



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

PLANNING DIVISION

ZONING BOARD OF APPEALS MEMBERS

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DOROTHY A. KELLY GAY
AMELIA ABOFF

Case #: PB 2019-50
Site: 365 Somerville Avenue
Date of Decision: September 19, 2019
Decision: *Petition Withdrawn Without Prejudice*
Date Filed with City Clerk: October 24, 2019

PLANNING BOARD DECISION

Site: 365 Somerville Avenue
Applicant Name: Nikhilesh Rao Gorunkanti
Applicant Address: P.O. Box 246 Somerville Avenue, Somerville, MA 02143
Owner Name: Riggins Holdings, LLC
Owner Address: 48 Hale Street, Newton, MA 02464
Council: J.T. Scott

Legal Notice: Applicant, Nikhilsh Rao Goruknati, and Property Owner, Riggins Holdings, LLC, seek special permits to convert from a café use to dentist office. Parking relief under Article 9. CCD-55. Ward 2.

<u>Zoning District/Ward:</u>	CCD-55 Zone. Ward 2.
<u>Zoning Approval Sought:</u>	SZO Article 9
<u>Date of Application:</u>	May 2, 2019
<u>Date(s) of Public Hearing:</u>	7/11, 8/8, 8/22, 9/4, 9/19
<u>Date of Decision:</u>	September 19, 2019, 2019
<u>Vote:</u>	5-0

Appeal #**PB 2019-50** was opened on July 11, 2019 before the Planning Board in the 3rd Floor Community Room at the Visiting Nurses Association (VNA), 259 Lowell Street, Somerville, MA. 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 19, 2019, the Planning Board took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
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DECISION:

Present and sitting were full members Michael Capuano, Dorothy Kelly Gay, Amelia Aboff, and Joseph Favaloro. The Applicant/Owner requested to have the petition withdrawn without prejudice. A motion was made to approve the request to withdraw the petition without prejudice. The motion was seconded. Wherefore, the Planning Board voted **4-0** to **APPROVE** the request to **WITHDRAW THE APPLICATION WITHOUT PREJUDICE**.



Joseph Favaloro



Michael Capuano


Dorothy A. Kelly Gay

Amelia Aboff

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 _____

