

*Richard Daley absent,
All other Members present
Richard J. Daley, Jr., Chairman
Herbert F. Foster, Jr.*

Meeting Commenced 6:05 p.m.

*Orsola Susan Fontano
Salvatore Querusio
Richard Rossetti
Marlene Smithers, (Alt.)
T.F. Scott Darling, III, Esq., (Alt.)*

AGENDA

**Aldermanic Chambers, Second Floor, City Hall, 93 Highland Avenue,
Wednesday, September 21, 2005
DECISIONS 6:00 P.M. followed by New HEARINGS**

1 Davis Sq: The Applicant & Owner, 460 Somerville Avenue Trust seeks a special permit to alter a non-conforming structure (SZO §4.4.1), a special permit with site plan review (SZO §7.11.9.5.c) to establish a retail store of greater than 10,000 sq. ft., a special permit with site plan review (SZO §7.11.6.3.b) to establish a commercial health and fitness club of greater than 10,000 sq. ft., a special permit (SZO §9.13.e) for shared loading facilities and a variance for failure to provide twenty eight (28) parking spaces (SZO §9.5). This application is also subject to a Project Mitigation Contribution under SZO §15.2. CBD zone. *Agent for the Applicant, Attorney Adam Dash requested the matter be continued to October 19, 2005. SF motion to allow, RR seconded the motion, vote taken (4-0) HF, SF, RR and SD. Matter continued to October 5, 2005.*

312-314 Beacon St: Applicants & Owners, Robert Gillig & Christine Cuttitta seek a special permit (S.Z.O. § 7.11.1.1.c) to build a single family dwelling on a lot with two existing two-family structures. RC zone. *The Board voted to continue the matter on September 7, to October 5, 2005.*

8 Holts Ave: Applicant & Owner: Augusto Ustariz. The Applicant seeks a special permit to alter a non-conforming structure (SZO §4.4.1) to construct a rear addition and deck. RB zone. *SF made a motion to approve the request with conditions, SQ seconded the motion, vote taken (4-1) with HF, SQ, RR and SD voting for the motion, with SF voting against the motion. Petition approved with conditions.*

48-50 Hawthorne St: The Applicants & Owners, Adam & Amy Fairhall seek a special permit to alter a nonconforming structure (SZO §4.4.1) to construct a one-story addition with a roof deck on the rear of an existing two-family dwelling. RB zone. *The Applicant has requested to Withdraw the Petition Without Prejudice, SF made a motion to allow the request, seconded by RR vote taken (5-0) HF, SF, SQ, RR and MS. Request allowed.*

191 Highland Ave: Applicant & Owner Joseph Sater seeks a special permit to alter a non-conforming structure (SZO §4.4.1) to relocate an elevator and enlarge an existing egress door, a special permit for shared parking (SZO §9.13.e) to use parking spaces on three other lots located on Belmont St & a revision to a previously issued special permit (SZO §5.3.8). RC & RA zones. *The Applicant has requested to continue the application to October 19, 2005. SF motion to allow the request, seconded by SQ, vote taken (5-0) HF, SF, SQ, RR and SD. Application continued to October 19, 2005.*

212 Elm St: Applicant: Peter Creyf; Owner: APCA Elm Street H, LLC. Under §4.4.1 and §9.13.e of the SZO, the Applicant seeks to convert an existing office to a restaurant with 48 seats with shared parking. CBD zone. *The Applicant has requested to continue the application to October 5, 2005. **

212 Elm St: Applicant: Peter J. Romero; Owner: APCA Elm Street H, LLC. Under §4.4.1 and §9.13.e of the SZO, the Applicant seeks to convert an existing office bld. to a restaurant with 111 seats with shared parking. CBD zone. *The Applicant has requested to continue the application to October 5, 2005. **

212 Elm St: Applicant: Paradigm Properties; Owner: APCA Elm Street H, LLC. The Applicant seeks a special permit to alter a non-conforming structure (SZO §4.4.1) to construct new exit doors, alter existing window openings and build a new metal canopy, and a special permit for shared parking (§9.13.e). CBD zone. *The Applicant has requested to continue the application to October 5, 2005. **

The Board voted to allow the three applications for 212 Elm Street to continue their petitions to October 5, 2005. SQ motion to allow, seconded by RR, vote taken (4-0) SF, SQ, RR and SD.

99 Beacon St: Applicant & Owner, Frank Roselli seeks a special permit with design review (S.Z.O. §7.11.10.2.1.a) to change the use of a building from retail to a café and a special permit for modification of parking requirements (§9.13.a) for failure to provide parking. RC zone. *The Board voted on September 7, 2005 to continue the matter to October 5, 2005.*

55 Columbus Ave: Applicant & Owner, Mary's Trust seeks a special permit to alter a non-conforming structure (SZO §4.4.1) to build an exterior enclosed staircase at the rear of the building, an enclosed wheelchair lift, and to enclose and make changes to an existing side stairway. RA zone. *SF motion to approve, SQ seconded the motion, vote taken (5-0) HF, SF, SQ, RR and MS. Petition approved with conditions.*

199 Summer St: Applicant & Owner: Steve Aloise seeks a special permit to expand a non-conforming use (SZO §4.5.3) and a special permit with site plan review (§7.3) to convert former commercial space into 2 residential units on a lot with an existing 5-family dwelling. The Applicant also seeks a special permit to alter a non-conforming structure (§4.4.1) to alter the front exterior stairway, decks and to extend the existing roofline. RB zone. *The Applicant has requested to continue the application to October 19, 2005. SF motion to allow the request, seconded by SQ, vote taken (5-0) HF, SF, SQ, RR and SD. Application continued to October 19, 2005.*

51 Liberty Ave: Applicant: Paul Lu; Owners: Paul Lu, Rino Un, Dolores Un, & Jeanne Un. The Applicant seeks a variance from front yard parking (SZO §9.8.d) to construct a parking space in the front yard of an existing dwelling. RA zone. *SF Motion to deny the request, seconded by RR, vote taken (5-0) HF, SF, SQ, RR and SD. Petition denied.*

257 Elm St: Applicant: Diesel Café Inc.; Owners: Paul & Joe Errico. The Applicant seeks a variance for failure to provide parking (SZO §9.5.10.a) to add to the seating capacity for the café from 64 to 110 seats. CBD zone. *SF motion to approve, SQ seconded the motion, vote taken (5-0) HF, SF, SQ, RR and MS. Petition approved with conditions.*

85 Cross St: Applicant & Owner Leopoldo Martinez seeks a Special Permit with Site Plan Review to create two principle structures (SZO §7.2) and two variances (SZO §8.5.H) minimum side yard setback, (SZO §8.5.I) minimum rear yard setback to convert an existing rear garage to one dwelling unit. RB zone. *The Board voted on September 7, 2005 to allow the Applicant's request to continue the hearing to October 5, 2005.*

69-71 Winslow Ave: Applicants & Owners Jay & Elizabeth Valenta seek a special permit to alter a non-conforming structure (SZO §4.4.1) to build a 21foot dormer on the existing two-family dwelling. RA zone. *SF motion to approve, RR seconded the motion, vote taken (5-0) HF, SF, SQ, RR and SD. Petition approved with conditions.*

49 Dartmouth St: The Applicant & Owner, Brian Butler seeks a special permit to alter a nonconforming structure (SZO §4.4.1) to extend the existing roofline and construct a 3rd-floor deck on an existing 3-family dwelling. RA zone. *SF motion to approve, SQ seconded the motion, vote taken (5-0) HF, SF, SQ, RR and MS. Petition approved with conditions.*

17 Irving St: The Applicant & Owner William J. Gowan, Jr. seeks to legalize an existing 3-family dwelling. City records indicate the structure is a 2-family dwelling. A conversion to a three-family would require a special permit (SZO §7.11.2.b), a variance from lot area per dwelling unit (§8.5.B), and a special permit (§9.13.a) for failure to provide an additional parking space. RA zone. *SF motion to approve, SQ seconded the motion, vote taken (5-0) HF, SF, SQ, RR and SD. Petition approved with conditions.*

280 Broadway: Applicant: Fred Camerato, Owner: Camber Associates, LLC. The Applicant seeks a special permit with site plan review to construct two 2-family dwellings on a lot with an existing 6-unit dwelling (SZO §7.11.1.d). BA zone. *The Applicant has requested to continue the application to October 19, 2005. SF motion to allow the request, seconded by SQ, vote taken (5-0) HF, SF, SQ, RR and MS. Application continued to October 19, 2005.*

205 Summer St: The Applicant & Owner Jon DeMartinis seeks a special permit (SZO §4.4.1) to alter existing decks and construct a new deck, and a variance from maximum height (§8.5.f) to construct a fourth floor penthouse/observation room. RB zone. *The Applicant requested to Withdraw Without Prejudice the request for a variance to construct a penthouse/observation room. SF made a motion to allow the request, SQ seconded the motion, vote taken (5-0) HF, SF, SQ, RR and MS. The Board then deliberated and voted on the special permit request. SF made a motion to approve, seconded by MS, vote taken (5-0) HF, SF, SQ, RR and MS. Special Permit request approved.*

ZBA 9/21/05

Meeting adjourned at 9:20 p.m.