



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.)
Josh Safdie (Alt.)

Case #: ZBA 2007-01-R1008
Site: 33 Earle Street
Date of Decision: November 19, 2008

Decision: Revision Approved with Conditions
Date Filed with City Clerk: November 26, 2008

ZBA DECISION

Applicant Name:	Gentle Giant Moving Company, Inc.
Applicant Address:	29 Harding Street, Somerville, MA 02143
Property Owner Name:	JEK Realty, LLC
Property Owner Address:	29 Harding Street, Somerville, MA 02143
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Somerville, MA 02144

Legal Notice: Applicant Gentle Giant Moving Company, Inc., Owner JEK Realty, LLC, & Agent Adam Dash, Esq., seek a time extension (SZO §5.3.10) to Special Permit ZBA2007-01 for a warehouse use. IP/Ward 2.

<u>Zoning District/Ward:</u>	
<u>Zoning Approval Sought:</u>	Revision to Special Permit #2007-01
<u>Date of Application:</u>	September 23, 2008
<u>Date(s) of Public Hearing:</u>	11/19,
<u>Date of Decision:</u>	November 19, 2008
<u>Vote:</u>	5-0

Appeal #ZBA 2007-01-R1008 was opened before the Zoning Board of Appeals at Somerville City Hall on November 19, 2008. After one (1) hearing(s) of deliberation, the Zoning Board of Appeals took a vote.

DESCRIPTION & FINDINGS:

On February 7, 2007 the applicant was granted a Special Permit to change the use of an existing structure from a warehouse to a commercial mover with associated storage facilities and parking.

The applicant is requesting a Special Permit Extension of the maximum one year in order to extend the life of the original approval until February 7, 2010.

The current tenant of the property, Lanco Scaffolding, was intending to vacate the premises, which would have allowed the applicant to expand their moving and storage business onto the property. However, the tenant still has a lease on the property and has yet to vacate the premises. The Board finds this extension would afford Lanco Scaffolding more time to relocate their operations and enable Gentle Giant to eventually expand operations onto the property.

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 extension. Scott Darling seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request.

Attest, by the Zoning Board of Appeals:

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

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 _____