



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

PLANNING DIVISION

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**Case #: ZBA 2018-84**  
**Site: 11 Cedar Street**  
**Date of Decision:** September 18, 2019  
**Decision:** *Approved with Conditions*  
**Date Filed with City Clerk:** September 25, 2019

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**ZBA DECISION**

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**Site:** 11 Cedar Street

**Applicant Name:** John D. Barry, Esq.  
**Applicant Address:** 400 Granite Avenue, Milton, MA 02186  
**Property Owner Name:** Cheryl A. Hurley and Carl A. Hurley  
**Property Owner Address:** 11 Cedar Street, Somerville, MA 02143  
**Agent Name:** James Christopher  
**Agent Address:** 415 Neponset Avenue #4, Dorchester, MA 02122

**Legal Notice:** Applicant, John D. Barry, Esq., and Owners, Cheryl A. Hurley and Carl A. Hurley, seek a special permit with site plan review under SZO §7.2 and §7.3 to erect a second principal structure on the lot and to have five dwelling units on the lot. The proposal is to demolish the existing garage structure and erect a new three-unit dwelling in the rear of the site. A special permit under SZO §4.4.1 to alter the existing nonconforming structure by constructing a rear deck and under SZO §9.13 for parking relief is also required. RB Zone. Ward 5.

<b>Zoning District/Ward:</b>	RB Zone. Ward 5.
<b>Zoning Approval Sought:</b>	SZO §4.4.1, §7.2, §7.3, and §9.13
<b>Date of Application:</b>	June 8, 2018
<b>Date(s) of Public Hearing:</b>	6/19/19, 7/17/19, 8/7/19, 8/21/19, 9/4/19, and 9/18/19
<b>Date of Decision:</b>	September 18, 2019
<b>Vote:</b>	5-0

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Case number ZBA 2018-84 was opened before the Zoning Board of Appeals in the 3<sup>rd</sup> floor Community Room of the Visiting Nurse Association at 259 Lowell Street. 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. On September 18, 2019, the Zoning Board of Appeals took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143  
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722  
[www.somervillema.gov](http://www.somervillema.gov)

## **I. PROJECT DESCRIPTION**

The proposal is to demolish the existing garages in the rear and construct a second principal structure. The proposed structure will be two stories tall and include two dwelling units (one of the first floor and another on the second floor). The existing two-family structure will be renovated and a third unit will be added. In total, the site will include five residential units. The proposal will include a total of five parking spaces. One of the units on-site will be designated as affordable in perpetuity.

## **II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.2 and §7.3) and SPECIAL PERMIT (SZO §9.13):**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

### 1. Information Supplied:

The Board finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.

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 with site plan review.”*

#### *Article 7: Permitted Uses*

SZO §7.2 allows for more than one principal structure per lot in the RB zoning district by Special Permit with Site Plan Review granted from the Zoning Board of Appeals.

Section 7.3 states that, “in Residence B districts, the maximum number of dwelling units per lot shall be three (3) units.”

Section 7.3 continues to state that, “*In Residence A and Residence B districts, where developments include a minimum of twenty percent (20%) affordable housing units on-site, but in no case less than one (1) affordable unit, as defined by Section 2.2.4, the above standard may be waived by the SPGA through application for special permit with site plan review. In all cases, the minimum lot size, the minimum lot area per dwelling unit and other dimensional and parking requirements of Article 8 and Article 9 shall be met. No incentives for provision of additional affordable housing units as set forth under Article 13, § 13.5, shall be available for those applications requiring a special permit with site plan review under this section.*”

In this case, the dimensional requirements of Article 8 for the proposed structure are met and the parking requirements of Article 9 will be met if the Special Permit is granted. Also, 20% of the proposed five units is one; therefore the proposal includes one affordable housing unit.

*Article 9: Off-Street Parking and Loading*

		<i>Existing</i>		<i>Proposed</i>	
Existing Structure	Unit #1	2 BR	1.5 spaces	3 BR	2 spaces
	Unit #2	5 BR	2 spaces	3 BR	2 spaces
	Unit #3	-	-	2 BR	1.5 spaces
Proposed Structure	Unit #4	-	-	3 BR	2 spaces
	Unit #5	-	-	3 BR	2 spaces
<b>Total</b>		<b>4 spaces</b> (rounded up from 3.5)		<b>10 spaces</b> (rounded up from 9.5)	

SZO §9.13 allows for sites with nonconforming parking to apply for a Special Permit to modify parking requirements if the total number of spaces is six or fewer. The locus is currently conforming with respect to the number of required off-street parking spaces as four spaces are required, which the site provides. Normally a Variance is required for sites seeking parking relief that currently conform to parking requirements. However, according to SZO Section 9.13.g, projects incorporating inclusionary housing may reduce the total number of parking spaces with a special permit.

SZO §9.5 requires the Applicant to provide ten spaces. The proposal includes five surface parking spaces. Relief is being requested from providing the additional five parking spaces.

In considering a special permit under §9.13 of the SZO “the SPGA may grant such a special permit only when consistent with the purposes set forth in Section 9.1, and upon reaching the findings and determinations set forth in Section 5.1.4”. Given the proximity to the Porter Square Red Line Station, numerous bus route, and bicycle lanes, the Board finds that granting the requested Special Permit is consistent with the purposes of SZO §9.1 and will not cause detriment to increased traffic volumes, traffic congestion of queuing of vehicles, changes in the type of traffic, change in traffic patterns and access to the site, reduction in on-street parking, or unsafe conflicts of motor vehicles and pedestrian traffic.

3. Purpose of District: *The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6”.*

The proposal is consistent with the purpose of the RB district, which is, “to establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.”

4. Site and Area Compatibility: *The Applicant has to ensure that the project “(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area”.*

*Surrounding Neighborhood:* The subject property is located on the east side of Cedar Street close to its intersection with Elm Street. This stretch of Cedar Street is comprised of mostly 2.5 story gable end structures. There are a few three story mansards or flat roof type structures closer to Summer Street.

*Impacts of Proposal (Design and Compatibility):* The new structure in the rear is proposed to be a two story pyramid roof structure with a ridge height of 33’-4”, which is three feet shorter than the existing structure’s ridge. The proposed structure will not have a finished basement and two finished floors above grade. One unit is proposed to occupy each floor.



The Board finds that the size of the rear building is significantly smaller compared to the existing structure.

1. *Buildings should be generally of the same size and proportions as those existing in the neighborhood. This shall apply in cases of multi-family development as well as one-, two-, and three-family units. For example, if relatively small two- and three-family structures are common in a neighborhood where multi-family development is proposed, the multi-family development should be physically broken into components that, from a design perspective, are housed in buildings of similar width, depth, and height as those typically found in the neighborhood.*

The Board finds that the size of the rear building is significantly smaller compared to the existing structure.

2. *Use of traditional and natural materials is strongly encouraged (e.g. wood clapboard, wood shingles, brick).*

The proposed exterior materials are provided on page A7 of the plans. The buildings are proposed to be clad in cementitious lap siding.

3. *Additions to existing structures should be consistent with the architecture of the existing structure in terms of window dimensions, roof lines etc.*

N/A

4. *Although additions should not clash with or be incompatible to the existing structure, it is acceptable and even desirable for the new construction to be distinguishable from the existing building, perhaps by maintenance of design elements of the original building that would otherwise be lost (e.g. false rakes, fasciae, and the like).*

The proposed new structure maintains design elements of the existing building such as a sloped roof-and fenestration.

5. *Where practical, new or infill building construction should share the same orientation to the street as is common in the neighborhood. When not contrary to any other zoning law, front and side yards should be of similar dimensions as those typical in the area.*

The proposed new structure will be located behind the existing structure and oriented toward a shared private way.

6. *Driveways should be kept to minimal width (perhaps a maximum of twelve feet), and be designed so that no vehicle parked on the drive may straddle the public sidewalk in any way. Low barriers or plantings may be required to separate the parking area from the pedestrian space.*

The proposal will maintain the existing private way to access two parking spaces between the structures and three spaces in a driveway to the right of the proposed structure (in the rear yard). The minimum required aisle width is twelve feet for parallel spaces, which is what is being proposed. Plantings are proposed along the right side yard lining the private way, behind the parking spaces between the buildings, in front of the proposed structures, and in the rear abutting the parking spaces. Due to the

topography of the site and of abutting properties a two foot tall retaining wall with a four foot solid wood fence should be including along the left side property lines and the rear property line is included in an updated landscaping plan.

7. *Transformers, heating and cooling systems, antennas, and the like, should be located so they are not visible from the street or should be screened.*

A condition of approval is that any transformers, heating and cooling systems, antennas, and the like, should be located in a manner so that are not visible from the street or should be screened.

8. *Sites and buildings should comply with any guidelines set forth in Article 6 of this Ordinance for the specific base or overlay zoning district(s) the site is located within.*

N/A

5. **Functional Design:** *The project must meet “accepted standards and criteria for the functional design of facilities, structures, and site construction.”*

The project meets accepted standards and criteria for the functional design of facilities, structures, and site construction.

6. **Impact on Public Systems:** *The project will “not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.”*

The proposal is not expected to create adverse impacts on the public services and facilities serving the locus, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.

7. **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 proposal is not expected to create an adverse impact on the environment.

8. **Consistency with Purposes:** *“Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections.”*

The Board finds that the proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to



provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; to protect and promote a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes; and to preserve and increase the amenities of the municipality.

9. Preservation of Landform and Open Space: *The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”*

The proposal will involve minimal grading and the amount and quality of open space will be enhanced from its current state.

10. Relation of Buildings to Environment: *The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”*

The Board finds that the scale of the building in the rear is compatible in scale or design with other buildings that are visually related to the development.

11. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

The proposal will create one affordable housing unit.

12. SomerVision Plan: Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods and preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups.

<u>SomerVision Summary</u>	<u>Existing</u>	<u>Proposed</u>
<u>Dwelling Units:</u>	2	5
<u>Affordable Units:</u>	0	1

13. Impact on Affordable Housing: *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

The proposal will create one affordable housing unit in perpetuity. It is a condition of approval that the Applicant will work with the OSPCD Housing Division on an Affordable Housing Implementation Plan





(AHIP) to ensure that the proposed affordable unit is made available to households of low or moderate income in perpetuity.

**III. DECISION**

Present and sitting were, Susan Fontano, Danielle Evans, Anne Brockelman, Elaine Severino, and Drew Kane. Upon making the above findings, Danielle Evans made a motion to approve the request for special permit and special permit with site plan review. Elaine Severino seconded the motion. The Zoning Board of Appeals voted **5-0** to **APPROVE** the request **WITH CONDITIONS**. The following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	Approval is for the construction of a second principal structure with two dwelling units and the renovation of the existing structure to become a three-unit dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/PIng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>June 8, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>September 4, 2019</td> <td>Plans submitted to OSPCD (A000, C1, C2, A001, L1, X101, A101-A106, A201, A202, A301, and PT1)</td> </tr> <tr> <td>September 12, 2019</td> <td>Shadow Studies (SS1 and SS2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	June 8, 2018	Initial application submitted to the City Clerk's Office	September 4, 2019	Plans submitted to OSPCD (A000, C1, C2, A001, L1, X101, A101-A106, A201, A202, A301, and PT1)	September 12, 2019	Shadow Studies (SS1 and SS2)
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September 12, 2019	Shadow Studies (SS1 and SS2)											
Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.												
<b>Affordable Housing/Linkage</b>												
2	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.	BP	Housing									
3	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	CO	Housing									



4	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	CO	Housing	
5	Additional requirements for projects with current tenants: A Tenant Relocation Plan should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit.	BP	Housing	
6	Additional requirements for projects converting to condominiums or removing rental units from the market: If a rental unit is going to be removed as a result of this project, it must comply with City of Somerville Code of Ordinances Chapter 7, Article IV, Condominium Conversion and Removal of Rental Units prior to issuance of Building Permit. No Building Permit shall be issued until the OSPCD Housing Division has confirmed compliance.	BP	Housing	
<b>Pre-Construction</b>				
7	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Eng	
8	The Applicant shall complete the Site Plan Review Checklist and supply the information to the Engineering Office. The plans must comply with the City's Stormwater Management Policy.	BP	Eng.	
9	The applicant must comply with the Policy for new connections to and modifications to existing connections to the municipal sewer and drainage system stormwater management and infiltration/inflow mitigation. The Applicant shall work with Engineering to meet this condition and provide the required fees/mitigation.	CO	Eng.	
10	The Applicant shall submit a proposed drainage report, stamped by a registered PE in Massachusetts that demonstrates compliance with the City's stormwater policy.	BP	Eng.	
11	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
12	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	BP	Eng	





13	The Applicant shall conduct a survey of foundations and buildings adjacent to the site prior to demolition and shall address concerns about impacts to these structures from project construction.	Demolition Permit	ISD	
<b>Construction Impacts</b>				
14	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
15	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.	CO	DPW	
16	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	
17	For the convenience of and respect for the neighborhood, during the construction phase, construction work shall not begin prior to 7:30am and shall finish no later than 5pm Monday through Friday. There shall be no construction or construction-related work performed on weekends or holidays.	During Construction	ISD	
<b>Design</b>				
18	Applicant shall provide final material samples for siding, trim, windows, doors, and fence details to Planning Staff for review and approval prior to construction.	BP	Plng.	
<b>Site</b>				
19	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
20	For the new structure, the electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection if possible. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
<b>Miscellaneous</b>				
21	Gas and electric meters shall not be on the front of the structure. Gas and electric meters may be located on the side of the structure but shall be screened from the street by a hardy, staff approved evergreen planting. Utilities shall not be located adjacent to windows and shall not impact any parking, landscaping, or egress. The provisions of this condition may be waived by staff if the applicant submits a letter from the utility, signed by a utility representative, on utility letterhead, indicating that there is no feasible alternative to placing meters in violation of this condition.	CO	ISD	



22	Electrical conduits on the exterior facades of buildings shall be painted to match the wall material to which they are attached. Conduits are not allowed on the front of any structure.	CO	Plng.	
23	Garbage and recycling locations shall be clearly indicated on site plans. Storage areas shall be inside of the structure or shall be fully screened from view from both the public way and abutters by an appropriate material reviewed and approved by staff. The location shall not impact any parking, landscaping, or egress.	BP	Plng.	
24	Granting of the applied for use or alteration does not include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.	Ongoing	ISD / Plng.	
25	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	
<b>Public Safety</b>				
26	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
27	Notification must be made, within the time period required under applicable regulations, to the Massachusetts Department of Environmental Protection (DEP) if there is any release of oil, hazardous materials, or regulated hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.	At time of release	OSE/Fire/BOH	
28	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.	
<b>Final Sign-Off</b>				
29	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.	
<b>Miscellaneous (cont.)</b>				
30	Applicant and/or Owners must secure an access easement with the abutting property owner at 9 Cedar Street to ensure that vehicles going in/out of 11 Cedar Street have enough room to make the required maneuvers to access the proposed parking spaces.	BP	Plng.	



Attest, by the Zoning Board of Appeals:

Susan Fontano, *Chair*  
Danielle Evans, *Clerk*  
Anne Brockelman  
Elaine Severino  
Drew Kane (Alt.)

Attest, by Planner:

\_\_\_\_\_  
Alexander Mello

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.

**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 \_\_\_\_\_

