

GUIDE TO PERMITTING



CITY OF NEW BEDFORD

Mayor Jon Mitchell

Department of Planning, Housing and Community Development
Patrick J. Sullivan, Director

CITY OF NEW BEDFORD GUIDE TO PERMITTING

The City of New Bedford is committed to an open, streamlined and transparent permitting process.

New Bedford recognizes that a streamlined, transparent, and efficient permitting process is vital to attracting sustainable new investment and job growth. Recognizing that the permitting process can be a lengthy process that may lead to unnecessary delays and increased expenses, the City of New Bedford has implemented an open, streamlined and transparent permitting process that expedites all projects, both large and small, within the city.

By creating a streamlined and fully transparent permitting process, the city aims to foster communication between permitting boards, commissions and developers; to standardize forms and applications, and to provide the right contacts and necessary resources to aid applicants and the general public through what can be a complex and unfamiliar process.

This guide provides information that will:

- Guide applicants and the general public through the city's application and approval process
- Outline the functions of the Permitting Task Force
- Introduce the permitting granting boards and city departments involved in the application review and approval process.
- Offer suggested best practices
- Provide useful links to additional information

The Application & Approval Process. New Bedford's process begins with active collaboration and meaningful communication among city officials, permit applicants, consultants, and other community stakeholders. Land use changes resulting from construction, new development, adaptive reuse, redevelopment and other such changes are subject to regulations and ordinances managed largely by municipal departments, boards, and commissions. New Bedford's goal is to approve projects as efficiently as possible. With good preparation and communication many projects—even large projects—may be approved within 60 days.

Included within this guide is a list of city departments with contact information and brief descriptions of what role they play in the regulatory process. A flow chart describing the process one would follow in the permitting process gives a snapshot view of what to expect during this phase of development. Additional information in this guide offers a comprehensive look into the City's permitting application and approval process since the timeframes for application review, public hearing notices, appeal periods, and fees can vary for each permit.

Should you have any questions we encourage you to contact the City Department of Planning, Housing and Community Development – Planning Division for assistance.

We are ready to work with you!

Working your idea... If you have a project that you want to see approved and built in New Bedford, there are a few important steps that will help get you there. Here's what we recommend:

1

Establish Good Communication Early on

We encourage applicants to begin working with us as early as possible in the development of a project to establish good communication with the necessary city agencies. Why? Good communication is the best way to provide you with assistance through what can be a complex and unfamiliar process. This is critical to ensure that in developing your project, the right steps are efficiently and swiftly navigated at the outset—and throughout—the permitting process.

2

Create a Permitting Plan

Whether it is a small addition or a large commercial development, the permitting flowchart in this booklet will guide you through the required actions/approvals for a project prior to submitting a formal application and help you in creating your own permitting plan.

3

Utilize the Permitting Task Force

While anyone can request a pre-application meeting, applicants with complex development projects are strongly recommended to attend a pre-application meeting of the Permitting Task Force as described in detail elsewhere in this booklet. This allows for an informal review of your development in its conceptual design stage, identifying potential issues that may/will arise for the municipality, the applicant and impacted stakeholders.

4

Work with Experienced Professionals

In many cases projects may have been delayed due to incomplete or insufficient application materials being submitted. This can become frustrating for the applicant and the city department reviewing the application. It is important for applicant to work with engineers, architects and other land development professionals who have experience with the type of project you are proposing and the permitting process through which it must travel.

5

Submit a complete application

Many projects that initially provide complete applications to city departments often gain their requisite approvals through the permitting process within a 60-day timeframe. However, it should be noted that projects with complicated environmental constraints requiring multiple state and federal agency reviews or other issues beyond the control of the City may have an extended timeframe.

The Permitting Task Force. The city has streamlined its permitting process to ensure clarity and accessibility for all prospective projects regardless of project scale with an eye toward enhanced business expansion and recruitment. To help accomplish this, the Permitting Task Force serves as a “one-stop” shop where applicants may meet with representatives from a variety of city departments relevant to their specific project. The Permitting Task Force is comprised of a representative from each city department, board and/or commission that is regularly involved in New Bedford’s permitting approval process.

The Permitting Task Force is primarily made up of representatives from the following departments, boards and commissions, as each project may require:

- | | | |
|---------------------------|--|---|
| ▪ Planning Board | ▪ Building Department
(Inspectional Services) | ▪ Board of Health |
| ▪ Zoning Board of Appeals | ▪ Public Safety | ▪ Licensing |
| ▪ Conservation Commission | ▪ Department of Public
Infrastructure | ▪ New Bedford Economic
Development Council |
| ▪ Historical Commission | | |
| ▪ Traffic Commission | | |

The city’s Permitting Task Force meets with potential applicants on a weekly basis when they are either in a conceptual development phase or preparing for permitting. Such pre-application meetings are at the option of the applicant but are encouraged as they reinforce proactive planning with applicants and help to ensure that projects move efficiently through the city’s permitting process. These task force meetings assist applicants to understand the permits that they must apply for, the order in which they should apply, and what specific expectations—paperwork and timing—they face in going through the permitting process.

This pre-application meeting is an important part of the overall development process, providing a collaborative forum where applicants can discuss their plans with multiple departments at one time, get their questions answered and ready themselves for the specific types of relief and/or permitting they will need to undertake their development.

The City of New Bedford takes pride in the way it conducts its permitting process and is ready to assist all applicants. To set up a Permitting Task Force meeting to review your project, please contact the Department of Inspectional Services at 508-979-1540.

City Department Guide. The following chart briefly highlights the functions undertaken by each respective city department as it relates to the permitting process.

DEPARTMENT	FUNCTIONS RELATED TO PERMITTING
<p>Department of Inspectional Services (DIS)¹ Danny Romanowicz, Commissioner</p>	<p>This department ensures construction safety and enforces, issues and revokes permits under the provisions of the MA State Building Code for all construction, reconstruction, alteration, repair, demolition, removal, inspection, installation of mechanical equipment, etc. DIS also ensures code compliance associated with building safety, ingress and egress, energy conservation, and sanitary conditions and conducts annual inspections of required buildings and enforces specialized codes such as the Architectural Access Code, the Plumbing & Gas Codes, the Electrical Code and the provisions of the City’s Zoning Code, Sign Code, and other related regulations. The Commissioner serves as the Zoning Enforcement Officer.</p>
<p>Department of Planning, Housing and Community Development (DPHCD) Patrick J. Sullivan, Director</p>	<p>The Planning Division of this department guides public and private land use decisions, maintains the livability and character of the city and protects the environmental integrity of the city by ensuring that development and construction is in conformance with the City’s Zoning Code, Sign Code, Site Plan Review, and long/short term development plans.</p>

¹ (Also known as the Building Department)

City Department Guide. *Continued.*

DEPARTMENT	FUNCTIONS RELATED TO PERMITTING
<p>Department of Public Infrastructure (DPI) Euzebio Arruda, Commissioner</p> <p>Manual Silva, Deputy Commissioner</p>	<p>The DPI oversees the Water, Waste Water, Street Infrastructure and Engineering Divisions. The Department is responsible for reviewing and approving all water, wastewater and stormwater utility work including assessment of service eligibility, project design basis as well as material and construction standards. The Engineering Division provides comprehensive engineering and technical support and services that promote infrastructure improvements. The Division provides a wide range of technical assistance and engineering services and provides recommendations to the city boards and commissions and reviews projects for compliance with local, state, and federal laws and regulations.</p>
<p>Fire Department Michael Gomes, Fire Chief</p>	<p>Ensures fire truck access and adequate water supply in case of fire. Ensures building has required fire alarms, sprinklers, and other devices. Ensures appropriate exit paths for evacuations if needed. Ensures potentially hazardous activities such as welding are done safely.</p>
<p>Licensing Board Nicholas Nanopoulos, Director</p>	<p>The Licensing Board operates in accordance with Massachusetts General Laws. It is the Licensing Board’s responsibility to consider the impact of its approval in the granting of new or the renewal of existing licenses, and the impact said license will have in the neighborhood, as well as to the overall betterment to the City of New Bedford. The Licensing Board also conducts violations hearings as warranted to ensure the public’s safety.</p>
<p>Traffic Commission Scott Downing, Executive Secretary</p>	<p>The Traffic Commission is responsible for the review and approval of all curb cuts and street signage. It also serves as the operating agent for the city’s public parking garages.</p>
<p>Health Department Brenda Weis, Director</p>	<p>The city’s Health Department ensures the protection of the public health by enforcing state and local health codes and regulations.</p>
<p>Conservation Commission Sarah Porter, Conservation Agent</p>	<p>The Conservation Commission is charged with preserving the character and natural resources of New Bedford through oversight of the location and scope of all construction activities within wetland jurisdiction including the 100-foot Buffer Zone to wetlands, the 100-year floodplain, Certified Vernal Pool Habitats, and coastal zone management.</p>
<p>New Bedford Economic Development Council Derek Santos, Executive Director</p>	<p>The NBEDC is a nonprofit economic development organization that works closely with a host of municipal departments on the permitting of a wide variety of development projects and business expansions throughout the city. The NBEDC is responsible for the management of the City’s Tax Increment Financing Program, manages the operations of the New Bedford Business Park, and administers a lending program targeted to small business expansion.</p>

Guide to Commissions, Boards and Departments. The following provides a snapshot into the kinds of permits and approvals available along with the correlating adjudicating contact information and meeting schedules as may be applicable.

PERMIT/APPROVAL	AGENCY/DEPARTMENT	MEETING SCHEDULE
Permits relative to the construction, reconstruction, alteration, repair, demolition, use, occupancy, and maintenance of all buildings and structures	Department of Inspectional Services Danny Romanowicz, Commissioner 133 William Street, Room 308 - 508.979.1540 Danny.Romanowicz@newbedford-ma.gov http://www.newbedford-ma.gov/inspectional-services/	Office is open to the public 8am -4pm
Site Plan Review, Special Permit, Subdivision Review, & Approval Not Required (Form A)	Planning Board City Planner, Jennifer Clarke, AICP 133 William Street, Room 303 - 508.979.1488 Jennifer.Clarke@newbedford-ma.gov http://www.newbedford-ma.gov/Planning/planning.html	Wednesday evenings monthly. Generally, 2 nd Wednesday of the month but may vary. Meeting schedule and submittal deadlines posted on city website.
Approving authority for most special permits, variances, signs, comprehensive permits, and administrative appeals	Zoning Board of Appeals City Planner, Jennifer Clarke, AICP 133 William Street, Room 303 - 508.979.1488 Jennifer.Clarke@newbedford-ma.gov http://www.newbedford-ma.gov/Planning/planning.html	4 th Thursday of the month but may vary. Meeting schedule and submittal deadlines posted on city website.
Line & grade applications, Water, Wastewater and Storm Drain Permits, NPDES, Stormwater permits, Driveway Permits, Residential Curb Cuts	Department of Public Infrastructure Euzebio Arruda, Commissioner Manuel Silva, Deputy Commissioner 1105 Shawmut Avenue 508.961.3054 m.silva@newbedford-ma.gov http://www.newbedford-ma.gov/dpi/overview_admin.html	Office open to the public 7:30 am - 4 pm; Permits 7:30 am - 3:30 pm
Determines the appropriateness of any changes to buildings and structures located within the boundaries of the Historic Districts that are visible from public ways. Demolition Review	New Bedford Historical Commission Anne Louro, Preservation Planner 133 William Street, Room 303 508.979.1488 Anne.Louro@newbedford-ma.gov http://www.newbedford-ma.gov/NRHistoric/NBHC/AboutUs.html	1 st Monday of the month Application due 21 days in advance of meeting. Meeting schedule and submittal deadlines posted on city website.
Issues licenses for the following: Car Dealer, Auto Body Repairs, Motel/Hotel, Common Victualler – Food Service Establishment Entertainment, Licenses to Sell Alcoholic Beverages	Licensing Board Nicholas Nanopoulos, Director 133 William Street, Room 206 508.979.1457 Nicholas.Nanopoulos@newbedford-ma.gov http://www.newbedford-ma.gov/licensing/licensing.html	4 th Monday of the month Application due 21 days in advance of meeting
Commercial curb cuts	Traffic Commission Scott Downing, Executive Secretary 51 Elm Street (Elm Street Garage) 508.979.1766 Scott.Downing@newbedford-ma.gov http://www.newbedford-ma.gov/traffic/traffic.html	3 rd Wednesday of the month
Request for Determination of Applicability (RDA), Notice of Intent (NOI) Certificate of Compliance, & Enforcement Orders. Any proposed activity within 100 feet of wetlands.	Conservation Commission Sarah Porter, Conservation Agent 133 William Street, Room 301 508.979.6188 Sarah.Porter@newbedford-ma.gov http://www.newbedford-ma.gov/Environmental/EnvironmentalStewardshipMain.html	1 st and 3 rd Wednesday of the month Application due 12 days in advance of meeting

Departmental Specifics. The following section is intended to highlight several of the key processes involved in moving a development project through permitting.

Department of Planning, Housing and Community Development

Planning Division: Planning and Zoning Approval Process

Planning staff are responsible for managing a wide range of land use approvals which are then presented to the Planning Board and/or Zoning Board of Appeals. These approvals require input from several other City departments and divisions including: Conservation Commission, Historical Commission, Public Infrastructure (Engineering, Water, Wastewater and Storm Water), Fire, Police, School Department, and Health Department. The planning and zoning staff review projects for conformance with the Zoning Ordinance, Subdivision Rules & Regulations, Site Plan Review, and other land use rules. This staff also coordinates the review process among the different departments, consolidate comments from departments and, upon project approval, prepare the board or commission’s decision, which may include conditions recommended by one or more reviewing departments.

When planning or zoning approval is not required but a project is within wetlands or within an historic jurisdiction, prospective applicants should contact the appropriate division staff for guidance.

Planning Board Reviews and Permits :	Zoning Board of Appeals’ Permits :
<ul style="list-style-type: none">▪ ANR (Approval Not Required)▪ Preliminary Subdivision Plan▪ Definitive Subdivision Plan▪ Subdivision Amendments▪ Site Plan Review▪ Special Permits for Parking Reductions▪ Modification of Site Plan Approval▪ Zoning Amendments	<ul style="list-style-type: none">▪ Special Permits (general)▪ Variances▪ Comprehensive Permits▪ Appeal of Building Inspector’s Decision▪ Findings▪ Variances or Special Permits from Parking Requirements and Design Standards▪ Signage for dimensional variance▪ Special Permits (for common driveway, parking if zero parking exists)

Submittal Requirements
<p>The submittal requirements for a specific application will vary depending on the nature of the project, scope, and individual department review triggers. At a minimum, most applications will require:</p> <ul style="list-style-type: none">▪ A detailed site plan, prepared and stamped, by an engineer, architect, or surveyor▪ Narrative describing Project▪ Existing Conditions▪ Proposed Conditions▪ Landscape Plan▪ Lighting Plan▪ Architectural drawings of any buildings to be constructed▪ Details regarding stormwater, sewer, water, or road connections▪ Erosion and sedimentation control plans▪ Stormwater management plan▪ Stormwater design calculations▪ Utility connection information

Conservation Commission

Reviews, Permits and Submittal Requirements

The Conservation Commission is composed of a group of dedicated volunteers that have been appointed by the Mayor and the City Council. The Commissioner's share a common goal for the city: to provide assurance and protection for natural resources in New Bedford. Their tasks include upholding the State and Local regulations to ensure all Wetland Resource Areas in the Greater New Bedford area are protected. They hold regularly scheduled meetings/hearings twice a month (1st and 3rd Tuesdays at 6.30PM in Room 314 of City Hall) and issue permits to anyone from a homeowner, a City Department or a developer.

Conservation Commission Reviews and Permits :

- Notice of Intent (NOI)
- Abbreviated Notice of Resource Area Delineation (ANRAD)
- Request for an Amended Order of Conditions
- Certificate of Compliance for an Order of Conditions
- Extension Permits for an Order of Conditions
- Request for Determination of Applicability

Submittal Requirements

The submittal requirements for a specific application will vary depending on the nature of the project, scope, and individual department review triggers. At a minimum, most applications will require:

- One original signed application form and one copy
- Two sets of full size plans and two sets any supporting documentation.
- PDF files of the application form, the plans, supporting documentation (such as drainage calculations) are to be emailed directly to Sarah.Porter@newbedford-ma.gov. or if large documents please provide on a CD.
- Proof of ownership (copy of deed).
- Radius map and abutters list, prepared by the City of New Bedford Dept. Planning, Housing & Community Development.
- Legal ad (placed in the Standard Times by Con Com)
- The required Recording of the Order of Conditions at the Registry of Deeds

Additional detail on permitting requirements can be found at the following link on the Environmental Stewardship web page: <http://www.newbedford-ma.gov/environmental-stewardship/conservation-commission/conservation-forms/>

Department of Public Infrastructure
Reviews, Permits and Submittal Requirements

The submittal requirements for a specific permit will vary, depending on the type of project, scope and individual department review triggers. At a minimum, most permit applications will require one or more of the following:

Submittal Requirements

Sewer/Storm Drain, Water and Driveway Permits:

- Three (3) sets of site plans depicting existing conditions and proposed work, and supporting documentation (i.e. calculations, specifications, etc.).
- Copy of a “stamped” foundation as-built plan and a copy of foundation permit issued by Department of Inspectional Services (for new structures or additions).
- Proof of ownership (copy of recorded deed) if the applicant has owned subject property less than three (3) months.
- Letter from owner authorizing their respective agent/representative to act on their behalf to secure the permit(s).

Submittal Requirements

Disturbance, Obstruction and Trenching Permits:

- Copy of the permit issued to the owner by the Department of Public Infrastructure to perform the proposed work.
- Plan depicting location (or verbal dimensions) of area involved and anticipated duration of the obstruction and/or disturbance (i.e. digging, placement of roll-off containers/dumpsters/scaffolding, etc.) within city of New Bedford sidewalks/roadways or trenching to depths three (3) feet or greater on private property.
- Dig Safe start date and number.
- Current status as Bonded Contractor with the Department of Public Infrastructure when working on city of New Bedford sidewalks/roadways.

Submittal Requirements

Industrial Pretreatment Program (IPP)/Fats, Oils and Grease Program (FOG) Permits:

- Industrial businesses require the submittal of a completed Industrial Discharge Permit Application (available on the city of New Bedford website) to the Department of Public Infrastructure.
- Restaurants and other food service establishments require the installation of a grease trap in accordance with the Massachusetts Plumbing code and the respective sign-off by the Department of Inspectional Services inspector, along with the submittal of a completed FOG Application (also available on the City of New Bedford website) to the Department of Public Infrastructure.
- Auto repair shops require the installation of an MDC trap and the submittal of the “proof of contract” to have the trap inspected/cleaned every six (6) months.

Note: the following provides a highlight of permitting requirements. Please contact the Department of Inspectional Services, directly, to determine exact inspectional requirements for your project.

You need a building permit when...

- The improvement you contemplate will change your home’s use or “occupancy” from, say, a single family to a multi-family dwelling.
- You build a carport or garage, or convert the garage you have to another use.
- You plan to wall in, roof, or attach a patio to your existing house.
- The pool you’re building is deeper than 24 inches.
- You build a retaining wall more than 4 feet high.

Submittal Requirements

New Construction Permit Process:

Foundation permit— <i>2 week waiting period</i>	Residential (one & two family) New Construction, Additions
Submittals Needed	Alterations
Building permit application porches	1 Porch, 2 Porches, 3 Porches
Proposed site plan	4 or more Porches
Building plans (3 sets)	Multi-Family (Three or more Units) New Const. & Additions
Sewer entry	Alterations
Water entry permits	Steps and/or Platforms
Building Permit—no waiting	Windows or Doors
Submittals Needed:	Commercial and Industrial New Construction and Additions
Building permit application	Alterations
As-built site plan	Steps, Platforms, Loading Docks

Online Permit Center

Contractors are now able to apply for building permits online through the Online Permit Center or at one of two conveniently placed kiosks located at 133 William Street Room #308. This includes building, electrical, gas and plumbing permits.

Online Permit Center User Documents include applications for building, electrical and gas/plumbing permitting.

This is a new way of doing business and customer service is our top priority. Training and assistance will be available during normal business hours, weekdays 8:00AM to 4:00PM at 508.979.1540.

Permits	Timeline and Additional Approvals
Demolition (75 years or older)	10-60 days. Demolition Delay Ordinance—Review by the City’s Historical Commission and Approval by New Bedford City Council
Driveway	5 days. Additional Approvals—Site Plan review is necessary if driveway requires more than one curb cut (circular drive).
Foundation	10 days. Approval of other departments required prior to issue of permit.
Single/Two-family permits	10 days. Additional Approvals required—foundation permit, sewer, water
New buildings over 2,000 sq. ft.	10 days. Additional Approvals—Site Plan and/or Special Permit approval from Planning Board/ZBA
Wireless communications	10 days. Additional Approvals—Special Permit from the ZBA
Title V	10 days
Plan review for food establishment	10 days

Process Overview

The graphic on page 13 of this guide provides an overview of a typical development’s permitting process. For projects that also require approval from other boards or commissions, applicants are encouraged to work with the Permitting Task Force to determine how to coordinate different approvals. The timing varies depending on the project, as decisions from one commission may lead to changes in the project that may have an impact on another application.

1	Potential applicant discusses project with the City's Department of Inspectional Services (DIS); complex and/or larger projects may be encouraged to attend a Permitting Task Force Meeting for assistance and guidance.
2	Applicant applies for a building permit and receives rejection from the DIS. This rejection identifies specific relief needed to move the project forward.
3	Applicant submits rejection packet to the Planning Division.
4	Planning staff directs applicant to the relevant application.
5	Applicant completes the application and Planning staff reviews for completeness.
6	Project is scheduled for public hearing at the Planning Board and/or Zoning Board of Appeals.
7	Applications are distributed to relevant city departments for review/comment and notice is provided to abutters. Legal advertising is published.
8	Departments provide comments to Planning staff.
9	Planning staff develops and distributes a staff report that provides a technical review of the proposed project. This report is provided to the applicant and is made available online.
10	Public hearing/s is/are conducted.
11	Case is decided.
12	Planning staff drafts Notice of Decision; decision is signed by the Planning Board Chair and/or ZBA Clerk as applicable.
13	Decision is filed with the City Clerk and mailed to applicant and abutters.
14	A 20 day appeal period begins on the date of filing with City Clerk.
15	If there is no appeal filed within that period, the applicant can return to the DIS for a building permit.
16	Applicant has twelve (12) months from the final approval in which to secure a building permit before lapse.

DEPARTMENT of INSPECTIONAL SERVICES

Potential applicant applies for a building permit for intended work and receives rejection from the DIS. This rejection identifies specific relief and/or action needed from Planning Board and/or Zoning Board of Appeals.

PROJECT PERMIT INITIATION—PLANNING BOARD and/or ZONING BOARD OF APEALS
Potential applicant makes initial contact with the City Planner directly or the Inspector of Buildings to schedule a Permitting Task Force Meeting. Project concept discussed and the potential applicant is invited to meet with Planning Staff to ensure completeness of application package.

YES
Application packet is complete.

Planning staff reviews application for completeness.

NO
Application packet is incomplete.

Applicant receives approval from Planner to officially submit the application to the City Clerk.

Application is placed on the next Planning or Zoning Board agenda. Application is reviewed by Planning Staff and is shared with other city departments to solicit their input.

Planning advises applicant of any deficiencies in packet. After Packet is amended, submittal documents are reviewed again.

STAFF REPORT
Planning Staff develops a report for the board's consideration regarding the project. Staff Reports are available by case/month online through the city's website.

PUBLIC MEETING
Legally advertised public meeting/hearing is conducted by the respective board/s. Case is approved, denied or continued.

DECISIONS
Notice of Decision is signed by a representative of the board and filed with the City Clerk. Statutory appeal period begins.

DEVELOPMENT
If no appeal is filed, project may proceed to secure necessary permits, abiding by any conditions placed by the board/s and begin development.

REVISINS OR MODIFICATIONS OF SITE PLAN APPROVALS
Any changes to a Plan must be reviewed by the City Planner to determine if a new site plan modification application is needed.

MODIFICATIONS

REVISIONS OR MODIFICATIONS OF VARIANCE, SPECIAL PERMIT APPROVALS BY THE ZBA
Changes differing from what was approved require a review by the Zoning Enforcement Officer to determine next steps.