



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

PLANNING DIVISION

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MICHAEL A. CAPUANO, ESQ.
DANA LEWINTER (ALT.)

Case #: PB 2011-02
Site: 130 Broadway
Date of Decision: February 3, 2011
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: February 8, 2011

PLANNING BOARD DECISION

Applicant Name:	Bernard H. Pucker, Trustee
Applicant Address:	171 Newbury Street, Boston, MA 02116
Property Owner Name:	S&B Realty Trust
Property Owner Address:	171 Newbury Street, Boston, MA 02116
Agent Name:	Stuart L. Snyder
Agent Address:	110 Cedar Street, Suite 250, Wellesley, MA 02481

Legal Notice: Applicant Bernard H. Pucker and Owner S&B Realty Trust seek a special permit under SZO §6.1.22.D.5 to alter the façade of the building including window and door openings and a special permit to establish Medium Retail and Service uses in the building totaling approx 18,000 sf (§7.13.C). The proposal also includes site renovations to the rear parking lot where 19 parking spaces would be located.

<u>Zoning District/Ward:</u>	CCD55/Ward 1.
<u>Zoning Approval Sought:</u>	§6.1.22.D.5 & §7.13.C
<u>Date of Application:</u>	January 11, 2011
<u>Date(s) of Public Hearing:</u>	February 3, 2011
<u>Date of Decision:</u>	February 3, 2011
<u>Vote:</u>	5-0

Appeal #PB 2011-02 was opened before the Planning Board at Somerville City Hall on February 3, 2011. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A,



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sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

Uses

The proposal is to establish a mix of retail/service tenants in the building. There will be 8,000 sf of retail space in the front of the building along Broadway that could be occupied by from one to four tenants. The Applicants have not yet identified tenants; however, they are seeking neighborhood oriented retail or service uses. The core of the building will be used for bathrooms, circulation and support spaces for all of the tenants.

PSG Framing will occupy the remaining 9,975 sf at the rear of the building. PSG Framing is a family owned and operated business that produces and sells custom archival frames. They are seeking to relocate their existing facility that is located in Boston. The business serves individuals, businesses and museums that seek high quality custom framing operations. Customers can visit a retail counter located at the site or arrange to have their artwork shipped to the site. The Applicant coordinates regular deliveries of artwork to their site for framing from Boston and New York. Over time the Applicant has built a strong successful business model, but their craft production and retail operation has always been located at a rented facility. PSG is now seeking to own their facility and they are interested in the Somerville location with its access to transit and proximity to the local arts community.

The business has 20 employees and operates during normal business hours. The large majority of the employees use public transportation to commute to the current location on the Boston Waterfront and the Applicant expects that employees will continue to take public transportation to the new site in Somerville.

Building

The Applicant does not propose to change the footprint or massing of the building and instead will build interior partition walls to separate the different uses. On the façade, the Applicant is seeking to add storefronts and restore the original details of the building and retain and repair the existing parapet, if feasible. Today, the pediment and brick details are covered by metal panels; however, the panels appear to have been applied in such a way that the original materials should remain underneath. The Applicant anticipates that the details are similar to nearby one-story commercial buildings.

The existing in-fill panels and EIFS system will be replaced with dark bronze aluminum storefront windows along Broadway and wrapping a portion of the Glen Street side of the building. The rear of the building will also be opened up using the same type of storefront window system. The masonry will be repaired to provide a natural red brick finish. The four entrances in the front of the building will provide access to the smaller retailers and the entrance to PSG Framing will be from the parking lot. Customers entering PSG will use this parking lot entrance to access the retail services and the showroom. The Applicant has indicated that they prefer this design because customers are often carrying large and/or awkward pieces of art.

Loading

There will be two loading docks in the existing loading dock area for the framing business and for trash pickup for all of the tenants. PSG Framing typically receives one shipment per week. The existing loading dock along Glen Street will be replaced with an aluminum storefront window system. The applicant indicates that truck deliveries will be limited to the size of a box truck. Larger trucks will have difficulty exiting onto Glen Street southbound and then navigating through East Somerville to get back to the primary street network.



Rooftop Mechanicals

Rooftop mechanical equipment will be placed in the same locations where they are today and it is anticipated that they will not exceed 5 feet. This site had a previous spray booth that will be replaced with one that meets modern codes and meets the needs of the applicant. The existing exhaust system will be replaced with a new, efficient system which requires a 10 foot pipe on the top of the roof. The pipe will be wrapped in a metal panel that will match the dark bronze color of the window system.

Signage

The proposal includes a signage band 36 inches tall to be located above the new storefront system. There will be exterior light fixtures above the sign band and the signs will be individually applied letters of wood or metal panels with routed letters. The signage for PSG will be subtle and comply with these material requirements as well. The billboard on the roof of the building will be removed. Individual tenants for the front of the building have not been identified, but they will be expected to provide signs within the identified sign band area using the exterior lighting system. Any tenant requiring additional signage will require separate special permit review.

Site

The proposal also includes improvements to the rear parking lot where 19 parking spaces, including 2 handicapped accessible spaces, will be located. The few PSG Framing employees that require parking and the retail employees and customers will share the parking spaces. There will be special paving near PSG Framing's entrance which will allow this area to function as an outdoor patio when the parking spaces are not in use.

There will also be a raised vegetable garden in the northwest corner of the parking lot (see Conditions below). Landscaping will be installed in the southwest corner of the parking lot and along the southern property line. The chain-link fence will be removed and replaced with a 6 ft tall wooden fence.

There was a release of petroleum at the site and there is a Notice of Activity and Use Limitation on the property; however, commercial uses are permitted, and this situation is not anticipated to have any limitations on the applicant's proposal.

3. Nature of Application: The property is located in the Corridor Commercial District (CCD). Alteration to the façade of the building requires a special permit under SZO §6.1 22.D.5. The proposed uses fall into the Medium Retail and Service Cluster (1,500 to 9,999 s.f. per establishment) (c7.13.C). A special permit is needed to establish approximately 18,000 sf of the Medium Retail and Service Cluster in the location, whereas the Small Retail and Service Cluster (less than 1,500 s.f.) can be established by right. The Applicant is seeking a special permit for a series of different uses have been determined to be appropriate within the Medium and Small Retail and Service Clusters.

The framing business will be a "craft supply store where production may occur on the premises" and will occupy 9,975 nsf. The remaining 8,000 nsf will be divided between one to four tenants. If tenants are within the Medium Retail and Service Cluster, the special permit under consideration will allow them to be established without any additional zoning permits for the use. However, if the tenants fall into another Cluster, depending on their size, they may be required to come back before the Board for an additional special permit. For example, if one of the potential tenants of the building was a gym with stationary equipment, this use would fall under Use Cluster G Recreational and would require a special permit if it is over 5,000 nsf.



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No additional parking is required for the proposed uses. Pursuant to SZO §9.4.1.e, no additional parking or loading spaces shall be required for any permitted non-residential use within the floor area that lawfully existed before 2008. Since no additions are proposed and the use is non-residential, no new parking is required. Two bicycle parking spaces are required.

The property has some pre-existing conditions that are nonconforming under the CCD and the proposal will bring the property into greater compliance with the code. The building's dimensions meet the CCD-55 requirements except for the requirement that the side or rear yard setback of a property abutting a residential district line shall be a minimum 20 feet from the district line with the outermost 10 feet of the setback to consist exclusively of vegetative landscaping (SZO §6.1.22.G.5). The southwest corner of the building abuts a residential district and is located on the side property line which is not a legal non-conforming situation. The Applicant will add 4 feet deep landscaped area between the residential district in the rear of the property and the parking area to become more conforming with this regulation. The proposed landscaped area does not meet the 10 percent requirement but it will increase from zero percent to a minimum of two percent.

4. Surrounding Neighborhood: Broadway is comprised of small neighborhood businesses including many restaurants. The East Somerville Library Branch is located diagonally across the street from 130 Broadway. Mudflat Studio is renovating the nearby theatre for their pottery school. Behind the building is a Residence B zoning district there are many 2 ½ story residences in the area. A streetscape and roadway improvement project is being planned for this area, which includes reconfiguring lanes, providing more sidewalk space and pedestrian amenities. The project is anticipated to begin this summer.

5. Impacts of Proposal: The changes to the façade of the building will be a great improvement. The masonry, metal panels, and stucco that cover the building without window openings or color variations create a blank wall that for pedestrians makes the block feel long and boring. The addition of storefronts to look through, architectural details to admire, and lighting and signage will make this a pedestrian-friendly building. The activity that the tenants will bring to the area will improve the safety of the back parking lot and sidewalk as there will be "eyes on the street". The storefronts will also create continuity of the retail along Broadway that was lost when the building was concealed.

The residential abutters in the rear will experience more vehicles entering and exiting the property than has been the case since it became vacant, but likely less activity than may be generated by other uses that could apply to be on the site. The addition of landscaping and 6 foot wooden fence along the perimeter of the property will help to mitigate the increased use of the parking lot. The appearance of the parking lot and building and sense of security for the residential abutters is anticipated to improve.

6. Green Building Practices: The existing structure will be reused and repaired; which will reduce the waste associated with the site if the building was demolished and reconstructed. Windows and skylights will increase the amount of daylight entering the building and can help reduce electricity usage. Energy efficient mechanical, electrical and plumbing systems will be installed. Bicycle storage will be available to encourage and allow for commuting via bicycle instead of vehicles.

7. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Engineering: Has been contacted but has not yet provided comments.

Traffic & Parking: Has requested parking space and aisle dimensions. There were no additional comments submitted before this report was finalized.



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Lights & Lines: Would like to see the details of the electrical system when they are complete.

Ward Alderman: Alderman Roche has indicated that he is in support of the project.

Design Review Committee (DRC): The Applicants met with the DRC on January 27. The Committee was supportive of the changes to the building. They noted that the lighting will give life to the building and the details of the fenestration will be important and should be carefully considered. The owners should have a plan for putting something interesting in the windows of a retail space if one is vacant. Finally, there should be a contingency plan for the design of the pediment if it cannot be restored to its original design. The pediment should incorporate interesting elements and not be a flat surface.

Public Comment: Abutters have received notification for the February 3, 2011 meeting. Several people spoke in support of the proposal at the hearing.

FINDINGS FOR SPECIAL PERMIT (SZO § 5.1, 6.1.22.D.5, 7.13.c):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Board finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits

2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

The proposal complies with the development standards in the CCD.

1. *Penthouse and Mechanical Equipment.* Mechanical units will be placed on the roof where the existing mechanical equipment is located; therefore there should not be a significant change to the visibility of the equipment on the roof. The units are anticipated to be 5 feet tall. The exhaust duct at the southeastern corner will be 10 feet tall. The existing exhaust duct is only a few feet tall and wraps around from the side of the building to the roof. The new exhaust duct will be setback from the roof's edge and be concealed with metal panels that will be the same color as the aluminum windows.
2. *Service Areas and Loading Spaces.* The loading dock will be located in an existing location, which is not located on the street's edge. The loading dock along Glen Street will be closed and replaced with a door and windows. The trash enclosure will be in the loading dock area and the building will screen it from the street.
3. *Pedestrian Oriented Requirement.* The building has been designed to promote pedestrian activity. There are entrances from the Broadway sidewalk directly into the retail spaces. Also, the storefront window systems will create interest for pedestrians. The PSG Framing entrance will be located off of the parking area due to sound logistical reasons for their customers entering with artwork.
4. *Lighting.* The proposal includes lighting fixtures above the sign band along the Broadway façade, which is appropriate to the pedestrian-oriented character of the surrounding area. There will also be lighting at each entrance to the building and in the parking lot to enhance safety and security. The parking lot lighting must be strategically placed so that it minimizes glare and light trespass into neighboring residential properties.



5. *Transition to Abutting Residential District.* The southwest corner of the building abuts a residential district and is located on the side property line. The building is nonconforming because it is not setback 20 feet from the district line. There will be a landscaped area added between the residential district line and the parking lot around the parking lot in the rear of the property to become more conforming with this regulation.
6. *Parking Design.* There will be a six-foot tall wooden fence surrounding the parking lot to screen views of it. There will also be an area of the parking lot available for picnics when not being used for parking, and an adjacent garden.
7. *Payment in Lieu of Parking.* Payment in lieu of parking is not applicable to this application. Since the square footage of the building is not increasing, no additional parking beyond that which exists onsite is required.
8. *Credit for Provisions of Land for Public Infrastructure.* Not applicable.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to conserving the value of land and buildings and encouraging the most appropriate use of land throughout the City. The Applicants will reuse the building and provide retail and service tenants that are an appropriate use for this commercial corridor.

The proposal is consistent with the purpose of the district. The proposal increases commercial investment by establishing medium scale retail and service tenants. The owner is seeking out neighborhood serving tenants. The framing company is a family-owned business that employs 20 people, does not generate significant traffic and typically only receives one shipment via truck per week. The building will not be mixed use; however, it will be multi-tenanted. The alterations to the building will restore the historic structure and create a pedestrian friendly façade. This will be a significant private investment towards improving the pedestrian experience along Broadway. Bicycle parking will be located in the PSG Framing and along the sidewalk to encourage bicycling to the site.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

The proposal is designed to be compatible with the characteristics of the surrounding area and is consistent with the design guidelines in the CCD.

1. The building completes the street wall along Broadway. Reopening the fenestration and adding multiple tenants and signage will improve the appearance of the building. The building will go from being a blank wall along Broadway to a building that will be interesting to walk by. If the details in the pediment of the building are not salvageable, the architect shall propose adding details that will be conditioned to be reviewed and approved by Planning Staff. The new tenants will also restore the retail continuity on this section of Broadway.
2. The massing and height of the one-story structure will not change.
3. The height of the building is only one-story and it is located next to a three-story building and a one-story building. A transition to residential or historically designated properties is not applicable.



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4. The 30 foot-wide commercial bays with independent entrances onto the street are incorporated into this proposal. The entrances will be recessed for building code purposes and the entrances will add depth to the building. The proposal complies with the guideline to have 75% transparent material. The windows will provide views into the building and should not be blocked by interior storage, nonartistic displays, or greater than 30% internally mounted signage.
5. The existing brick on the exterior of the building will be repaired, repointed and cleaned to provide a natural red brick finish. Brick, glass, and artistically used metal are materials that are encouraged in the guidelines and will be incorporated into the renovation of the building. EIFS and precast concrete panels are discouraged material that will be removed from the building.
6. Visible rear and side facades will be brick, which is the same material that will be on the front façade of the building. The existing CMU in-fill panels that will not be removed on the sides of the building will be repaired, cleaned and painted.
7. The signage design respects the building's context by creating a signage band that typically holds signage for similar buildings. In this location the signage will be oriented to pedestrians. The billboard on the roof that is oriented to vehicles will be removed. The tenants in the front portion of the building are yet to be determined; however, their signage will be made of wood or metal and be individually applied letters or routed letters. The signage for PSG will be subtle and comply with these materials. Lighting for the signs will be from fixtures above the letters. The proposed materials and lighting technology are encouraged in the guidelines.
8. Between one and four retail tenants will be located in the front portion of the building, which will improve the pedestrian interest in the building from its current vacant state with only one dark entrance along Broadway.
- 9./10. Artist Live/Work Spaces and residential unit size do not relate to the nonresidential proposal.
11. The building location is not changing. The sidewalk is approximately 8 feet wide in this location. The streetscape improvement project planned for this portion of Broadway will increase the width of the sidewalk.

5. Adverse environmental impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

The proposed retailers will not create excessive levels of noise, illumination, glare dust, smoke or vibration. The exhaust vent that is required for the spray booth will meet current codes and will contain filters and a sensitive sensor that alerts the user to change it when necessary.

The contamination of the site has been addressed and commercial uses are allowed on the site as noted by the License Site Professional.

6. Vehicular and pedestrian circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

The potential for traffic congestion or accidents on Glen Street as a result of use of the existing side loading dock will be eliminated as the dock will be removed and the curb cut will be closed. Vehicles will enter the site off of Glen Street where there is an existing curb cut. The applicant will limit large truck deliveries to



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ensure that trucks from the site do not impact the streets of East Somerville. The streetscape improvement project planned for this portion of Broadway will improve the pedestrian experience along the street. The proposed first floor retail tenants will likely benefit from the investment in the area. The right-of-way work is expected to begin in the summer.

DECISION:

Present and sitting were Members Elizabeth Moroney, Joseph Favaloro, James Kirylo, Michael Capuano and Dana LeWinter with Kevin Prior absent. Upon making the above findings, Michael Capuano made a motion to approve the request for a special permit. James Kirylo seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
Application and Plans										
1	<p>Approval is for the alteration the façade of the 130 Broadway including window and door openings and to establish Medium Retail and Service uses in the building totaling approx 18,000 sf (§7.13.C). This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>Jan 11, 2011</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>Jan 11, 2011</td><td>Plans submitted to OSPCD (L-2.1 Existing Site/Landscape Plan, L2.2 Proposed Site/Landscape Plans, A-2.2 Plan, A-2.3 Roof Plan, A-3.0-3.1 Building Elevations)</td></tr></table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval. Sign replacement of the same size within the same sign footprint and using the same sign technology shall be permitted by right.</p>	Date (Stamp Date)	Submission	Jan 11, 2011	Initial application submitted to the City Clerk’s Office	Jan 11, 2011	Plans submitted to OSPCD (L-2.1 Existing Site/Landscape Plan, L2.2 Proposed Site/Landscape Plans, A-2.2 Plan, A-2.3 Roof Plan, A-3.0-3.1 Building Elevations)	CO / BP	Plng.	
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2	<p>Once the existing panels on the façade have been removed, the Applicant will provide Planning Staff with photos of what remains in place. If the original details of the pediment have already been removed, are not salvageable, or are bereft of architectural details, the applicant shall design a detailed pediment for the building so that it is not solely a flat surface. These plans are to be reviewed by the DRC and Planning Staff and approved by Planning Staff.</p>	BP	Plng.							



Construction Impacts				
3	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard. Specifically, all driveway aprons shall be concrete.	CO	DPW	
4	The Applicant shall close or narrow the curb cuts to the site that are not required for access to the parking lot, including but not limited to the curb cut to the side loading dock.	CO	DPW	
5	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
6	Prior to any work on parking lot or landscaping the Applicant shall submit to the Planning Staff a letter from a LSP indicating that all work is in compliance with the AUL and applicable DEP regulations. Any amendment with site design to meet regulations shall be reviewed and approved by Planning Staff. In the vegetable planting area, the Applicant shall install a soil barrier (geotextile, 6" of crushed stone or similar) that restricts clean soils and rooting systems in the elevated beds from mixing with contaminated soils unless an alternative design is proposed by the LSP and approved by Planning Staff. Applicant should take care to ascertain the root depth of plants to be installed in the future and ensure that the depth of the raised bed is adequate to ensure plants to not permeate the soil barrier.	During Construction		
7	The Applicant shall add a storefront window system to the bay on the Glen Street side of the building closest to Broadway unless the Applicant can prove to Planning Staff that the interior configuration of the space precludes this additional window.	CO	Plng.	
Public Safety				
8	Applicant shall comply with Fire Prevention Bureau's requirements.	CO	FP	
Impacts of Completed Project				
9	The Owners shall provide artistic displays in the windows of storefronts that are vacant for more than 3 months.	Perpetual	Plng.	
10	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened.	Electrical permits & CO	Plng. / ISD	
11	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	



12	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
13	Applicant will supply 2 bicycle parking spaces on the sidewalk at or near the property, at a location reviewed and approved by OSPCD.	CO	Plng.	
14	Signage will be limited to the type of lettering, materials, and lighting technology shown in the elevation. No internally lit signs shall be allowed unless specifically individually approved by the SPGA in a separate special permit application. The location shall be in the sign band or near the back door entrance.	CO/Cont.	Plng.	
15	The applicant shall remove the billboard from the roof of the structure and shall cancel the license for the billboard from the Outdoor Advertising Board. The applicant and/or the billboard owner shall not try to move this billboard or its license to any other location in Somerville.	BP	Plng.	
16	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
17	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
Final Review				
18	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	



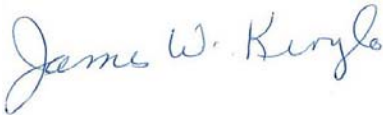
Attest, by the Planning Board:



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.



Dana LeWinter

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.



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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, 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 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 _____



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