



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

GEORGE J. PROAKIS, AICP
EXECUTIVE DIRECTOR

PLANNING DIVISION

PLANNING BOARD MEMBERS

MICHAEL CAPUANO, *CHAIR*
DOROTHY KELLY GAY, *VICE CHAIR*
JOSEPH FAVALORO, *CLERK*
AMELIA ABOFF
GERALD AMARAL, *ALT.*

Case #: PB 2018-08
Site: 57 Broadway
Date of Decision: November 21, 2019
Decision: Withdrawn without prejudice
Date Filed with City Clerk: November 26, 2019

PLANNING BOARD DECISION

Applicant and Owner Name: Centrie Realty

Applicant and Owner Address: 10 Nouvelle Way, Unit 923, Natick, MA 01760

Legal Notice: Applicant, Sara Markey, and Owner, EJH Realty, LLC, seek a Special Permit under SZO §7.13 to expand an existing restaurant by approximately 328 square feet and under SZO §9.13 and §9.17 for parking relief. CCD-55 Zone. Ward 3.

Zoning District/Ward: CCD45, Ward 1

Zoning Approval Sought: SP §7.13, 9.13, 9.17

Date of Application: March 22, 2018

Date(s) of Public Hearing: May 2, 2019; May 16, 2019; June 6, 2019; June 20, 2019; July 11, 2019; August 8, 2019; August 22, 2019; September 4, 2019; September 19, 2019; October 3, 2019; October 17, 2019; November 21, 2019

Date of Decision: November 21, 2019

Vote: 5-0

Appeal #PB 2018-08 was opened before the Planning Board at Somerville City Hall on May 2, 2019. 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 several hearings of deliberation, the Planning Board took a vote.

DECISION:

Present and sitting were Members Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay, Amelia Aboff, and Gerald Amaral. Michael Capuano made a motion to approve the request for a withdraw without prejudice. Joseph Favaloro seconded the motion. Wherefore the Planning Board voted **5-0** to **WITHDRAW WITHOUT PREJUDICE**.

Attest, by the Planning Board:

Michael Capuano, *Chairman*
Dorothy Kelly Gay, *Vice Chair*
Joseph Favaloro, *Clerk*
Amelia Aboff
Gerald Amaral (Alt.)

Attest, by the Planner:

Melissa A. Woods

<p>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.</p>

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 _____