



New Bedford, Massachusetts Motor Vehicle Special Permit Application Instructions & Procedures

Sales & Rentals - Body Repair - General Repair - Light Service

Before you Begin:

The Motor Vehicle Special Permit Application can be picked up from the Clerk of Committees Office, located in Room 213, City Hall or found online at <http://www.newbedford-ma.gov/clerk-of-committees/>.

If filling out by hand, the application should be completed using black ink with all information printed legibly.

The application must be filled out in its entirety, with all required documentation included. *Incomplete applications will not be accepted.* The application fee is due at the time of submission.

Although it is not a requirement for submission, you may wish to contact an attorney to assist with your application and Public Hearing. The applicant or their legal representative must attend the Public Hearing.

Department / Agency Contact Information:

Assessor's Office	Room 109, City Hall	#508-979-1440
City Clerk	Room 118, City Hall	#508-979-1450
City Council	Room 215, City Hall	#508-979-1455
Clerk of Committees	Room 213, City Hall	#508-979-1482
Inspectional Services (DIS)	Room 308, City Hall	#508-979-1540
Licensing Department	Room 206, City Hall	#508-979-1457
Planning Department	Room 303, City Hall	#508-979-1488
Public Infrastructure (DPI)	1105 Shawmut Ave.	#508-979-1550
Registry of Deeds	25 N 6th Street	#508-993-2605

Completed application and all additional required documentation should be submitted directly to the Clerk of Committees Office, Room #213, City Hall. Hours are Monday-Friday from 8:00 AM - 4:00 PM. Office closed on all observed holidays. Please contact the Clerk of Committees Office at 508-979-1482 with any questions.

Application Process:

After the application is submitted to the Clerk of Committees Office by the applicant, the Chair of the Appointments & Briefings Committee will schedule a Public Hearing, pending availability on the Committee's calendar. A certified letter including the applicant's intentions and the date and time of the Hearing will be mailed to the applicant, the property owner (if different from the applicant), and the property owners adjacent to the proposed business. The Hearing will also be duly advertised in The Standard-Times, print edition, to inform the public of the Hearing date and time. Your attendance, or that of your representative, is required at the Public Hearing.

During the Public Hearing (which will take place in the City Council Chamber, Room 214, City Hall), members of the Committee may call the applicant to the podium for the purpose of asking questions relative to the application. The Committee Chair will also ask if there is anyone present wishing to speak in favor of or against the petition, or be recorded in favor of or against the petition.

If the Committee votes to recommend approval of the application, it will be referred to the full City Council for consideration of its report at a future meeting. Your presence at the City Council Meeting is not required. If the Council approves the application, it is then sent to the Mayor for his/her signature. The Mayor has up to ten days to provide a signature and send the application back to the City Council Office.

The City Council Office will endorse the application and bring it to the City Clerk's Office, where it is time-stamped and held for a twenty-day waiting period. This waiting period is to allow for appeals and is required by State Law. If an appeal is filed, the person/business who filed the appeal is legally responsible for notifying you. If no appeals are filed, you must visit the City Clerk's Office on the 21st day to pick up a certified copy of the decision. There is a \$5 fee for that copy, and you will then need to file that copy with the Registry of Deeds.

You can contact the City Clerk's Office directly to check on the status of your application and to find out when you should plan to pick up your decision. If you have not already done so, you may want to file for a business certificate with the City Clerk's Office at this time, the fee for which is \$40.

Additional Requirements:

Building Permit Application: In order to begin the application process for a Motor Vehicle Special Permit, you must first have a building permit application that has been rejected and signed by the Building Commissioner. This application can be obtained from the Department of Inspectional Services. The reason for the rejection is that a Special Permit is required. You must include all of the paperwork received from that office with your Motor Vehicle Special Permit application.

Plot Plan Map: Also known as an Assessor’s Map, this is typically included with your rejected Building Permit application. If one has not been included, you can request one from the Assessor’s Office or print one yourself by going to the City’s website and using the ‘Property Lookup’ feature at <http://www.newbedford-ma.gov/assessors/parcel-lookup/>.

Certified Abutters List: A certified abutters list must accompany your Motor Vehicle Special Permit Application. You can request this list from the Planning Department. Once the Planning Department has compiled this list for you, you must have it certified by the Assessor’s Office. The Assessor’s Office will charge a fee of \$5 for the first page and \$2 for each additional page. Obtaining and certifying this list is the responsibility of the applicant and must be included with the application at the time of submission.

Property Documentation: The Certificate of Title or Deed for the property where the business will be located is a requirement, whether or not the applicant is the property owner. If the applicant is not the property owner, a copy of the lease or Tenant Agreement must also be included. If the applicant is in the process of purchasing the property, please include a copy of the Purchase & Sale Agreement.

Site Plans(s): A Site Plan identifying the location of existing structures, and show footprint and dimensions, including rear, front and side distances between structure and boundary lines, is required. If applicable, a separate site plan showing proposed alterations or additions, also with side, front and rear set property lines identified, is required.

Application Fee: The application fee is due at the time of submission, and is non-refundable. Payment can be made in cash, or a check or money order made payable to the City of New Bedford. This fee covers the cost of legal advertising and certified abutter mailings, all of which are required by Massachusetts General Laws. Advertising will be done in the Standard Times newspaper, print edition. The FEE SCHEDULE as of January 2018 is \$700 for the first 10,000 square feet and an additional \$100 for square footage over and above the original 10,000 square feet, in increments of 10,000. For example:

Up to 10,000 square feet - \$700
10,001 - 20,000 square feet - \$800
20, 001 - 30,000 square feet - \$900

Site Photographs: Photographs of the property are not a requirement, but can be included with the application.

Application Instructions:

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Date - The date will be the date that the completed application is submitted to the Clerk of Committees Office.

At the top of the application, check off what type of service you will be providing. See the list of definitions on page 5 for details on what type of service falls under each category. *You may check more than one category.*

Owner / Landlord - This is the person/company who owns the property where the business will be conducted. You must include a full name and/or company name (if applicable), as well as the address. *This person will also need to sign Page 3 of the application.*

Lessee - Include the full, legal name of the person who is applying for the Special Permit, as well as the name of the business for which the Special Permit is being petitioned. In this section, please provide the applicant's home address, NOT the business address.

Please provide current, accurate contact information in this section, as we will need to give notice of the Public Hearing via Certified Mail.

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Address of Premises - The site where you will be conducting your business.

Assessor's Plot, Lot Dimensions and Zoning District - This information can be found on the Plot Plan Map.

Date of Purchase - This information can be found on the Certificate of Title or Deed for the property.

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Owner Signature - Must be the signature of the current owner on record.

Lessee Signature - If the Lessee is a corporation, we must have a letter authorizing this person to sign on the corporation's behalf, on company letterhead.

Representative Signature - Although not a requirement for submission, you may wish to contact an attorney to assist you with the application process.

ALL Owners and/or Lessees MUST sign the application.

Definitions:

Motor vehicle: An automobile, truck, motorcycle, or other trackless, self-propelled vehicle designed primarily to transport persons or property over public streets and highways.

Motor vehicle body repair: An establishment, garage or work area enclosed within a building where repairs are made or caused to be made to motor vehicle bodies, including fenders, bumpers and similar components of motor vehicle bodies or fuel sales.

Motor vehicle general repair: An establishment, garage or work area enclosed within a building where any automobile repair, excluding body work and painting may occur, but does not include the storage of vehicles for the cannibalization of parts or fuel sales.

Motor vehicle general or body repair: An establishment, garage or work area enclosed within a building where repairs are made or caused to be made to motor vehicle and their bodies, including fenders, bumpers and similar components of motor vehicle bodies, but does not include the storage vehicles for the cannibalization of parts or fuel sales.

Motor vehicle light service: Premises for the supplying of fuel, oil, lubrication, washing, or minor repair services, but not to include body work, painting, or major repairs, or storage of vehicles for parts.

Motor vehicle light services/convenience store: A light service station which also engages in the over-the-counter sale of non-automobile related products. This use shall adhere to the regulations for specific uses for both commercial/business facilities and motor vehicle light service, whichever is greater. This use shall also adhere to the off-street parking regulations for retail businesses.

Application Checklist:

- Completed Application
- Application Fee
- Building Permit Application
- Certified Abutter's List
- Plot Plan Map
- Property Title or Deed
- Lease or Tenant Agreement (if applicable)
- Purchase & Sale Agreement (if applicable)
- Site Plan(s)
- Site Photographs (optional)