

## AGENDA

**Aldermanic Chambers, Second Floor, City Hall, 93 Highland Avenue,  
Wednesday, March 10, 2004**

### 5:45 p.m. EXECUTIVE SESSION

Assistant City Solicitor, David Shapiro requests to appear before the Board to discuss pending litigation regarding 343-349 Summer Street.

### DECISIONS 6:00 P.M. followed by HEARINGS

**51 Warren St.** Applicant, Antonio Pereira, and Owners: Antonio Pereira and Maria Pereira. The Applicant seeks site plan approval to subdivide a lot in order to construct a 6-unit dwelling on the new lot (SZO §8.8). Applicant also requires two special permits to modify parking requirements (SZO §9.13.b and §9.13.c) and a variance from rear yard setback (SZO §8.5.i). BA zone.

**246 Elm St.** Applicant: Pavan Restaurant Group, Inc., D/B/A Diva Restaurant; Owner: Sitt Realty, LLC, and Myer Dana & Sons, Inc. The Applicant seeks a special permit to alter a nonconforming structure (SZO §4.4.1) and a special permit for failure to provide six required off-street parking spaces (§9.13.a), to establish a bar/restaurant.

**1-4 Hayden Terrace** Applicants, James Douglas & Steven Caruso, Owner, One Hayden Terrace Trust. The Applicants seek a special permit to alter a nonconforming structure (SZO §4.4.1) and a special permit to alter a nonconforming use (SZO §4.5.3) to legalize alterations to an existing four-family dwelling. RB zone. *The case will be heard on March 29, 2004.*

**343-349 Summer St.** The Applicant, Emerald Development Group, along with its Agent T. P. Morris, is requesting: (1) clarification and, where necessary, revisions or amendments relating to the findings and conditions; 2) an increase in the side yard setback for a Special Permit with Site Plan Review previously rendered decision on June 26, 2002, appeal #2002-23, which is the subject of an appeal in Middlesex Superior Court, Docket no. 02-3071. The original Special Permit authorized the construction of a four story, 14-unit residential building with inclusionary units off site and underground parking in the Central Business District (CBD). The Applicant has filed a Motion for Limited Remand. Any revisions will be made in accordance with and subject to the Court Limited Remand Order.

**64 Willow Ave.** Applicant and Owner: James Boress. The Applicant seeks a special permit to alter a nonconforming structure (SZO §4.4.1) to legalize a rear addition to a two-family home. Residence A (RA) zoning district.

**333-335 Beacon St.** Applicant and Owner: James Mega. The Applicant seeks a special permit to alter a nonconforming structure (SZO §4.4.1) and a special permit to alter a nonconforming use (SZO §4.5.3) to enclose the rear porches of a four-family apartment building. Residence B (RB) zoning district.

**131 Willow Ave.** Applicant, 131 Willow Avenue, LLC, Owner, Christos Poutahidis. The Applicant seeks a special permit with site plan review (§7.11.1.c) to demolish an existing garage and construct an eleven unit building. The Applicant also requires a special permit for modification of parking design standards (§9.13.b), a variance from lot area per dwelling unit (§8.5.B), a variance from front yard setback (§8.5.G) and a variance from parking requirements (§9.5.1.a). The Applicant is also subject to Inclusionary Housing under §13.2 of the SZO. RC zone.

**197 Elm St.** Applicant: SHRI Ganesh Jee d/b/a Subway; Owner: BEV Realty Trust; Agent: Richard G. DiGirolamo. The Applicant seeks a special permit with design review to establish a fast food restaurant (SZO §7.11.10.2.1.a). Neighborhood Business (NB) zoning district. ***Re-noticed and re-scheduled to Monday, March 29, 2004.***

**ZBA 3/10/04**