



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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ZONING BOARD OF APPEALS MINUTES

Aldermanic Chambers, Somerville City Hall, 93 Highland Avenue, Somerville, MA
Wednesday, January 3, 2018
6:00 P.M.

130 Walnut Street: (Case #ZBA 2017-70)	
Applicant:	David Einis
Property Owner:	Garrett Realty, LLC
Agent:	N/A
Legal Notice:	Applicant, David Einis, and Owner, Garrett Realty, LLC, seek Special Permits under §4.4.1 and §8.5 of the SZO for: the upward extension of the non-conforming right side yard setback by raising the rear portion of the existing structure to a height of 30' 10 ¼ inches; constructing dormers within the right side yard setback; increasing the FAR by more than 25% by adding a large addition to the rear of the structure; Special Permits under §7.11 to increase the number of units from two to three; Special Permits under §9.13 for parking relief. RB zone. Ward 4.
Date(s) of Hearing(s):	9/27, 10/4, 10/18, 11/8, 11/29, 12/13
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on December 13, 2017 to continue the application to January 17, 2018.
Previously continued to January 17, 2018.	

44 Broadway (ZBA 2017-95)	
Applicant:	Lower Broadway Development, LLC



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Property Owner:	Lower Broadway Development, LLC
Agent:	Sean T. O'Donnovan
Legal Notice:	Applicant & Owner, Lower Broadway Development, LLC, seeks a Variance under SZO §5.5 to demolish existing one-story commercial structures and replace them with a 6-story mixed-use building containing 8,696sf of retail/restaurant, 9,800sf office, and 27 residential dwelling units with structured parking under SZO §6.5. Zone TOD-55. Ward 1.
Date(s) of Hearing(s):	11/8, 11/29
Staff Recommendation:	Unable to recommend
ZBA Action:	Voted on November 29, 2017 to continue the application to January 17, 2018.
Previously continued to January 17, 2018.	

10-12 Ward Street (Case # ZBA 2017-122)	
Applicant:	Block Properties, LLC
Property Owner:	F & L Realty Development
Agent:	Sean T. O'Donnovan
Legal Notice:	Applicant, Block Properties, LLC, and Owner, F & L Realty Development, seek a Special Permit with Site Plan Review (SPSR) under §5.2, Variances to reduce the lot area per dwelling unit ratio under §5.5 and §8.5 of the SZO, Special Permits under §4.4.1 of the SZO to alter a non-conforming property by demolishing the existing buildings and constructing a residential building, §7.11 to increase the number of dwelling units, to provide inclusionary housing units and a payment under Article 13 of the SZO, special permits for parking relief under Article 9 of the SZO. BA zone. Ward 2.
Date(s) of Hearing(s):	12/13, 12/13
Staff Recommendation:	None at this time
ZBA Action:	Voted on December 13, 2017 to continue the application to January 17, 2018.
Previously continued to January 17, 2018.	

91 Perkins Street (Case #ZBA 2017-115)	
Applicant:	91 Perkins St., LLC
Property Owner:	91 Perkins St., LLC
Agent:	Sean T. O'Donnovan
Legal Notice:	Applicant and Owner, 91 Perkins St., LLC, seeks Special Permits under §4.4.1 of the SZO to increase the landscaping from 0% to 2%, enlarge an exterior door and add two emergency egress openings to a legally-existing, non-conforming 9-unit residential structure. RB zone. Ward 1.
Date(s) of Hearing(s):	12/13
Staff Recommendation:	None at this time
ZBA Action:	Voted on December 13, 2017 to continue the application to January 17, 2018.
Previously continued to January 17, 2018.	



24 Crescent Street (Case # ZBA 2017-113)	
Applicant:	24 Crescent Street, LLC
Property Owner:	24 Crescent Street, LLC
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, 24 Crescent Street, LLC, seeks Special Permits under §4.4.1 for an upward extension of the non-conforming right side yard setback, increase the number of units from one to two under §7.11, and parking relief under §9.13 of the SZO. RB zone. Ward 2.
Date(s) of Hearing(s):	12/13
Staff Recommendation:	None at this time
ZBA Action:	Voted on December 13, 2017 to continue the application to January 17, 2018.
Previously continued to January 17, 2018.	

118-124 College Avenue: (Case #ZBA 2017-88)	
Applicant:	Lacourt Realty, LLC c/o Mouhab Rizkallah
Property Owner:	Lacourt Realty, LLC c/o Mouhab Rizkallah
Agent:	N/A
Legal Notice:	Owner, Lacourt Realty, LLC, c/o Mouhab Rizkallah, seeks a Special Permit with Site Plan Review under §7.3 of the SZO to increase the number of dwelling units from four to seven (including one affordable unit), §4.4.1 to extend existing non-conformities, and relief under Article 9 including special permits for parking on a separate lot and shared driveway access to parking. RB zone. Ward 4.
Date(s) of Hearing(s):	9/6, 9/27, 10/4, 10/18, 11/8, 11/29, 12/13
Staff Recommendation:	Recommendation forthcoming
ZBA Action:	Voted on December 13, 2017 to continue the application to January 17, 2018.
Previously continued to January 17, 2018.	

18 Brook Street: (Case #ZBA 2017-43)	
Applicant:	Waemen Lung and Waelim Lung
Property Owner:	Waemen Lung and Waelim Lung
Agent:	N/A
Legal Notice:	Applicants and Owners, Waemen Lung and Waelim Lung, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure within the required front, left, and right side yard setbacks and to increase the nonconforming floor area ratio (FAR) by converting the roof type from a gable style to a flat roof and making interior renovations. RB Zone. Ward 1.
Date(s) of Hearing(s):	10/18, 11/8, 11/29, 1/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 29, 2017 to continue the application to January 3, 2018.
Current Status:	The Applicant has submitted a written request to continue the application to January 31, 2018.
The Applicant submitted a written request to continue the application to January 31, 2018. Richard Rossetti made a motion to continue the application to January 31, 2018. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.	



51 McGrath Highway: (Case #ZBA 2017-46)	
Applicant:	Life Storage Limited Partnership
Property Owner:	Sovran Acquisition Limited Partnership
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Life Storage Limited Partnership, and Owner, Sovran Acquisition Limited Partnership, seek a Special Permit with Design Review (SPSR) under Section 7.11.12.4.c and Section 5.2 of the Somerville Zoning Ordinance (SZO) to construct a self-storage facility of 28,880 gross square feet. The Applicant and Owner also seek a Variance under Article 12 of the SZO for signage. IA Zone. Ward 2.
Date(s) of Hearing(s):	7/12, 8/2, 8/16, 9/6, 9/27, 10/4, 10/18, 11/8, 11/29, 1/3
Staff Recommendation:	Recommends denial
ZBA Action:	Voted on November 29, 2017 to continue the application to January 3, 2018.
The Applicant submitted a written request to continue the application to January 17, 2018. Richard Rossetti made a motion to continue the application to January 17, 2018. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.	

45 Kent Street: (Case #ZBA 2017-90)	
Applicant:	Angela Schifano
Property Owner:	Angela Schifano
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Owner and Applicant, Angela Schifano, seeks Special Permits under §7.11 of the SZO to increase the number of units from two to three; under §4.4.1 to increase the non-conforming left side yard setback, and for an upward extension of both the non-conforming rear and non-conforming left side yard setbacks by increasing the height of the building by approximately 10 feet; to increase the FAR and GFA by more than 25%; parking relief under Article 9 of the SZO. RC zone. Ward 2.
Date(s) of Hearing(s):	10/18, 11/8, 11/29, 1/3
Staff Recommendation:	None at this time.
ZBA Action:	Voted on November 29, 2017 to continue the application to January 3, 2018.
The Applicant submitted a written request to continue the application to January 31, 2018. Richard Rossetti made a motion to continue the application to January 31, 2018. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.	

24-28 Mount Pleasant Street: (Case #ZBA 2017-11)	
Applicant:	Warren A. Chaille, Trustee of the Chaille Trust
Property Owner:	Warren A. Chaille, Trustee of the Chaille Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, Warren A. Chaille, Trustee of the Chaille Trust, seeks a Special Permit under Section 7.3 of the Somerville Zoning Ordinance (SZO) to relocate, renovate, and construct an addition to the existing two-family dwelling to create a six-unit dwelling building. RB Zone. Ward 1.
Date(s) of Hearing(s):	6/7, 6/21, 7/12, 8/2, 8/16, 9/6, 10/4, 10/18, 11/8, 11/29, 1/3
Staff Recommendation:	None at this time.
ZBA Action:	Voted on November 29, 2017 to continue the application to January 3, 2018.



The Applicant submitted a written request to continue the application to January 31, 2018. Richard Rossetti made a motion to continue the application to January 31, 2018. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.

3 Royce Place (ZBA 2017-74)

Applicant:	Black Wolf Special Opportunity II, LLC
Property Owner:	Black Wolf Special Opportunity II, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Black Wolf Special Opportunity II, LLC, seeks a Special Permit under SZO §4.4.1 to alter an existing three-family structure and convert it into a two-family structure and a Special Permit with Site Plan Review (SPSR) under SZO §7.2 and a Variance under §5.5 and §8.5 to construct a single dwelling unit in a second principle structure on the lot within the required front yard setback. RB Zone. Ward 1.
Date(s) of Hearing(s):	11/8, 11/29, 12/13, 1/3
Staff Recommendation:	SP: Conditional approval V: Unable to recommend
ZBA Action:	Voted on December 13, 2017 to continue the application to January 3, 2018.

The Applicant submitted a written request to continue the application to January 31, 2018. Richard Rossetti made a motion to continue the application to January 31, 2018. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.

5 Middlesex Avenue (ZBA 2017-96)

Applicant:	Somerville Office Association, LP
Property Owner:	Somerville Office Association, LP
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner Somerville Office Association, LP seeks a Variance under §5.5 for the top of a wall sign mounted higher than 35' above finished grade under §6.4.14. Zone ASMD. Ward 1.
Date(s) of Hearing(s):	11/8, 11/29, 12/13, 1/3
Staff Recommendation:	Denial
ZBA Action:	Voted on December 13, 2017 to continue the application to January 3, 2018.

The Applicant submitted a written request to continue the application to January 17, 2018. Richard Rossetti made a motion to continue the application to January 17, 2018. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.

14 Norwood Avenue (Case # ZBA 2017-116)

Applicant:	Nicholas Bruch and Julie Redline Bruch
Property Owner:	Nicholas Bruch and Julie Redline Bruch
Agent:	N/A
Legal Notice:	Applicants and Owners, Nicholas Bruch and Julie Redline Bruch, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing a second level rear deck within the nonconforming rear, right, and left side yards. RA Zone. Ward 5.
Date(s) of Hearing(s):	12/13, 1/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on December 13, 2017 to continue the application to January 3, 2018.



Current Status:	The Applicant appeared and provided an overview of the proposal. No public testimony was taken. Susan Fontano, materials (Reply – PT will stain in spring). Annel Brockelman, type of open railings (Reply – yes, pickets). Richard Rossetti made a motion to conditionally approve the request for a Special Permit. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.
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197 College Avenue (ZBA 2017-112)	
Applicant:	Anthony Seretakis, as manager of 197 College Avenue Partners, LLC
Property Owner:	Anthony Seretakis, as manager of 197 College Avenue Partners, LLC
Agent:	N/A
Legal Notice:	Applicant and Owner, Anthony Seretakis, as manager of 197 College Avenue Partners, LLC, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming structure by reconstructing and extending a three-story rear deck within the nonconforming rear yard and left side yard. RA Zone. Ward 6.
Date(s) of Hearing(s):	1/3
Staff Recommendation:	Conditional approval
The Applicant appeared and provided an overview. No public testimony was taken. Contractor was available to answer questions. Richard Rossetti made a motion to conditionally approve the request for a Special Permit. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.	

109 Porter Street (ZBA 2017-126)	
Applicant:	Chris Winkler and Susan Wu
Property Owner:	Chris Winkler and Susan Wu
Agent:	N/A
Legal Notice:	Applicants and Owners, Chris Winkler and Susan Wu, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing second-story rear deck and stairs down to grade within the nonconforming left side yard. RA Zone. Ward 3.
Date(s) of Hearing(s):	1/3
Staff Recommendation:	Conditional approval
The Applicant appeared and provided an overview. No public testimony was taken. Richard Rossetti made a motion to conditionally approve the request for a Special Permit. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.	

55 Sargent Avenue (ZBA 2017-117)	
Applicant:	Girma Beka
Property Owner:	Girma Beka
Agent:	N/A
Legal Notice:	Applicant and Owner, Girma Beka, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing three-story rear stairway and roof deck within the nonconforming rear yard and right side yard. RB Zone. Ward 4.
Date(s) of Hearing(s):	1/3
Staff Recommendation:	Conditional approval



The Applicant appeared and presented an overview of the project. No public testimony was taken. Susan Fontano stated that the roof deck pulled in is perfect but concerned about fencing at edge. Anne Brockelman stated that guard rail at 42" complies. Elaine Severino stated that deck is 2-stories tall and hidden from street by 3-story building. Anne Brockelman stated that it is hard to determine what is existing. Roof deck is added to 2-story addition at rear with stairs for egress of 3rd floor unit. Quite a lot of "stair gymnastics" but if no problem with neighbors than is okay. Alex Mello stated that ISD required 2nd egress considered legally non-conforming 4th unit. Richard Rossetti made a motion to conditionally approve the Special Permit. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent

5 Chandler Street (ZBA 2017-124)

Applicant:	Mouhab Rizkallah as manager of LaCourt Enterprises
Property Owner:	Mouhab Rizkallah as manager of LaCourt Enterprises
Agent:	N/A
Legal Notice:	Applicant / Owner, Mouhab Rizkallah as manager of LaCourt Enterprises, LLC, seeks an Administrative Appeal per SZO §3.1.9, §3.2, and §3.2.3 and MGL c. 40A §8 of enforcement actions by the Inspectional Services Department to issue a violation notice (File #: 17-017204) and fines (67498 and 67514) for violating SZO §9.8.d by parking within the front yard of the structure and Code of Ordinances §11-33b for failure to secure a driveway permit, at 5 Chandler Street aka 11 Park Avenue. RB Zone. Ward 6.
Date(s) of Hearing(s):	1/3
Staff Recommendation:	None at this time
Richard Rossetti made a motion to withdraw the application without prejudice. Elaine Severino seconded the motion. Upon a vote, the motion passed 5-0 with Danielle Evans and Josh Safdie absent.	

Other Business:

Richard Rossetti made a motion to suspend meetings for elections. Elaine Severino seconded the nomination. Upon a vote, the nomination passed 5-0 with Danielle Evans and Josh Safdie absent.

Richard Rossetti nominated Susan Fontano as chair. Elaine Severino seconded the nomination. Upon a vote, the nomination passed 5-0 with Danielle Evans and Josh Safdie absent.

Susan Fontano nominated Richard Rossetti as clerk. Elaine Severino seconded the nomination. Upon a vote, the nomination passed 5-0 with Danielle Evans and Josh Safdie absent.

NOTICE: While reasonable efforts have been made to assure the accuracy of the data provided in these minutes, do not rely on this information as the complete and accurate portrayal of the events in the meeting without first checking with the Planning Division staff. If any discrepancies exist, the decisions filed by the Board serve as the relevant record for each case. The Planning Division also maintains audio recordings of most Board meetings that are available upon request.

Plans and reports are available at the City of Somerville website at the following link:

<https://www.somervillema.gov/departments/ospcd/planning-and-zoning/reports-and-decisions>



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