion of Lot is wetland

Is location part of a known wetland? Portion of Lot is wetland

Has local conservation commission reviewed this site? Yes

IV. IDENTIFICATION - ALL APPLICANTS - PLEASE PRINT

OWNER OR LESSEE NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
Kenneth + Armanda Koroste	43 Lambert St New Bedford MA	02745	508-995-7638
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
T.B.D.			
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
T.B.D.			
SIGNATURE OF OWNER	APPLICANT SIGNATURE	DATE	

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: Res - B USE: SF Residence
 FRONTAGE: 125' (unconstructed) LOT SIZE: 10,000 SF
 SETBACKS:
 FRONT: 24' LEFT SIDE: 46' RIGHT SIDE: 35' REAR: 30'
 PERCENTAGE OF LOT COVERAGE PRIMARY BUILDING: 11.4%
 VARIANCE HISTORY: NONE

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 _____
 I am a sole proprietor and have no one working for me.
 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

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 _____ day of _____, 20____



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): Kenneth Koroski

Address: 43 Lambert St

City/State/Zip: New Bedford MA 02745 Phone #: 508-995-7638

Are you an employer? Check the appropriate box.

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).* | 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 workers' comp. insurance. |
| 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.] | 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.] |
| 3. <input checked="" type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.]† | |

Type of project (required)

- | |
|--------------------------------------------------------------|
| 6. <input checked="" type="checkbox"/> New construction |
| 7. <input type="checkbox"/> Remodeling |
| 8. <input type="checkbox"/> Demolition |
| 9. <input type="checkbox"/> Building addition |
| 10. <input type="checkbox"/> Electrical repairs or additions |
| 11. <input type="checkbox"/> Plumbing repairs or additions |
| 12. <input type="checkbox"/> Roof repairs |
| 13. <input type="checkbox"/> 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: _____

Phone #: 508-995-7638

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 #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required." Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply sub-contractor(s) name(s), address(es) and phone number(s) along with their certificate(s) of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. Also be sure to sign and date the affidavit. The affidavit should be returned to the city or town that the application for the permit or license is being requested, not the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary) and under "Job Site Address" the applicant should write "all locations in _____ (city or town)." A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111

Tel. # 617-727-4900 ext 406 or 1-877-MASSAFE

Fax # 617-727-7749

www.mass.gov/dia

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Plan W41101DB



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Style: Split Level

Total Living Area: 1125

Main Flr.: 1125

Attached Garage: 2 Car, 458 sq. ft.

Bedrooms: 3

Full Bathrooms: 2

Half Bathrooms: None

Width: 44'

Depth: 26'

Maximum Ridge Height: 19'

Exterior Walls: 2x4

Optional Exterior Walls: 2x6 \$150

Ceiling Height:

 Main Floor: 8'

 2nd Floor: 8'

Standard Foundations: Basement

Alternate Foundations: Slab (\$150), Crawl (\$150)

Special Collections: Photo Gallery, Narrow Lot

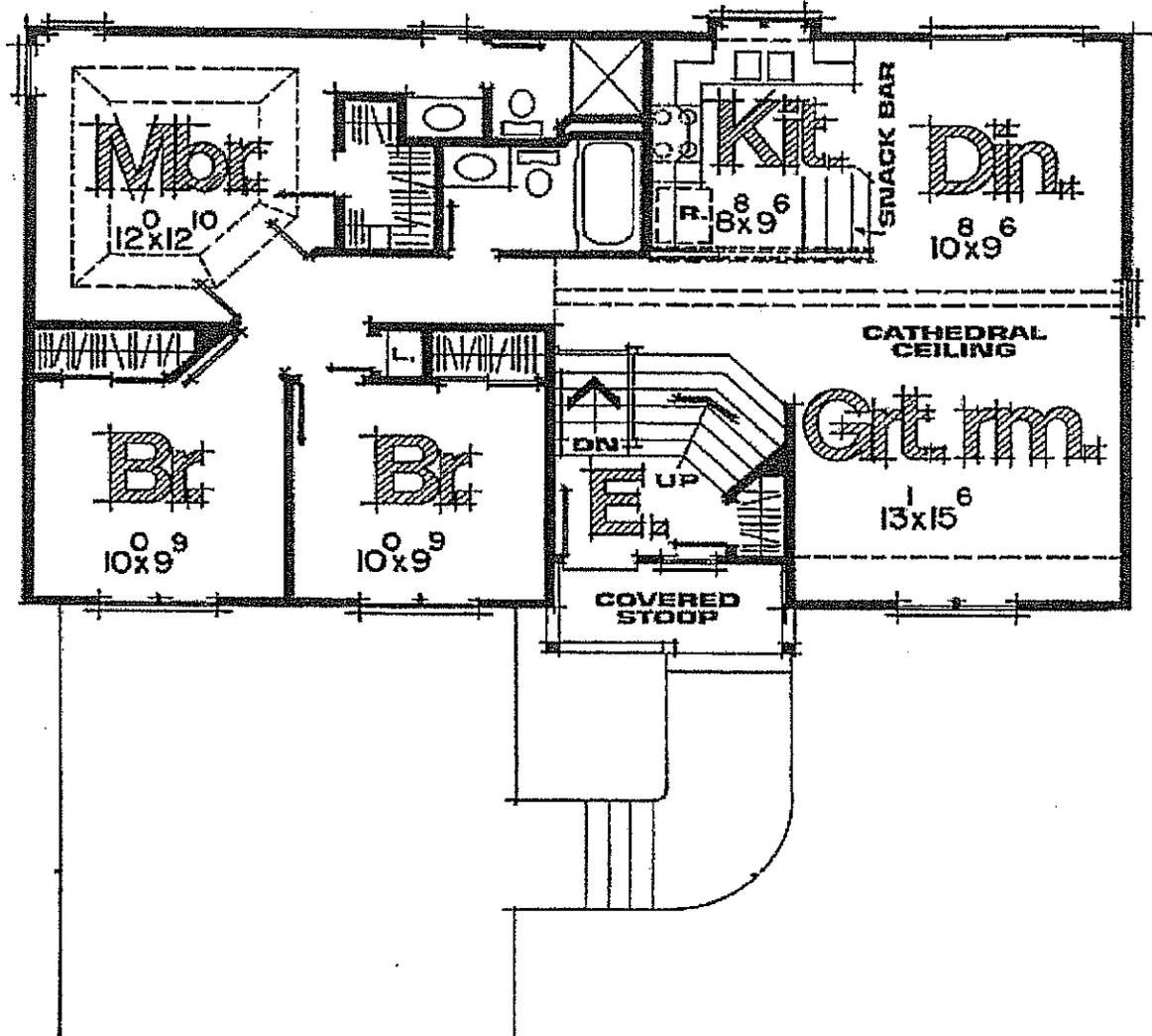
Special Features: Unlimited Build License, PDF, 1st Floor Master Suite

One Set	Five Sets	Eight Sets	Reproducible	PDF File	CAD
\$745	\$865	\$940	\$940	\$745	\$1,245

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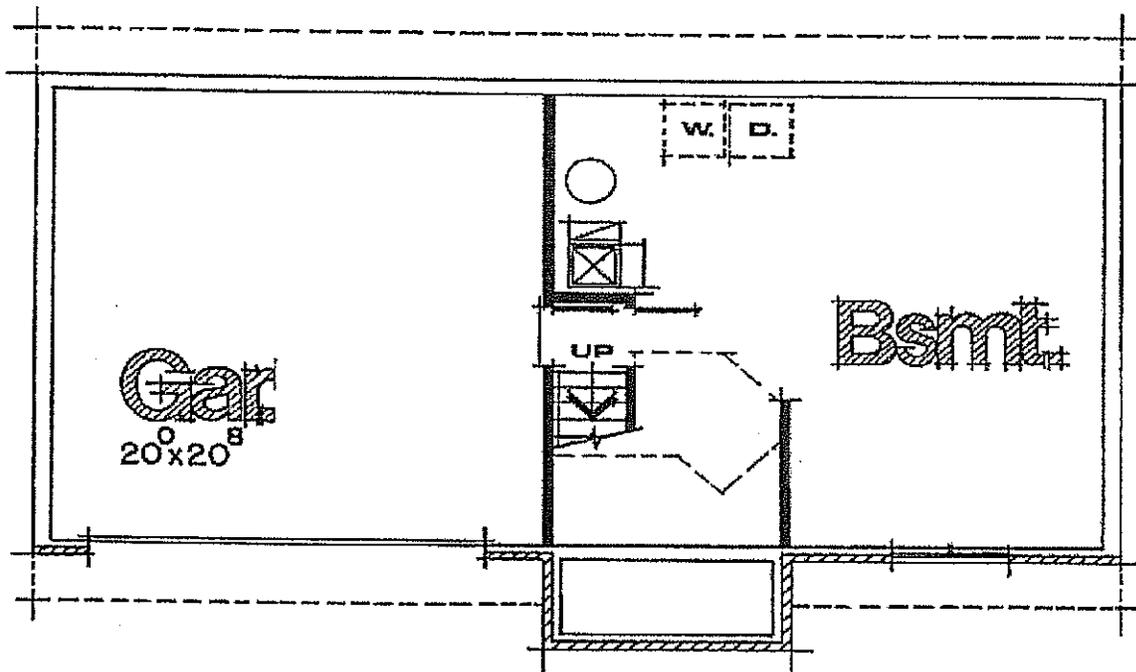
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Main Level



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Lower Level



ADEQUACY OF A PUBLIC WAY

A statutory private way is a way laid out and accepted by a town, for the use of one or more inhabitants, pursuant to MGL, Chapter 82. In Casagrande v. Town Clerk of Harvard, 377 Mass. 703 (1979), it was argued that a statutory private way was a public way for the purposes of determining whether a plan was entitled to be endorsed "approval not required."

The court found that such a way was not as a matter of law a public way for the purposes of subdivision control and that development on a statutory private way would require Planning Board approval unless it could be proven that such a way was both maintained and used as a public way. In Spalke v. Board of Appeals of Plymouth, 7 Mass App. Ct. 683 (1979), the court rejected the argument that the Atlantic Ocean was a public way for access purposes. The close reading by the court as to a qualified public way for the purposes of access is important. However, even if a proposed division of land abuts a public way, the Planning Board must consider the adequacy of the public way.

In Perry v. Planning Board of Nantucket, 15 Mass. App. Ct. 144 (1983), the court looked at the adequacy of access of an existing public way. Perry submitted a two lot ANR plan to the Planning Board. Both lots had the required zoning frontage on Oakland Street, which was a way that had appeared on town plans since 1927. The County Commissioners of Nantucket, by an order of taking registered with the Land Court in 1962, took an easement for the purposes of a public highway. Oakland Street, a public way, had never been constructed. The Planning Board decided that the plan constituted a subdivision because the lots did not front on a public way as defined in the Subdivision Control Law. The court agreed.

PERRY V. PLANNING BOARD OF NANTUCKET

15 Mass. App. Ct. 144 (1983)

Excerpts:

Greaney, J. . . .

A "subdivision" for purposes of the Subdivision Control Law, is defined as "the division of a tract of land into two or more lots . . ." A division is excluded from the definition of a subdivision . . . if "at the time when [the division] is made, every lot within the tract so divided has frontage on . . . a public way . . ." The question for decision is what is intended by the term "public way" in this exclusion.

The Legislature provided, in G.L. c. 82 Sections 1-16, for the layout and establishment of highways within municipalities by county commissioners . . .

Raymond A. Khalife

From: Danny Romanowicz
Sent: Friday, May 23, 2014 10:49 AM
To: Raymond A. Khalife
Subject: FW: Dana Street

fyi

-----Original Message-----

From: Jane Medeiros Friedman
Sent: Friday, May 23, 2014 8:15 AM
To: Danny Romanowicz
Cc: Neil Mello
Subject: RE: Dana Street

Danny:

He's had the street abandoned, so he has no frontage off of Dana Street. Even if he builds the access that is shown on the plan, before he could get a building permit, he would need to go before the Planning Board with a subdivision plan, that would require numerous waivers, in order to get the road approved before he can consider that his frontage. The other option I see is a variance for frontage on Dana Street, which he would have to build before he would be entitled to a building permit. He needs to discuss his options with his own attorney. Our office does not provide legal advice to residents.

Jane

-----Original Message-----

From: Danny Romanowicz
Sent: Thursday, May 22, 2014 5:02 PM
To: Jane Medeiros Friedman
Subject: Re: Dana Street

But if you reread your memo I can not give a permit without actual frontage access , at the present time we have a forest there.

Sent from my iPhone

> On May 22, 2014, at 4:48 PM, "Jane Medeiros Friedman" <JMedeirosFriedman@newbedford-ma.gov> wrote:

>

> Danny:

>

> Regarding the lot on Dana Street, since it has been abandoned as a way, I don't know if there is a way to legally use that as frontage, which he would need to demonstrate before he could get a plan approved, which would be needed before he builds out the way. I think a variance for frontage on Dana Street may be the only way to proceed but he can certainly have his lawyer look into it and contact us.

>

> Jane

>

> Sent from my iPhone