



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

2022 DEC 16 A 7:45

DECISION

PROPERTY ADDRESS: 620 Broadway
CASE NUMBER: P&Z 22-138
OWNER: Capital Equity Partners
OWNER ADDRESS: 31 Rogers Ave, Somerville, MA 02144
DECISION: Approved
DATE OF VOTE: December 14, 2022
DECISION ISSUED: December 15, 2022

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Zoning Board of Appeals (the "Board") regarding the Hardship Variance extension application submitted for 620 Broadway.

LEGAL NOTICE

620 Broadway, LLC requests an extension to a previously approved Variance (P&Z 21-140).

RECORD OF PROCEEDINGS

On December 14, 2022, the Zoning Board of Appeals held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting at the public hearing were the following Board Members: Chair Susan Fontano, Clerk Katherine Garavaglia, Ann Fullerton, Anne Brockelman, and Alternate Brian Cook. William Proia, representing the Applicant, appeared to explain the request describe how the process they must pursue requires multiple permits. After the presentation by the Applicant, Chair Fontano opened the floor to public testimony, and none was given related to the Application.

After the close of the public testimony section of the hearing, the Board went into discussion. The Board was supportive of the Applicant's request for this extension of six (6) months and expressed no concerns. All conditions from any original or previous approvals related to the Application remain valid.

PLANS & DOCUMENTS

Application plans, documents, and supporting materials submitted and reviewed are identified below.

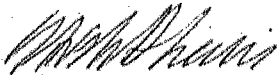
Document	Pages	Prepared By	Date	Revision Date
Narrative by Applicant	1	William J. Proia, Riemer & Braunstein LLP, 700 District Ave, 11th Floor, Burlington, MA 01803	Oct. 20, 2022	N/A

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Clerk Garavaglia moved to approve the extension to the previously approved Variance (P&Z 21-140), based on the discussion during the meeting. Ms. Brockelman seconded. The Board voted **5-0** to approve the extension.

Attest, by the Zoning Board of Appeals:

Orsola Susan Fontano, *Chair*
Katherine Garavaglia, *Clerk*
Anne Brockelman
Ann Fullerton
Brian Cook, *Alternate*



Sarah Lewis, Director of Planning, Preservation, & Zoning
Office of Strategic Planning & Community Development

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. 15.5.3.

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.

FOR SITE PLAN APPROVAL(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 _____