



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION

PLANNING BOARD MEMBERS

KEVIN PRIOR, *CHAIRMAN*
JOSEPH FAVALORO, *CLERK*
DOROTHY KELLY GAY
JAMES KIRYLO
MICHAEL A. CAPUANO, ESQ.
JERRY AMARAL, (ALT.)

Case #: PB 2014-08
Site: 161 Broadway
Date of Decision: July 10, 2014
Decision: Petition Withdrawn without Prejudice
Date Filed with City Clerk: July 24, 2014

PLANNING BOARD DECISION

Applicant Name:	PJ's Motor Cars, Inc.
Applicant Address:	161 Broadway, Somerville, MA 02145
Property Owner Name:	Somerville Realty Ventures, LLC
Property Owner Address:	57 Spruce Road, North Reading, MA 01864
Agent Name:	Richard G. DiGirolamo, Esq.
Agent Address:	424 Broadway, Somerville, MA 02145

Legal Notice: Applicant, PJ's Motor Cars, Inc., and Owner, Somerville Realty Ventures, LLC, seek a Special Permit under SZO Section 6.1.22.D.5.a to alter the structure by adding a garage door and relocating a man door to provide access to Minnesota Ave.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 1
<u>Zoning Approval Sought:</u>	§6.1.22.D.5.a
<u>Date of Application:</u>	March 6, 2014
<u>Date(s) of Public Hearing:</u>	4/17, 5/8, 5/22, 6/5, 6/19 & 7/10/14
<u>Date of Decision:</u>	July 10, 2014
<u>Vote:</u>	5-0

Appeal #PB 2014-08 was opened before the Planning Board at the Visiting Nurse Association on April 17, 2014. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L.



c. 40A, sec. 11 and the Somerville Zoning Ordinance. After two hearings of deliberation, the Planning Board took a vote.

DECISION:

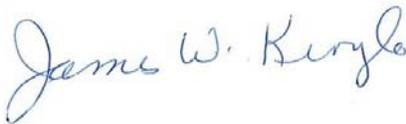
Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Gerard Amaral and Dorothy Kelly Gay with James Kirylo absent. Upon making the above findings, Joseph Favaloro made a motion to approve the request to Withdraw the Special Permit without Prejudice. Kevin Prior seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request to **WITHDRAW THE APPLICATION WITHOUT PREJUDICE**. Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro



James Kirylo



Dorothy A. Kelly Gay



Michael A. Capuano, Esq.

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the SPGA proceedings are filed in the Somerville Planning Dept.

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____

