



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

3rd Floor Community Room of the Visiting Nurse Association, 259 Lowell Street, Somerville, MA.
Wednesday, October 3, 2018
6:00 P.M.

Previously Continued to a Future Date

312 R Beacon Street (aka 25 Harris Street, Cambridge, MA) (ZBA 2018-08)	
Applicant:	Robert Gillig and Christine Cuttitta
Property Owner:	Robert Gillig and Christine Cuttitta
Agent:	N/A
Legal Notice:	Applicants / Owners, Robert Gillig and Christine Cuttitta, seek a Special Permit pursuant to conditions of a previous ZBA Decision (ZBA 2005-53) and under SZO §7.11.a.c, §4.4.1, and §9.13 for parking relief to make alterations to a nonconforming structure by constructing an addition and establishing a sixth residential unit on the site. RC Zone. Ward 2.
Date(s) of Hearing(s):	2/14, 3/7, 3/21, 4/4, 5/2, 5/16, 6/6, 6/20, 7/18, 8/8, 8/22
Staff Recommendation:	None at this time
ZBA Action:	Voted on August 22, 2018 to continue the application to October 17, 2018.
Current Status:	Voted on August 22, 2018 to continue the application to October 17, 2018.



41 Thorndike Street (ZBA 2018-81)	
Applicant:	Robert J. Granara, Jr.
Property Owner:	Robert J. Granara, Jr.
Agent:	N/A
Legal Notice:	Applicant and Owner, Robert J. Granara, Jr. seeks special permits to construct dormers within the side yard setbacks under §4.4.1 and §8.5 of the SZO. RB zone. Ward 6.
Date(s) of Hearing(s):	8/8, 8/22, 9/5
Staff Recommendation:	None at this time
ZBA Action:	Voted on August 22, 2018 to continue the application to October 17, 2018.
Current Status:	Voted on August 22, 2018 to continue the application to October 17, 2018.

Previously Opened Cases that are Requesting a Continuance

51 McGrath Highway (ZBA 2017-46)	
Applicant:	Life Storage Limited Partnership
Property Owner:	Sovran Acquisition Limited Partnership
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant, Life Storage Limited Partnership, and Owner, Sovran Acquisition Limited Partnership, seek a Special Permit with Design Review (SPSR) under §7.11.12.4.c and §5.2 of the Somerville Zoning Ordinance (SZO) to construct a self-storage facility of 28,520 gross square feet. 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, 1/17, 1/31, 2/14, 3/7, 3/21, 4/4, 4/18, 5/2, 6/6, 6/20, 7/18, 8/8, 9/5, 10/3
Staff Recommendation:	Denial
ZBA Action:	Voted on September 5, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to November 7, 2018. Rick Rossetti made the motion to continue the application to November 7, 2018. Elaine Severino seconded. Motion passed 5-0.	

12 Quincy Street (ZBA 2018-90)	
Applicant:	Jennifer Park, Eric Shea, and Tatum Smigliski
Property Owner:	Jennifer Park, Eric Shea, and Tatum Smigliski
Agent:	N/A
Legal Notice:	Applicants and Owners, Jennifer Park, Eric Shea, and Tatum Smigliski, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by adding two decks off of the existing rear stairs. RB Zone. Ward 2.
Date(s) of Hearing(s):	8/8, 8/22, 9/5, 10/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 5, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	



1252 Broadway (ZBA 2018-38)	
Applicant:	Eric J. Silva
Property Owner:	Eric J. Silva
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner, Eric J. Silva, sees Special Permits under §4.4.1 of the SZO to alter a non-conforming property by increasing the Gross Floor Area (GFA) by more than 25%, increase the number of dwelling units from three to 5, construct a dormer within the right side yard setback. Parking relief under Article 9 of the SZO. RC zone. Ward 7.
Date(s) of Hearing(s):	9/17, 10/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	

45 Kent Street (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):	8/22, 9/5, 9/17, 10/3
Staff Recommendation:	None at this time
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	

144 Highland Avenue (ZBA 2018-97)	
Applicant:	Matthew McCarthy and Gregory McCarthy
Property Owner:	Matthew McCarthy and Gregory McCarthy
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, Matthew McCarthy and Gregory McCarthy, seek a Special Permit per SZO §4.4.1 and §7.11.1.C to construct an addition greater than 25% of the existing gross floor area to a nonconforming structure in order to establish a fifth dwelling unit on the site. A Special Permit per SZO 9.13 is also being sought for parking relief. RC Zone. Ward 3.
Date(s) of Hearing(s):	9/5, 9/17, 10/3
Staff Recommendation:	None at this time
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	



150 Hudson Street (ZBA 2018-71)	
Applicant:	Michael Santangelo
Property Owner:	Michael Santangelo
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Michael Santangelo, seeks a Special Permit with Site Plan Review (SPSR) to build a second principle structure on the same lot. Proposal includes increasing the number of dwelling units from two to three, remove existing garage structure and renovate existing residential dwelling. RC & RB zones. Ward 5.
Date(s) of Hearing(s):	7/18, 8/8, 8/22, 9/5, 9/17, 10/3
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	

24 Dane Avenue (ZBA 2018-75)	
Applicant:	24 Dane Ave., LLC
Property Owner:	24 Dane Ave., LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 24 Dane Ave., LLC, seeks Special Permits under §4.4.1 of the SZO to alter a non-conforming structure by extending the non-conforming left and right side yard setbacks, increasing the GFA by more than 25%. Unit count to increase from one to three. Parking relief under Article 9.RB zone. Ward 2.
Date(s) of Hearing(s):	7/18, 8/8, 8/22, 9/5, 9/17, 10/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	

New Cases to be Opened that are Requesting a Continuance

27 Gilman Street (ZBA 2018-112)	
Applicant:	Jason Sachs & Elif Soyer
Property Owner:	Jason Sachs & Elif Soyer
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants/Owners, Jason Sachs & Elif Soyer, seek special permits under §4.4.1 of the SZO to alter a non-conforming structure by converting a two-family to a three-family. Parking relief under Article 9. RB zone. Ward 1.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Conditional approval
ZBA Action:	--
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	



Previously Opened Cases to be Heard

11 Sanborn Avenue (ZBA 2018-83)	
Applicant:	Anthony Dopazo
Property Owner:	Anthony Dopazo
Agent:	N/A
Legal Notice:	Applicant and Owner, Anthony Dopazo, sees special permits to alter an existing, non-conforming structure including, but not limited to, relief under §4.4.1 of the SZO for non-conforming front and side yard setbacks, Article 9 for parking. RB zone. Ward 3.
Date(s) of Hearing(s):	9/5, 9/17, 10/3
Staff Recommendation:	None at this time
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 5-0.	



125 Lowell Street (ZBA 2018-89)	
Applicant:	125 Lowell Somerville LLC
Property Owner:	125 Lowell Somerville LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, 125 Lowell Somerville LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 and §4.5 to change one non-conforming use to another (office to 20 residential units - 4 of which are inclusionary units) in an existing non-conforming 7-story structure, and a Variance under SZO §5.5 and §7.3 for reduction of the lot area per dwelling unit. RA Zone. Ward 3.
Date(s) of Hearing(s):	9/5, 9/17, 10/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
Current Status:	<p>The Applicant presented the project:</p> <p>Susan Fontano asked what kind of railings used. The development team stated perforated metal panel option, something durable. She suggested not horizontal. She feels vertical is safer. Greater than 4” should be added to the conditions.</p> <p>Anne Brockelman suggested the Staff Report be updated to reflect the pervious area and landscape area.</p> <ul style="list-style-type: none"> • Page 8 Emergency Access—Lighting is vague. Standards- what are they using to determine what is minimum impact? Michael D’Angelo – Landscape Architect stated they have not put a metric, but working with in house light designer. Concern with over lighting- but Michael reassured. • Page 8, Number #15: Belmont emergency access update— (equipment may be able—change to can). • Page 18, addressing storm water- change to “and” instead of “but”. • Page 9 of Staff Report terminology issues Anne is questioning regarding 22 spaces. <p>Rick Rossetti made a motion to conditionally approve the variance. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.</p>



11 Bay State Ave (ZBA 2018-101)	
Applicant:	Derick Snare
Property Owner:	Mirza Yasser
Agent:	N/A
Legal Notice:	Applicant, Derick Snare, and Owner, Mirza Yasser, seek Special Permits under §4.4.1 of the SZO to increase the non-conforming FAR, and for the linear extension of the non-conforming right side yard setback by constructing a two-story rear addition and adding a rear deck.
Date(s) of Hearing(s):	9/17, 10/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
<p>The Applicant presented.</p> <p>Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.</p>	



595 Broadway (ZBA 2018-94)	
Applicant:	595 Broadway, LLC
Property Owner:	Wolff E. Berrouet
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, 595 Broadway, LLC, and Owner, Wolff E. Berrouet, seek a Special Permit with Site Plan Review per SZO §7.11.1.c to construct a new building with seven dwelling units (a portion of which will be located in the City of Medford) and a Special Permit per SZO §9.13 for parking relief. NB Zone. Ward 5.
Date(s) of Hearing(s):	9/17, 10/3
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
<p>The Applicant presented.</p> <p>Susan Fontano suggested the Cedar be a different material. Elaine Severino disagrees.</p> <p>A condition was added to ensure materials used preserve the exterior were recommended specifically by the architect.</p> <p>Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.</p>	

28 Fitchburg Street (ZBA 2018-99)	
Applicant:	Sherman and Goldman Realty Trust
Property Owner:	Sherman and Goldman Realty Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Owner/Applicant Sherman and Goldman Realty Trust, seeks a Special Permit with Site Plan Review under SZO §5.2 to change a warehousing use to an office/R&D use of more than 10,000sf and a Variance under §5.5 for 16 parking spaces. IA zone. Ward 2.
Date(s) of Hearing(s):	9/17, 10/3
Staff Recommendation:	V: Unable to recommend SPSR: Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
<p>The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 4-0.</p>	



28 Chestnut Street (ZBA 2018-100)	
Applicant:	Lawrence Realty 28 Chestnut LLC
Property Owner:	Lawrence Realty 28 Chestnut LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Owner/Applicant Lawrence Realty 28 Chestnut LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 to change a warehousing use to an office/R&D use of more than 10,000sf and a Variance under §5.5 for 16 parking spaces. IA zone. Ward 2.
Date(s) of Hearing(s):	9/17, 10/3
Staff Recommendation:	V: Unable to recommend SPSR: Conditional approval
ZBA Action:	Voted on September 17, 2018 to continue the application to October 3, 2018.
The Applicant submitted a written request to continue the application to October 17, 2018. Rick Rossetti made the motion to continue the application to October 17, 2018. Elaine Severino seconded. Motion passed 4-0.	



New Cases to be Opened and Heard

5 Windsor Road (ZBA 2018-114)	
Applicant:	Alexander and Christina Epstein
Property Owner:	Alexander and Christina Epstein
Agent:	N/A
Legal Notice:	Applicants/Owners, Alexander and Christina Epstein, seek a Special Permit per SZO §4.4.1 to alter a nonconforming structure by extending an existing shed dormer toward the rear by approximately 10 feet along the left side of the ridge. RA Zone. Ward 6.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Conditional approval
ZBA Action:	--
Alexander Epstein presented.	
Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.	

7 Hillside Park (ZBA 2018-115)	
Applicant:	Hootan Farhat
Property Owner:	Hootan Farhat
Agent:	N/A
Legal Notice:	Applicant/Owner, Hootan Farhat, seeks a Special Permit per SZO §4.4.1 to alter a non-conforming three-family dwelling to construct a roof deck atop the main roof of the triple-decker. RB Zone. Ward 3.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Conditional approval
ZBA Action:	--
The Applicant presented the case to alter condition number four.	
Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.	



3-5 Summer Street (ZBA 2018-107)	
Applicant:	35atSummer, LLC
Property Owner:	35atSummer, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant/Owner, 35atSummer, LLC, seeks a Special Permit per SZO §7.11.1.c to construct a new five-unit apartment building and a Special Permit per SZO §9.13 for parking relief. The proposed five-unit apartment building will be deed restricted at below fair-market value to create additional workforce housing in alignment with SomerVision. NB Zone. Ward 3.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Conditional approval
ZBA Action:	--
<p>The Applicant presented.</p> <p>Steve Azar and Rob Buchanan left a pdf to be dropped off today, indicating they are not in support of the project. They did not attend the meeting.</p> <p>Susan Fontano stated it's rather late to make changes. The Board agreed and they are appreciative of the affordability this project is providing.</p> <p>Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.</p>	



15-17 Illinois Avenue (ZBA 2018-110)	
Applicant:	Nelson Oliveira/Nelson Group Companies
Property Owner:	3 West Street, LLC
Agent:	N/A
Legal Notice:	Applicant, Nelson Oliveira/Nelson Group Companies, and Owner, 3 West Street, LLC, seek special permits to construct a dormer within the left side yard setback under §4.4.1 of the SZO. RA zone. Ward 1.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Conditional approval
ZBA Action:	--
The Applicant presented.	
Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.	

45 Cameron Avenue (ZBA 2016-R1-(08/18)	
Applicant:	Aroli Realty Trust, Menkiti Ifeanyi Trustee
Property Owner:	Aroli Realty Trust, Menkiti Ifeanyi Trustee
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Aroli Realty Trust, Menkiti Ifeanyi Trustee, seeks a Revision to a Special Permit previously granted in 2016. The Applicant seeks to alter one of the conditions of the original permit that required utilities to be buried underground. RB zone. Ward 5.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Approval
ZBA Action:	--
Current Status:	The Applicant presented.
Rick Rossetti made a motion to conditionally approve the special permit with the striking of Condition #25. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.	

11 Fiske Avenue (ZBA 2018-109)	
Applicant:	Jason Santana, North American Development, LLC
Property Owner:	Genevieve M. Belew
Agent:	N/A
Legal Notice:	Applicant, Jason Santana, North American Development, LLC, and Owner, Genevieve M. Belew, seek special permits under §4.4.1 of the SZO to alter a non-conforming structure through the upward and linear extension of the non-conforming left side yard setback, increasing the GFA by more than 25%. Number of units to increase from one to two. Parking relief under Article 9 of the SZO. RB zone. Ward 5.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Denial
ZBA Action:	--



<p>Current Status:</p>	<p>The Applicant presented.</p> <p>Neighbors are concerned with off-street parking and also state there was no communication for the project. There was no neighborhood meeting, and side neighbor is concerned.</p> <p>Marland of 25 Fiske Ave of 40 years, states if the type of housing is changing, there should have been a neighborhood meeting.</p> <p>Paul of 14 Fiske Avenue has parking concerns- especially during construction. Would like to know if parking is prohibited.</p> <p>Joel Lynch of 10 McGowan street in opposition of the project states, it was apparent “[the developer didn’t] need the input from neighbors”. The applicant said no to a neighborhood meeting. The Board had received Lynch’s letter.</p> <p>One neighbor stated he helped develop 14 Fiske and that they did have a good working relationship with the development team.</p> <p>Meredith supports Joel Lynch’s recommendation to either continue or deny this project. He feels the plans are inadequate. There is no dimensional table, no fence, not detailed. The plans do not fit the neighborhood.</p> <p>Michael had worked very close with the developer had a much different experience- never saw pictures. Nobody bothered to ask. He felt that was very callous.</p> <p>The Alderman is not in favor of this project and the neighbors got no meeting, the Board states. It is also noted the Board had not received the plans until this morning. They are not prepared to make any assumptions.</p> <p>There is no information about staffing relief. Board wants to give credence to this. They want to see more information. The Board would like also see the development team conduct a neighborhood meeting.</p> <p>The development team wasn’t aware they needed a neighborhood meeting.</p> <p>Due to the timeframe, it was suggested they meet with the neighborhood that this continued until November 7th. The applicant should come back with more detailed plans that shows more of what the building should look like.</p> <p>Rick Rossetti made a motion to continue the case to November 7, 2018. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.</p>
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41-3 Elmwood Street (ZBA 2018-123)	
Applicant:	Brady Sunrooms
Property Owner:	Jeffrey Attbush
Agent:	N/A
Legal Notice:	Applicant, Brady Sunrooms, and Owner, Jeffrey Attbush, see special permits under §4.4.1 of the SZO to alter a non-conforming structure enclosing a second-story inset porch to create a sunroom. RB zone. Ward 7.
Date(s) of Hearing(s):	10/3
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	The Applicant presented. Rick Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0. Anne Brockelman voted for Josh Safdie.

Other Business:

Approval of minutes from September 17, 2018.

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>

