



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**ZONING BOARD OF APPEALS**  
**JOSEPH A. CURTATONE**  
**MAYOR**

**MEMBERS**

*Herbert F. Foster, Jr., Chairman*  
Orsola Susan Fontano, *Clerk*  
Richard Rossetti  
T. F. Scott Darling, III, Esq.  
Danielle Fillis  
Elaine Severino (Alt.)

**Case #: ZBA 2007-03-R0308**  
**Site: 16 Butler Drive/100 Temple Street**  
**Date of Decision: April 2, 2008**

**Decision: Revision Approved with Conditions**  
**Date Filed with City Clerk: April 11, 2008**

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**ZBA DECISION**

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<b>Applicant Name:</b>	Somerville Community Corporation
<b>Applicant Address:</b>	337 Somerville Avenue, Somerville, MA 02145
<b>Property Owner Name:</b>	The St. Polycarp Redevelopment, LLC
<b>Property Owner Address:</b>	c/o Somerville Community Corporation 337 Somerville Avenue, Somerville, MA 02145
<b>Agent Name:</b>	Kristin Blum
<b>Agent Address:</b>	337 Somerville Avenue, Somerville, MA 02145

**Legal Notice:** The Applicant seeks a revision to Special Permit ZBA 2007-03. The revision is to add 4 parking spaces to have the required amount of parking for phase-one. The revision is also to gain approval for the parking for 100 Temple Street to be on the separate lot at 8 Butler Drive (SZO §9.13.d). The location of the parking in these lots has not changed from the original approval.

<b><u>Zoning District/Ward:</u></b>	NB zone. Ward 4
<b><u>Zoning Approval Sought:</u></b>	Revision to Special Permit# 2007-03
<b><u>Date of Application:</u></b>	March 10, 2008
<b><u>Date(s) of Public Hearing:</u></b>	April 2, 2008
<b><u>Date of Decision:</u></b>	April 2, 2008
<b><u>Vote:</u></b>	5-0

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Appeal #ZBA 2007-03-R0308 was opened before the Zoning Board of Appeals at Somerville City Hall on April 2, 2008. After one (1) hearing(s) of deliberation, the Zoning Board of Appeals took a vote.

**DESCRIPTION:**

The Applicant Somerville Community Corporation, Owner The St. Polycarp Redevelopment LLC, and Agent Kristin Blum seek a revision to Special Permit ZBA 2007-03. The revision is to add 3 parking spaces (this number was reduced from the original revision application for 4 parking spaces referred to in the legal notice) to have the required amount of parking to satisfy condition four of the original special permit. The revision is also to gain approval for the parking for 100 Temple Street (meaning all of Parcel

69/A/1) to be on the separate lot at 8 Butler Drive (meaning all of Parcel 57/A/2) (SZO §9.13.d). The Applicant received ZBA approval in the original Special Permit for the parking configuration shown on the plan originally submitted by the Applicant, and the Special Permit always contemplated parking for parcel 69/A/1 would be located on parcel 57/A/2; but as a technicality, the Applicant seeks further relief for parking on a separate lot under Section 9.13.d of the SZO.

The present application seeks to:

1. Gain approval for the parking for 100 Temple Street (meaning all of Parcel 69/A/1) to be on the separate lot at 8 Butler Drive (meaning all of Parcel 57/A/2) (SZO §9.13.d).
2. Satisfy condition 4 of the March 21, 2007 ZBA decision by adding three parallel parking spaces adjacent to Building F (as shown on the plans described below).

The revisions are shown on the plans and letter to the ZBA stamped in to the OSPCD on April 1, 2008.

Notices have been mailed to abutters and the case advertised in the newspaper.

Staff of Planning and Traffic and Parking have reviewed the revision proposal and are in favor of the changes.

#### **FINDINGS FOR SPECIAL PERMIT REVISION**

Based on the preceding, Planning Staff finds that the changes are consistent with the original special permit and recommends approval.

#### **DECISION:**

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Danielle Fillis and Scott Darling. Upon making the above findings, Susan Fontano made a motion to approve the request for a special permit. Scott Darling seconded the motion. Wherefore the Zoning Board of Appeals voted 5-0 to **APPROVE** the request. In addition, the ZBA confirmed that other than condition 4 of the original Special Permit, the original conditions attached to the Special Permit still apply.

Attest, by the Zoning Board of Appeals:

Herbert Foster, Chairman  
Orsola Susan Fontano, Clerk  
Richard Rossetti  
T.F. Scott Darling, III, Esq.  
Danielle Fillis

Attest, by the Zoning Board of Appeals Administrative Assistant:

\_\_\_\_\_  
Dawn M. Pereira

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  
ZBA proceedings are filed in the Somerville Planning Dept.

### **CLERK'S CERTIFICATE**

Any appeal of this decision must be filed within twenty (20) 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 special permit, or any extension, modification or renewal thereof, 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. The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services is 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 either

\_\_\_\_\_ 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.

Signed \_\_\_\_\_

City Clerk Date \_\_\_\_\_