



City of New Bedford
IN COMMITTEE

December 13, 2018

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Appointments & Briefings at a Meeting held on Tuesday, November 27, 2018, held a PUBLIC HEARING on an APPLICATION, Ernesto Montalvo, D/B/A E&I Auto, Inc., for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repair and Light Service at 1466 Pleasant Street, New Bedford, MA 02740. (Application Rec'd 10/17/18) (Duly advertised in The Standard-Times on Tuesday, November 13, 2018 and Tuesday, November 20, 2018.)

The Hearing was held.

Councillor Dunn made a motion to recommend approval of the Special Permit to the full City Council, which was seconded by Councillor Abreu.

Councillor Morad recommended an amendment stipulating that approval of the Council be dependent upon the ZBA granting the variance for the containers, and Councillor Dunn agreed and offered the amendment to his motion, which was seconded by Councillor Rebeiro.

On motion by Councillor Dunn and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council APPROVAL of the Special Permit for Ernesto Montalvo, d/b/a E & I Auto, Inc., for Motor Vehicle Sales & Rentals, General Repair and Light Service at 1466 Pleasant Street, New Bedford, MA, with the condition that the Zoning Board of Appeals Grants the variance for two containers on the property. This motion passed on a voice vote.

IN COMMITTEE ON APPOINTMENTS &
BRIEFINGS

Linda M. Morad

Councillor Linda M. Morad, Vice Chairperson

LMM: dmb



CITY OF NEW BEDFORD, MASSACHUSETTS
CLERK OF COMMITTEES OFFICE - ROOM 213 - CITY HALL

PETITION FOR A SPECIAL PERMIT FOR MOTOR VEHICLES:

☒ SALES AND RENTALS ☐ BODY REPAIR ☒ GENERAL REPAIR ☒ LIGHT SERVICE

TO: CLERK OF COMMITTEES APPLICATION NO. _____ Date: _____ **PAGE 1**

The undersigned petitions the City Council to grant a SPECIAL PERMIT in the manner and for the reasons hereinafter set forth under the provisions of the Zoning Ordinance to the following described premises:

Owner/Landlord Ted Mendez 116 Old County Rd Westport MA 02790
Full Name and/or Company Address (Attach copy of Certificate of Title or Deed.)

OTHER Owner(s)/Landlord(s) (if applicable) _____

Lessee Ernesto Montalvo / E & I Auto Inc. 88 E. Water St Taunton MA
Full Name and/or Company Address

(Attach copy of Lease or Tenant Agreement and Notarized letter from owner to tenant or buyer for application for this permit - on Letterhead and/or copy of Purchase & Sale Agreement or lease, where applicable.)

OTHER Lessee(s) (if applicable) N/A

Location of Premises 1466 Pleasant St
Street Number Name of Street

Assessor's Plot 78 38 4696 134
Plot No. Lot No. Book No. Page No.

Dimensions of Lot 80.21' 137.22' Area 10,733
Frontage Depth Sq. Ft.

Zoning District(s) in which premises are located Mixed - Use - Business

Premises in present ownership since 05-13-2004
Date of Purchase

Number of buildings on lot 1 24' x 26' 1 33' x 26' (2 on Lot)

Size of existing buildings ↓ 24' x 26' - 33' x 26' ↓

Size of proposed buildings N/A

Present use of premises Dealer Sales and tires

Proposed use(s) and Number of Cars/People on Premises at any given time (Adequate Parking): 28 parking spaces with Repair garage (2 car) = 30
DOB

Extent of proposed alterations add 2 containers

Explain the need for the SPECIAL PERMIT and what changes are proposed?

Special permit is required by zoning ordinance - no changes other than add 2 containers

Have plans been submitted to the Department of Inspectional Services?
(Recorded Plans, accurately scaled as required by the D.I.S., must be included with this application.)

Has the Commissioner of the Department of Inspectional Services refused to issue a permit? YES
If so, Reason: NEED SPECIAL PERMIT

A non-refundable filing fee is required when submitting the application, payable by check or money order to the City of New Bedford. The filing fee will not be refunded regardless of whether or not the petition is granted. The fee covers the cost of processing the decision, including advertising and the mailings. Incomplete or improperly filed applications will be returned to the applicant for resubmission.

A Certified Abutter's list must also accompany this application, which must be compiled in the Planning Department and Certified at the Assessor's Office. M.G.L. Ch. 40, mandates advertising request two times prior to the scheduled hearing date. Advertising will be in the Standard-Times.

FEE SCHEDULE AS OF JULY 2007: \$700.00 FOR FIRST 10,000 SQ. FT. PLUS \$100.00 EVERY ADDITIONAL 10,000 SQ. FT.

PETITION FOR A SPECIAL PERMIT FOR MOTOR VEHICLES -
{ } SALES AND RENTALS { } BODY REPAIR { } GENERAL REPAIR { } LIGHT SERVICE

TO: CLERK OF COMMITTEES APPLICATION NO. _____ Date: _____ PAGE 2

All applications must be filled out completely and be submitted with the required drawings. Attach required drawings or proposed plans to this Petition. Must be done in BLACK INK to produce legible copies. If Petition is granted, the plans are specific to the plans submitted unless the City Council states otherwise.

Must provide Site Plan identifying positioning of existing structures. Must show footprint and dimensions. Show Rear, Front and Side Distances between Structure and Boundary Lines. Must provide separate site plan showing proposed alterations or additions with side, front and rear set property lines identified.

By signing this application, the Petitioner is stating that they have read and understand this Application and the accompanying instructions and information. Also, if granted, that the Special Permit needs to be recorded and acted on within one year.

I have read and understand this application and the accompanying instructions and information.

Respectfully submitted:

Owner(s) TJ M
Signature _____
(Must be signature of current owner on record)

Lessee(s) Encl Hout
(If Corporation, must have letter on Letterhead
Authorizing person to sign on Corporation's behalf.)

Address 88 Ewater St Taunton MA 02780
City/State/Zip Code

Telephone No. (Home) 508-406-8339

Other Owner(s) _____

Address _____
City/State/Zip Code

Telephone No. (Home) _____

(Although not a requirement of submission, you may wish to contact an attorney to help you with your application and Public Hearing.)

Represented by:
Signature _____

(If Corporation, must have letter on Letterhead
Authorizing person to sign on Corporation's behalf.)

City/State/Zip Code

(Business) ESI Auto Inc.

1466 Pleasant St

New Bedford MA 02740
City/State/Zip Code

(Business) _____

I do/do not consent to the above application. I suggest the following conditions be included in application:

TJC
City Planner

10/17/18
Date

I do/do not consent to the above application. I suggest the following conditions be included in application:

Special permit is Required under Section 2230 Uses #18 Motor Vehicle sales and rental, #19 Motor Vehicle general repairs, & #21 Motor Light Services - 20 Day right to Appeal - Bring to Registry of Deeds & get a permit in Room 308 for the Use Above.

Wanny D. Romanowicz
Dept. of Inspectional Services Commissioner Date

10/17/18

I do/do not consent to the above application. I suggest the following conditions be included in application:

Honorio White
Licensing Board Clerk

10/17/18
Date

I do/do not consent to the above application. I suggest the following conditions be included in application: (General, and Body Repairs & Light Service Only) MUST HAVE MDC TRAP INSPECTED / CLEANED EVERY 6 MONTHS - COPY OF RECEIPT TO BE SENT TO DPI - IPP PROGRAM

Jan. Porto
Dept. of Public Infrastructure Commissioner

10/17/18
Date

I do/do not consent to the above application. I suggest the following conditions be included in application:
(Petroleum: Any on Premises; if so, Tanks only - Above or Underground?; Prior Use?; Use to be Continued?)

Stephanie M Macomber
ASS. City Clerk

10/17/18
Date