

WEST TISBURY ZONING BYLAWS

SECTION 9.3 CHANGES TO SITE PLAN APPROVALS AND SPECIAL PERMITS

9.3-1 Change of Use

Change of use is defined in Article XIV.

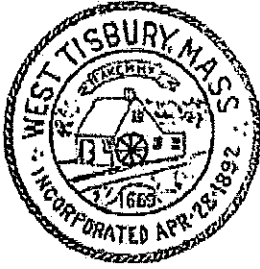
A. Uses by Right Any change of use of land or existing structures to a use permitted by right (without Site Plan Review) shall require a use permit from the Zoning Inspector but no approval from any board.

B. Uses by Right Subject to Site Plan Review Any change of the use of an existing structure to a use permitted by right subject to Site Plan Review only shall require Site Plan Review by the Planning Board if it involves the construction or enlargement of a structure, the clearing, excavation, or grading of more than 500 square feet of land, an increase in water consumption of 10% or more, or the addition of two or more parking spaces.

C. Uses by Special Permit

1. A Special Permit shall be required for any change of use from a use that does not require a Special Permit to a use that does require a Special Permit, including the enlargement of an existing use to a size that would require a Special Permit under Section 3.1-1.

2. Once a Special Permit has been granted, it shall apply to the approved use, as well as to any sub-sequent use of the property in the same use category (as shown in the Use Table), provided that the new use has no greater impact on adjoining properties, complies with all terms and conditions of the Special Permit, and does not involve new construction, enlargement, exterior alteration of existing structures, increased parking or traffic generation, or significant changed use of outdoor areas. Such change of use shall require only a use permit from the Zoning Inspector. Any change to another use category allowed by Special Permit or any expansion of a Special Permit use shall require the granting of a new Special Permit or a Special Permit amendment.



Town of West Tisbury Building Department
**Change of Use and/or Occupancy
Commercial Tenant Space**

Any change in Use and/or Occupancy of a Commercial Tenant Space requires a
BUILDING PERMIT

The prospective business owner will be allowed to apply for the building permit ONLY if the permit consists of a change in Use and/or Occupancy that is limited to MINOR WORK such as painting, cleaning or redecoration. All work is required to conform to the Architectural Access Board Rules and Regulations and the Massachusetts State Building Code. A floor plan of the proposed use drawn to scale showing appropriate dimensions and clearances is required.

A Licensed Construction Supervisor will be required to apply for the building permit for any work not minor in nature including but not limited to, structural changes, changes in interior finishes (as required by the Massachusetts State Building Code), construction of partition walls and any project with a scope that requires other permits such as plumbing and electrical permits. All work is required to conform to the Architectural Access Board Rules and Regulations and the Massachusetts State Building Code. Supporting plans and documents shall be submitted as required. The Licensed Construction Supervisor will be responsible for all aspects of the project as required by the Massachusetts State Building Code. (780 CMR 110)

A Registered Professional Architect or Engineer will be required to apply for the building permit for any work not minor in nature occurring in a building (as defined by the Massachusetts State Building Code) greater than 35,000 cubic feet in volume. All work is required to conform to the Architectural Access Board Rules and Regulations and the Massachusetts State Building Code. Supporting plans and documents shall be submitted as required. The Registered Professional Architect or Engineer will be responsible for all aspects of the project as required by the Massachusetts State Building Code. (780 CMR 116)



The Commonwealth of Massachusetts

Office of Public Safety and Inspections
Massachusetts State Building Code (780 CMR)

Building Permit Application for any Building other than a One- or Two-Family Dwelling

(This Section For Official Use Only)

Building Permit Number: _____ Date Applied: _____ Building Official: _____

SECTION 1: LOCATION

No. and Street _____ City /Town _____ Zip Code _____ Name of Building (if applicable) _____
Assessors Map # _____ Block # and/or Lot # _____

SECTION 2: PROPOSED WORK

Edition of MA State Code used _____ If New Construction check here or check all that apply in the two rows below

Existing Building Repair Alteration Addition Demolition (Please fill out and submit Appendix 2)

Change of Use Change of Occupancy Other Specify: _____

Are building plans and/or construction documents being supplied as part of this permit application? Yes No
Is an Independent Structural Engineering Peer Review required? Yes No

Brief Description of Proposed Work: _____

SECTION 3: COMPLETE THIS SECTION IF EXISTING BUILDING UNDERGOING RENOVATION, ADDITION, OR CHANGE IN USE OR OCCUPANCY

Check here if an Existing Building Investigation and Evaluation is enclosed (See 780 CMR 34)

Existing Use Group(s): _____ Proposed Use Group(s): _____

SECTION 4: BUILDING HEIGHT AND AREA

	Existing	Proposed
No. of Floors/Stories (include basement levels) & Area Per Floor (sq. ft.)		
Total Area (sq. ft.) and Total Height (ft.)		

SECTION 5: USE GROUP (Check as applicable)

A: Assembly A-1 A-2 Nightclub A-3 A-4 A-5 B: Business E: Educational
F: Factory F-1 F2 H: High Hazard H-1 H-2 H-3 H-4 H-5
I: Institutional I-1 I-2 I-3 I-4 M: Mercantile R: Residential R-1 R-2 R-3 R-4
S: Storage S-1 S-2 U: Utility Special Use and please describe below:

Special Use Description: _____

SECTION 6: CONSTRUCTION TYPE (Check as applicable)

IA IB IIA IIB IIIA IIIB IV VA VB

SECTION 7: SITE INFORMATION (refer to 780 CMR 105.3 for details on each item)

Water Supply: Public <input type="checkbox"/> Private <input type="checkbox"/>	Flood Zone Information: Check if outside Flood Zone <input type="checkbox"/> or indentify Zone: _____	Sewage Disposal: Indicate municipal <input type="checkbox"/> or on site system <input type="checkbox"/>	Trench Permit: A trench will not be required <input type="checkbox"/> or trench permit is enclosed <input type="checkbox"/>	Debris Removal: Licensed Disposal Site <input type="checkbox"/> or specify: _____
Railroad right-of-way: Not Applicable <input type="checkbox"/> or Consent to Build enclosed <input type="checkbox"/>	Hazards to Air Navigation: Is Structure within airport approach area? Yes <input type="checkbox"/> or No <input type="checkbox"/>		MA Historic Commission Review Process: Is their review completed? Yes <input type="checkbox"/> No <input type="checkbox"/>	

SECTION 8: CONTENT OF CERTIFICATE OF OCCUPANCY

Edition of Code: _____ Use Group(s): _____ Type of Construction: _____
Does the building contain an Sprinkler System?: _____ Special Stipulations: _____
Design Occupant Load per Floor and Assembly space: _____

SECTION 9: PROPERTY OWNER AUTHORIZATION

Name and Address of Property Owner

Name (Print) _____ No. and Street _____ City/Town _____ Zip _____

Property Owner Contact Information:

Title _____ Telephone No. (business) _____ Telephone No. (cell) _____ e-mail address _____

If applicable, the property owner hereby authorizes:

Name _____ Street Address _____ City/Town _____ State _____ Zip _____
 to apply for and act on the property owner's behalf, in all matters relative to work authorized by this building permit application.

SECTION 10: CONSTRUCTION CONTROL (Please fill out Appendix 1)

If a building is less than 35,000 cu. ft. of enclosed space and/or not under Construction Control then check here .
 Otherwise provide construction control forms (see section 107 in the code) as required.

10.1 Registered Professional Responsible for Construction Control (the professional coordinating document submittals)

Name (Registrant)	Telephone No.	e-mail address	Registration Number
Street Address	City/Town	State Zip	Discipline Expiration Date

10.2 General Contractor

Company Name _____

Name of Person Responsible for Construction _____ License No. and Type if Applicable _____

Street Address _____ City/Town _____ State Zip _____

Telephone No. (business) _____ Telephone No. (cell) _____ e-mail address _____

SECTION 11: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152, § 25C(6))

A Workers' Compensation Insurance Affidavit from the MA Department of Industrial Accidents must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the building permit.

Is a signed Affidavit submitted with this application? Yes No

SECTION 12: CONSTRUCTION COSTS AND PERMIT FEE

Item	Estimated Costs: (Labor and Materials)	Total Construction Cost (from Item 6) = \$ _____ Building Permit Fee = Total Construction Cost x _____ (Insert here appropriate municipal factor) = \$ _____. Note: Minimum fee = \$ _____ (contact municipality) Enclose check payable to _____ (contact municipality) and write check number here _____
1. Building	\$ _____	
2. Electrical	\$ _____	
3. Plumbing	\$ _____	
4. Mechanical (HVAC)	\$ _____	
5. Mechanical (Other)	\$ _____	
6. Total Cost	\$ _____	

SECTION 13: SIGNATURE OF BUILDING PERMIT APPLICANT

By entering my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

Please print and sign name _____ Title _____ Telephone No. _____ Date _____

Street Address _____ City/Town _____ State Zip _____ Email Address _____

Municipal Inspector to fill out this section upon application approval: _____ Name _____ Date _____