

**LAW OFFICE OF
KATHLEEN A. DESMOND, LLC**

580 Main Street, Suite 204
Reading, Massachusetts 01867
Telephone: (978)545-0093
Facsimile: (781)210-9577

Kathleen A. Desmond, Esq.
kdesmond@kadlaw.net

July 2, 2025

Mr. Adam Hurtubise, City Clerk
Office of the City Clerk, Room 207
Medford City Hall
85 George P. Hassett Drive
Medford, MA 02155

RE: 38 Harvard Avenue, Medford, MA 02155
Petition of OB's Auto Service & Collision LLC
New Class II Auto Dealer Used Car Sales License

Dear Clerk Hurtubise:

Enclosed for filing please find Petitioner's application for a New Class II Auto Dealer Used Car Sales License:

- (1) Application to the City Council for the issuance of a Class II Auto Dealer Used Car Sales License;
- (2) Notice of Petition to the Medford Building Commissioner;
- (3) Notice of Petition to the Fire Chief;
- (4) Affidavit of Petitioner as to Tax Filings and Tax Payment Obligations;
- (5) DOR Letter of Compliance;
- (6) Workers' Compensation Insurance Affidavit of Petitioner;
- (7) Business Certificate; and,
- (8) Evidence of Surety Bond in the amount of \$25,000.00

I have also enclosed a copy of the Class 4 Repair License held by OB's Auto Service and Collision LLC together with a copy of the Decision of the Zoning Board of Appeals granting a use variance that will permit the selling of used motor vehicles on premises subject to the issuance of a Class II Auto Dealer License by the Medford City Council.


Lastly, I have also enclosed the filing fee in the amount of \$125.00, and the fee for the issuance of a Business Certificate in the amount of \$30.00.

It is my understanding that the Notice of Petition to the Collector/Treasurer has been signed and sent in separately to the City Clerk's Office and the Traffic report remains pending.

Please feel free to contact me if you should have any questions with respect to the enclosed materials.

Thank you in advance for your anticipated cooperation.

Best regards,



Kathleen A. Desmond



ADAM L. HURTUBISE
City Clerk
ahurtubise@medford-ma.gov

City of Medford

OFFICE OF THE CITY CLERK

City Hall - Room 103
85 George P. Hasbett Drive
Medford, Massachusetts 02155

RECEIVED
CITY CLERK
MEDFORD, MASS.

2025 JUL -9 PM 3:05

Telephone
(781) 393-2424
FAX: (781) 391-1895
TDD: (781) 393-2516

CITY OF MEDFORD TRAFFIC IMPACT REPORT

To: The Honorable, the City Council DATE June 16, 2025

The following is a Traffic Impact Report on a New Class II Auto Dealer Used Car Sales

LICENSE application of OB's Auto Service & Collision LLC,

located at 38 Harvard Avenue, Medford, MA 02155

No traffic impact anticipated

Signed:

Chief Paul J. L...
MEDFORD Chief of Police



ADAM L. HURTUBISE
City Clerk
ahurtubise@medford-ma.gov

City of Medford

OFFICE OF THE CITY CLERK

City Hall - Room 103
85 George P. Hassett Drive
Medford, Massachusetts 02155

Telephone
(781) 393-2424
FAX: (781) 391-1895
TDD: (781) 393-2516

DATE June 16, 2025

TO: **MEDFORD FIRE CHIEF**

A PETITION HAS BEEN FILED BY OB's Auto Service & Collision LLC,

AT 38 Harvard Avenue, Medford, MA 02155

FOR New Class II Auto Dealer Used Car Sales

(TYPE OF LICENSE)

TELEPHONE NO. 781-488-3800

REPORT OF THE FIRE CHIEF

DOES THIS PROPERTY CONFORM TO FIRE DEPARTMENT REGULATIONS?

No obvious violations observed

MEDFORD FIRE CHIEF

Capt. Spear

5/2/25



ADAM L. HURTUBISE
City Clerk
ahurtubise@medford-ma.gov

City of Medford

OFFICE OF THE CITY CLERK

City Hall - Room 103
85 George P. Hassett Drive
Medford, Massachusetts 02155

Telephone
(781) 393-2424
FAX: (781) 391-1895
TDD: (781) 393-2516

DATE June 16, 2025

TO: THE BUILDING COMMISSIONER

A PETITION HAS BEEN FILED BY OB's Auto Service & Collision LLC,

FOR New Class II Auto Dealer Used Car Sales
(TYPE OF LICENSE)

TO BE LOCATED AT 38 Harvard Avenue, Medford, MA 02155

TELEPHONE NO. 781-488-3800

REPORT OF THE BUILDING COMMISSIONER

DOES THIS PROPERTY CONFORM TO ZONING REGULATIONS?

YES


BUILDING COMMISSIONER



ADAM L. HURTUBISE
City Clerk
ahurtubise@medford-ma.gov

City of Medford

OFFICE OF THE CITY CLERK

City Hall - Room 103
85 George P. Hassett Drive
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TDD: (781) 393-2516

CITY OF MEDFORD MASSACHUSETTS

OFFICE OF THE CITY CLERK

DATE June 16, 2025

TO: TREASURER/COLLECTOR

AN APPLICATION FOR A New Class II Auto Dealer Used Car Sales LICENSE, HAS BEEN
RECEIVED, TO BE LOCATED AT 38 Harvard Avenue, Medford, MA 02155

PREVIOUS LICENSE HOLDER

OB's Auto Service & Collision LLC,

PRESENT APPLICANT BUSINESS NAME

TELEPHONE NO. 781-488-3800

PLEASE INDICATE ON THIS FORM, IF THERE ARE ANY OUTSTANDING
TAXES DUE ON THE PROPERTY.

YES _____ IF YES, LIST AMOUNT.

NO ✓

Quintin M. Oshen
TREASURER/COLLECTOR

BUSINESS CERTIFICATE NO. _____

New ☒ Renewal ☐

Fee: \$30.00

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF MEDFORD

June 2, 2025

In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws, as amended, the undersigned hereby declare (s) that a business under the title of:

OB's Auto Service & Collision LLC,

(ADDRESS, Physical Location of Business, No Post Office Boxes or Rental Box Suites)

FULL NAME

RESIDENCE

ORBELIN ABAZI

25 Grand Avenue, Revere, MA 02151

ARBA BOCI

25 Grand Avenue, Revere, MA 02151

E-Mail Address arba boci@yahoo.com

Phone Number 781-219-8241

Signed

Orbelin Abazi
Orbelin Abazi, Manager

Arba Boci
Arba Boci, Manager

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex

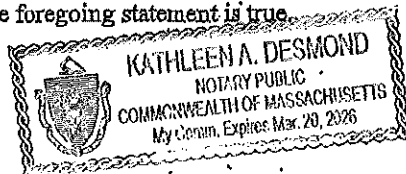
County

20

Personally, appeared before me the above-named Orbelin Abazi, and Arba Bocci Managers of OB's Auto Service & Collision LLC

and made oath that the foregoing statement is true.

(seal)



Kathleen A. Desmond

Kathleen A. Desmond, Notary

Commission (TITLE) 3/20/26
Expires

IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 337 OF THE ACTS OF 1985 and CHAPTER 110, SECTION 5 OF MASS. GENERAL LAWS, BUSINESS CERTIFICATES SHALL BE IN EFFECT FOR FOUR YEARS FROM THE DATE OF ISSUE AND SHALL BE RENEWED EACH FOUR YEARS THEREAFTER. A STATEMENT UNDER OATH MUST BE FILED WITH THE CITY CLERK UPON DISCONTINUING RETIRING OR WITHDRAWING FROM SUCH BUSINESS OR PARTNERSHIP.

CERTIFICATE EXPIRES:

June 2, 2029

(over)

Notice

I/We understand that filing a Business Certificate is NOT a license from the City Clerk, City of Medford, nor any of its agents or employees to operate a business.

I, We understand that the filing of this Business Certificate DOES NOT necessarily mean that the business is in compliance with the Zoning Laws of the City of Medford (Chapter 94)

I, We understand that a copy of the Business Certificate will be sent to the City of Medford Building and Assessors Department.

I/We understand that this filing is made pursuant to Chapter 110 of the Massachusetts General Laws and is valid for a period of 4 years from the date of acceptance for filing.

I/We understand that copies of such certificate shall be made available at the address such business is physically conducted and furnished upon request during regular business hours to any person who has purchased goods or service from such business.

I/We understand that violations are subject to a fine of not more than three hundred dollars (\$300.00) for each month during which violation occurs.

Signed: Corbelin Photo

Signed: Arko Boci

Title: MANAGER

Title: MANAGER

City Clerk's Office

85 George P. Hassett Drive, Room 103

Medford, MA. 02155

781-393-2425



The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: OB's Auto Service & Collision LLC,

Address: 38 Harvard Avenue

City/State/Zip: Medford, MA 02155 Phone #: 781-488-3800 (business); (781) 219 -8241 (mobile)

Are you an employer? Check the appropriate box:

1. ☒ I am a employer with 4 employees (full and/ or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☒ Other Automotive Repair

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: American Zurich Insurance Company

Insurer's Address: 100 High Street, Suite 14

City/State/Zip: Boston, Massachusetts 02110-1757

Policy # or Self-ins. Lic. # 6ZZUB-A400397-7-25 Expiration Date: 05-09-26

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 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: Orbelin Abadi Date: June 2, 2025

Phone #: 781-488-3800 (business); (781) 219 -8241 (mobile)

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (check one):

1. ☐ Board of Health
2. ☐ Building Department
3. ☐ City/Town Clerk
4. ☐ Licensing Board
5. ☐ Selectmen's Office
6. ☐ Other _____

Contact Person: _____ Phone #: _____

WORKERS COMPENSATION
AND
EMPLOYERS LIABILITY POLICY

TYPE AR INFORMATION PAGE WC 00 00 01 (A)

POLICY NUMBER: (6ZZUB-A400397-7-25)

NEW-25

INSURER: AMERICAN ZURICH INSURANCE COMPANY
A STOCK COMPANY

NCCI CO CODE: 17965

1.

INSURED:

OBS AUTO SERVICE & COLLISION
LLC
38 HARVARD AVE
MEDFORD MA 02155

PRODUCER:

POMPEO & SONS INS AGENCY
464 HIGH ST
MEDFORD MA 02155

Insured is A LIMITED LIABILITY COMPANY

Other work places and identification numbers are shown in the schedule(s) attached.

2. The policy period is from 05-09-25 to 05-09-26 12:01 A.M. at the insured's mailing address.

3. A. WORKERS COMPENSATION INSURANCE: Part One of the policy applies to the Workers
Compensation Law of the state(s) listed here:

MA

B. EMPLOYERS LIABILITY INSURANCE: Part Two of the policy applies to work in each state listed in
item 3.A. The limits of our liability under Part Two are:

Bodily Injury by Accident:	\$	1000000	Each Accident
Bodily Injury by Disease:	\$	1000000	Policy Limit
Bodily Injury by Disease:	\$	1000000	Each Employee

C. OTHER STATES INSURANCE: Part Three of the policy applies to the states, if any, listed here:

COVERAGE REPLACED BY ENDORSEMENT WC 20 03 06B

D. This policy includes these endorsements and schedules:

SEE LISTING OF ENDORSEMENTS - EXTENSION OF INFO PAGE

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating
Plans. All required information is subject to verification and change by audit to be made ANNUALLY.

DATE OF ISSUE: 05-21-25 HP

ST ASSIGN: MA

OFFICE: RMD ZURICH 809

PRODUCER: POMPEO & SONS INS AGENCY

297HW



WORKERS COMPENSATION
AND
EMPLOYERS LIABILITY POLICY

EXTENSION OF INFO PAGE-SCHEDULE WC 00 00 01 (A)

POLICY NUMBER: (6ZZUB-A400397-7-25)

INSURER: AMERICAN ZURICH INSURANCE COMPANY

INSURED'S NAME: OBS AUTO SERVICE & COLLISION
LLC

17965-MA

RATE BUREAU ID: 001221801

CLASSIFICATION	CODE	PREMIUM BASIS ESTIMATED TOTAL ANNUAL REMUNERATION	RATES PER \$100 OF REMUNERATION	ESTIMATED ANNUAL PREMIUM
LOCATION 001 01				
FEIN 873244930 ENTITY CD 001				
OBS AUTO SERVICE & COLLISION LLC				
38 HARVARD AVE MEDFORD, MA 02155 SIC CODE: 5511 NAICS: 441110				
AUTOMOBILE SERVICE OR REPAIR CENTER & DRIVERS	8380	133080	1.72	2289

2.00% EMPL. LIAB. INCREASED LIMITS (9812)	\$	46
ADD FOR INCREASED LIMITS MINIMUM (9848)		29
MERIT RATING/EXPERIENCE MOD: NONE MODIFIED PREMIUM		NONE
TOTAL ESTIMATED ANNUAL STANDARD PREMIUM		2364
EXPENSE CONSTANT (0900)		338
0.0300 TERRORISM (9740)		40
4.68% MA WC SPECIAL FUND AND TRUST FUND		107
TOTAL ESTIMATED PREMIUM		2849
DEPOSIT AMOUNT DUE		2849

DATE OF ISSUE: 05-21-25 HP

ST ASSIGN: MA

SCHEDULE NO: 1 OF LAST



Commonwealth of Massachusetts
Department of Revenue
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L2063622048
Notice Date: April 18, 2025
Case ID: 0-002-851-331



CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



OB'S AUTO SERVICE & COLLISION LLC
38 HARVARD AVE
MEDFORD MA 02155-3505

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, OB'S AUTO SERVICE & COLLISION LLC dba:OB'S AUTO SERVICE & COLLISION LLC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400, Monday through Friday, 9:00 a.m. to 4:00 p.m.

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau



ADAM L. HURTUBISE
City Clerk
ahurtubise@medford-ma.gov

City of Medford

OFFICE OF THE CITY CLERK

City Hall - Room 103
85 George P. Hassett Drive
Medford, Massachusetts 02155

Telephone
(781) 393-2424
FAX: (781) 391-1895
TDD: (781) 393-2516

Date June 2, 2025

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Orbelin Abazi

*Signature of responsible Individual / Corporate Officer

Orbelin Abazi, Manager

Print Name

25 Grand Avenue, Revere, MA 02151

Home Address

87-3244930

** Social Security # or
Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your Social Security Number and / or FID Number will be forwarded to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G. L. c. 62C s. 49A.

THE COMMONWEALTH OF MASSACHUSETTS

OF _____

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a
class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with
the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? OB's Auto Service & Collision LLC,

Business address of concern. No. 38 Harvard Avenue St.,
Medford, MA 02155 City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation?

Massachusetts limited liability company

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

~~President~~ ORBELIN ABAZI, MANAGER, 25 Grand Avenue, Revere, MA 02151

~~Secretary~~ ARBA BOCI, MANAGER, 25 Grand Avenue, Revere, MA 02151

~~Treasurer~~

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? No.

If so, is your principal business the sale of new motor vehicles? N/A

Is your principal business the buying and selling of second hand motor vehicles? N/A

Is your principal business that of a motor vehicle junk dealer? No, the principal business is that of a Class 4 Auto
Repair Shop.

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

The business will be conducted at 38 Harvard Avenue, Medford, MA in conjunction with the existing automotive repair and auto-body shop business as an accessory use. Vehicles for sale will be located in the rear of the property, and no advertising (signage) with respect to the vehicles for sale will occur on-site. The sale of vehicles will be subject to the grant of a use variance issued by the Medford Zoning Board of Appeals

8. Are you a recognized agent of a motor vehicle manufacturer? No

If so, state name of manufacturer N/A

9. Have you a signed contract as required by Section 58, Class 1? N/A

(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? N/A

(Yes or No)

If so, in what city — town N/A

Did you receive a license? N/A

(Yes or No)

For what year? N/A

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? N/A

(Yes or No)

Sign your name in full.

Orbelun Abazi

(Duly authorized to represent the concern herein mentioned)

Residence. 25 Grand Avenue, Revere, MA 02151

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation
(Approved or Disapproved)

License No. granted 19.... Fee \$.....

Signed.....

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CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed fifty dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,
EXCHANGE OR ASSEMBLE SECOND HAND
MOTOR VEHICLES OR PARTS THEREOF.

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No.

Class License No.

Name

St. and No.

City — Town

Date Issued

Remarks

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PO Box 5077 Sioux Falls SD 57117-5077

1-800-331-6053

Fax 1-605-335-0357

www.cnasurety.com

Email: uwsservices@cnasurety.com

May 22, 2025

Obs Auto Service & Collision LLC
38 Harvard Ave
Medford, MA 02155

Re: Bond #72466530 - Obs Auto Service & Collision LLC
\$25,000.00 - Second Hand Motor Vehicle Dealer
Company Code: 601 - Western Surety Company

Thank you for the premium payment for the above referenced bond. This document is to serve as notice that payment in full has been remitted for the term of 5-26-2025 through 5-26-2026. This type of bond remains in full force and effect without a renewal bond or Continuation Certificate. If you have any questions, please contact your local agent.

Consider making your payment through CNA Surety ePay. Pay for your bond/policy premium online using your own credit/debit card or ACH at your convenience 24 hours a day. Simply go to: onlinepay.cnasurety.com and follow the easy-to-use prompts. You can pay your bill in minutes, saving you time and money.

Massachusetts



Western Surety Company

SECOND HAND MOTOR VEHICLE DEALER BOND

(Mass. Gen. Laws Ann. 140, § 58(c))

Bond No. 72466530

KNOW ALL PERSONS BY THESE PRESENTS:

Effective Date: May 26, 2022

That we, OBS Auto Service & Collision LLC,

as Principal, and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the Commonwealth of Massachusetts, as Surety, are held and firmly bound unto persons who purchase a vehicle from the Principal and who suffer loss on account of a breach of the condition of this bond described below, in the sum of not to exceed TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), for the payment of which well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

WHEREAS, the Principal is a second hand motor vehicle dealer and is required to furnish a bond or equivalent proof of financial responsibility pursuant to Mass. Gen. Laws Ann. 140, § 58(c)(1).

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall pay the amount of actual damages, not to exceed the amount of this bond, to any person who purchases a vehicle from the Principal and who suffers loss on account of: (a) the Principal's default or nonpayment of valid bank drafts, including checks drawn by the Principal for the purchase of motor vehicles; (b) the Principal's failure to deliver, in conjunction with the sale of a motor vehicle, a valid motor vehicle title certificate free and clear of any prior owner's interests and all liens, except a lien created by or expressly assumed in writing by the buyer of the vehicle; (c) the fact that the motor vehicle purchased from the Principal was a stolen vehicle; (d) the Principal's failure to disclose the vehicle's actual mileage at the time of sale; (e) the Principal's unfair and deceptive acts or practices, misrepresentations, failure to disclose material facts or failure to honor a warranty claim or arbitration order in a retail transaction; or (f) the Principal's failure to pay off a lien on a vehicle traded in as part of a transaction to purchase a vehicle when the Principal had assumed the obligation to pay off the lien, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, that recovery against this bond may be made only by a person who obtains a final judgment in a court of competent jurisdiction against the Principal for an act or omission on which this bond is conditioned, if the act or omission occurred during the term of this bond. No suit may be maintained to enforce any liability on this bond unless brought within one (1) year after the event giving rise to the cause of action. This bond shall cover only those acts and omissions described above. The Surety shall not be liable for total claims in excess of the bond amount, regardless of the number of claims made against this bond or the number of years this bond remains in force.

This bond shall be continuous and may be cancelled by the Surety by giving thirty (30) days' written notice of cancellation to the municipal licensing authority at City of Medford, City Hall - Room 103, 85 George P. Hassett Dr., Medford, MA 02155

by First Class U.S. Mail.

Address

Dated this 8th day of June, 2022.



Form F6333-7-2003

OBS Auto Service & Collision
LLC, Principal

By: _____

WESTERN SURETY COMPANY, Surety

By: Paul T. Bruflat
Paul T. Bruflat, Senior Vice President



24-312

The Commonwealth of Massachusetts

This is to Certify that a CLASS 4 REPAIR LICENSE is hereby granted to:
OB's Auto Service and Collision LLC

38 Harvard Avenue
Medford, Massachusetts 02155

This license is granted in conformity with the Statutes and Ordinances relating thereto,
and expires April 30, 2025 unless sooner suspended or revoked.

By Order of the Medford City Council
Licensing Authorities

Attest:

Adam L. Hurtubise

Adam L. Hurtubise
City Clerk

February 15, 2022

License Non-Transferable

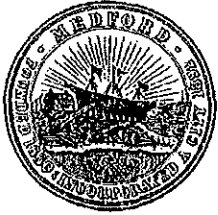
Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Fee	: \$105.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com



Adam L. Hurtubise
City Clerk
ahurtubise@medford-ma.gov

City of Medford RECEIVED
CITY CLERK
OFFICE OF THE CITY CLERK MEDFORD, MASS.

City Hall - Room 103
85 George P. Hassett Drive
Medford, Massachusetts 02155

2024 JUL 18 PM 4:25

Telephone
(781) 393-2425
FAX: (781) 391-1895

July 18, 2024

To Whom It May Concern,

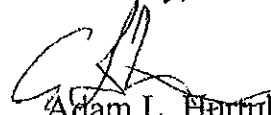
I, Adam L. Hurtubise, being the duly sworn and qualified City Clerk of the City of Medford, do hereby state and affirm that the decisions of the Medford Community Development Board are filed in my office and further that the decision of the Medford City Council regarding the petition of

OB'S Automotive Collision Center, LLC
38 Harvard Street
Medford, Massachusetts 02155

Re: Zoning Board of Appeals Case No. A-2024-3, 38 Harvard Street
was recorded in this office on June 14, 2024, at 1:19 P.M.

I do further attest that there has not been any appeal filed in this office to the above-mentioned decision and that twenty days have elapsed since it was filed.

Sincerely,


Adam L. Hurtubise
City Clerk

Owner: Michael H. Fantasia and Maryellen Fantasia Trustees
38 Harvard Avenue Nominee Trust

Title reference: Book 26356, Page 73

Property address: 38 Harvard Avenue, Medford, MA 02155

RECEIVED
CITY CLERK
MEDFORD, MASS.

2024 JUN 14 PM 1:19

CITY OF MEDFORD
ZONING BOARD OF APPEALS

Decision of the Board No. A-2024-3

I. PETITIONER

OB's AUTOMOTIVE COLLISION CENTER LLC,
HARVARD AVENUE NOMINEE TRUST

Attorney for Petitioner: Kathleen A. Desmond, Esquire

II. PROPERTY LOCATION

38 Harvard Avenue, Medford, MA 02155

III. APPLICATION

Appeal from Building Permit Refusal Letter of Building Inspector, Michael Malerba, dated July 27, 2023, regarding the petitioner's request to sell a limited number of Class 2 used vehicles on the premises, not an allowed use in Commercial-1 (C-1) Zoning District. Specifically, the petitioner requires a variance from Chapter 94 Table A- Table of Use and Parking Regulations, Section H-6.

IV. DATE OF PUBLIC HEARING

March 28, 2024,
Continued Hearing April 25, 2024

V. MEMBERS OF THE BOARD PRESENT AND VOTING

Jamie Thompson, Chairman
Michael Caldara, Voting Member
Yvette Velez, Voting Member
Mary K.Y. Lee, Alternate Member, Designated Voting Member
Christopher D'Aveta, Alternate Member, Designated Voting Member

Denis MacDougall, Clerk

VI. EVIDENCE PRESENTED AND REVIEWED

In addition to un-sworn testimony offered at the public hearing, including the statements presented by the petitioner, the Board has also considered the following documents and submissions:

Owner: Michael H. Fantasia and Maryellen Fantasia Trustees
38 Harvard Avenue Nominee Trust

1

Title Reference: Book 26356, Page 73

Property Address: 38 Harvard Avenue, Medford, MA 02155

- a. Permit Refusal dated July 27, 2023;
- b. Petition for Zoning Relief dated January 16, 2024;
- c. Worksheet in support of Application for Zoning Relief;
- d. Zoning Evaluation Sheet dated March 14, 2023, prepared by Medford Engineering and Survey of Medford, MA 02155;
- e. Survey dated March 14, 2023, prepared by Medford Engineering and Survey of Medford, MA 02155;
- f. City of Medford Certified Abutters List dated April 11, 2023;
- g. Area Plan; and,
- h. Memorandum submitted by Building Commissioner Mochi to City Clerk Hurlbise dated February 9, 2022, as to use of 38 Harvard Avenue as an Automotive Repair & Auto-Body Shop.

VII. APPLICABLE LAW

A. The Board's Power to Grant Variances

(i) This Board is empowered to grant variances from the Medford Zoning Ordinance pursuant to state statute. *See*, M.G.L. c.40A, § 10. Massachusetts General Laws, Chapter 40A, Section 10 provides a four-part test to determine when a variance may be granted, stating that the Board has the power to grant a variance from the terms of the applicable zoning bylaw where the Board specifically finds that:

- 1. [O]wing to circumstance relating to the soil conditions, shape, or topography of such land or structures;
- 2. [A]nd especially affecting such land or structures but not affecting generally the zoning district in which it is located;
- 3. [A] literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant; and,
- 4. [T]hat desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.

See, M.G.L. c. 40A, § 10.

(ii) This Board is further authorized and empowered to grant use variances pursuant to Section 11.4.2 (2) of the Medford Zoning Ordinance (hereinafter "Ordinance").

See, Chapter 94, Section 11.4.2(2).

VIII. FACTS AND FINDINGS

The petitioner's application for a building permit to sell a limited number of Class 2 used motor vehicles on the premises was denied as the use is not allowed in the C-1 zoning district pursuant to Chapter 94 Table A – Table of Use and Parking Regulations. The petitioner seeks a

variance from Chapter 94 Table A- Table of Use and Parking Regulations, Section H-6. No dimensional relief is requested.

An initial public hearing was held on March 28, 2024. At the initial hearing, a question was raised by the Building Commissioner as to whether the legal notice was sufficient to advise interested parties that the petitioner was seeking relief by way of a use variance, or alternatively a special permit in accordance with Section 5.2 of the Ordinance. Specifically, the legal notice failed to include the relief sought by way of special permit. The matter was continued to April 25, 2024, for purposes of obtaining clarification from the City's legal counsel as to the sufficiency of the notice. At the continued hearing, the legal notice to interested parties was deemed to be sufficient; however, the Board has determined that a special permit is not appropriate in this instance and has limited its consideration to petitioner's request for a use variance.

By way of background, the subject property is an approximately 31,101 square foot parcel of land situated in a C-1 zoning district on which a one-story 8,380 square foot structure sits. The current use of the building and land is that of an automotive repair and auto-body shop, a pre-existing nonconforming use. The petitioner intends to continue the operation of the automotive repair and auto-body shop as its primary business, but seeks to include the addition of a limited number of Class-2 used motor vehicles for sale on the property that would be accessory to the primary use of the premises.¹ The petitioner's testimony at the public hearing indicated that the addition of this accessory use would not serve to substantially change the operation of the business. Specifically, there is no intent by the petitioner to change the existing hours of operation to include weekends or evenings, or to hire additional sales staff. Moreover, the petitioner indicated that there would be no on-premises advertising with respect to the sale of the used motor vehicles; instead, the vehicles would be offered for sale to existing customers, and through internet advertisement. Of significance, the petitioner further directed the Board's attention to M.G.L. c. 40, Section 58 that requires a licensed Class 2 used motor vehicle dealer to maintain or have access to repair facilities, such as exist on premises, for purposes of warranty repairs in accordance with Chapter 90, Section 7N ¼ of the Massachusetts General Laws.

The Board finds that the existing parcel is generous in size and oddly shaped, the narrowest portion of the premises abutting Harvard Avenue, becoming substantially wider to the rear of the subject property. As depicted on the site plan provided by the petitioner, the rear of the property has more than adequate parking available for employees, vehicles in the process of repair, and the limited number of used vehicles that the petitioner proposes for sale. In addition to the generously sized lot, the one-story building that houses the automotive repair operation is also generous in size while meeting the dimensional requirements of the Ordinance. The petitioner made note, and the Board credits the fact that the Ordinance is silent with respect to whether the sale of Class 2 used motor vehicles is necessarily prohibited in the district as an accessory use. The Board finds that the size and shape of the lot, the nonconforming use of the building as a repair shop, and the licensing requirements set forth in M.G.L.c. 40, Section 58 for

¹ The petitioner asserted in both his written submission and testimony during the public hearing that the number of vehicles would be likely no more than six (6) to nine (9) vehicles on premises at any given time. The Board will leave the exact number to a determination by the City Council in conjunction with its consideration of the request for a Class 2 Dealer's License.

the sale of used vehicles creates a unique set of circumstances affecting the land and the building that do not generally affect other properties within the zoning district.

As to substantial hardship financial or otherwise, the Board finds that the denial of relief in this instance would in fact create a substantial hardship to the petitioner. First, the addition of a limited number of vehicles will be accessory to and will not serve to alter in any meaningful way the operation of the existing nonconforming use as an auto-body repair shop. Second, the repair shop itself is integral to the licensing requirements necessary to sell Class 2 used motor vehicles. The denial of relief would require the petitioner to seek a secondary location, arguably at substantial cost, for purposes of selling only a small number of used vehicles that are easily accommodated for on this particular site. Third, the Board finds that the vagueness of the Ordinance with respect to the sale of used vehicles as an accessory use, also weighs in favor of a finding of hardship.

The Board further does not find that the granting of a use variance in this instance would cause any substantial detriment to the public good or nullify or substantially derogate from the purpose or intent of the Ordinance. First, the testimony elicited at the public hearing clearly indicated that the proposed additional use will be accessory in nature and will not meaningfully alter the operation of the existing nonconforming business. Second, the availability of an on-site repair shop to perform warranty work in connection with the sale of used vehicles complies with statutory licensing requirements for the sale of Class 2 used motor vehicles and is therefore in the interest of the public good. Lastly, the Board received several letters of support from both neighbors and existing customers familiar with the petitioner's business that welcomed the convenience associated with the ability to purchase a used vehicle from an existing repair shop in the community and with whom they have an existing business relationship.

In accordance with the petitioner's assertions at the public hearing, and as an express condition of the Board's grant of relief, on-site signage advertising the sale of used motor vehicles shall be prohibited. The petitioner shall further comply with screening and buffer requirements as set forth in Section 6.3.4 of the Ordinance. The Board shall defer to the Medford City Council with respect to the number of Class 2 used vehicles permitted for sale on site, not to exceed nine (9) vehicles.

IX. DECISION OF THE BOARD

Application for Variances:

Accessory Use to allow the sale of Class-2 motor vehicles.

Allowed

Accordingly, the petition for the aforesaid use variance is granted based upon the survey that was presented at the hearing on April 25, 2024.

X. VOTE OF THE BOARD

Use Variance

Unanimous (5:0)

XI. RECORDING

To take effect pursuant to M.G.L. ch. 40A, §§ 10 and 11, a copy of this decision shall be recorded in the Middlesex Southern District Registry of Deeds.

Zoning Board of Appeals,

Jamie Thompson

Jamie Thompson, Chair

Michael Caldera

Michael Caldera

Yvette Velez

Yvette Velez

Mary Lee

Mary K. Y. Leo

Christopher D'Aveta

Christopher D'Aveta