



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

**Aldermanic Chambers, Somerville City Hall, 93 Highland Avenue, Somerville, MA**  
**Wednesday, November 8, 2017**  
**6:00 P.M.**

**Previously Continued Cases**

<b>130 Walnut Street: (Case #ZBA 2017-70)</b>	
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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 18, 2017 to continue the application to November 29, 2017.
Current Status:	Voted on October 18, 2017 to continue the application to November 29, 2017.



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**Previously Opened Cases that are Requesting a Continuance**

<b>24-28 Mount Pleasant Street: (Case #ZBA 2017-11)</b>	
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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.

<b>18 Brook Street: (Case #ZBA 2017-43)</b>	
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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	The Applicant has submitted a written request to continue the application to November 29, 2017.

<b>118-124 College Avenue: (Case #ZBA 2017-88)</b>	
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) and parking relief under Article 9 of the SZO.
Date(s) of Hearing(s):	9/6, 9/27, 10/4, 10/18, 11/8
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.



<b>51 McGrath Highway: (Case #ZBA 2017-46)</b>	
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
Staff Recommendation:	Recommends denial
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.

<b>81 Sacramento Street: (Case #ZBA 2017-25-R1-9/2017)</b>	
Applicant:	Sophia and Frank Maniaci
Property Owner:	Sophia and Frank Maniaci
Agent:	N/A
Legal Notice:	Applicants and Owners, Sophia and Frank Maniaci, seek a revision to a previously approved special permit (ZBA 2017-25 approved in May 2017) under §5.3.8 of the Somerville Zoning Ordinance to increase the height of a portion of the nonconforming structure to add another level of living area. RC zone. Ward 2.
Date(s) of Hearing(s):	10/18, 11/8
Staff Recommendation:	None at this time
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.

<b>81 Highland Avenue (Case #ZBA 2017-101)</b>	
Applicant:	City of Somerville
Property Owner:	City of Somerville
Agent:	N/A
Legal Notice:	Applicant and Owner, the City of Somerville, seek Special Permits per 4.4.1 to alter the existing, non-conforming structure (Somerville High School), and a Variance for parking under Article 9. RC zone. Ward 3.
Date(s) of Hearing(s):	10/18, 11/8
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to a Special Meeting to be scheduled for November 28, 2017.



### **New Cases to be Opened that are Requesting a Continuance**

<b>5 Middlesex Avenue (ZBA 2017-96)</b>	
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
Staff Recommendation:	None at this time
ZBA Action:	--
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.

<b>3 Royce Place (ZBA 2017-74)</b>	
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 §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 §7.2 to construct a single dwelling unit in a second principle structure on the lot. RB Zone. Ward 1.
Date(s) of Hearing(s):	11/8
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.

<b>45 Kent Street: (Case #ZBA 2017-90)</b>	
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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Staff anticipates that the Applicant will submit a written request to continue the application to November 29, 2017.



### **Previously Opened Cases to be Heard**

<b>82 Willow Avenue: (Case #ZBA 2017-30)</b>	
Applicant:	Umesh and Dipti Mistri
Property Owner:	Umesh and Dipti Mistri
Agent:	N/A
Legal Notice:	Applicants / Owners, Umesh and Dipti Mistri, seek a Special Permit under §4.4.1 to make various alterations that include a complete renovation of the interior and exterior of the nonconforming three-family structure, a Special Permit under §9.13 for parking relief, and a Variance under §5.5 and Article 8 for creating a new nonconformity by constructing a rear addition and decks into the required rear yard setback. NB zone. Ward 6.
Date(s) of Hearing(s):	9/6, 9/27, 10/4, 10/18, 11/8
Staff Recommendation:	SP: Conditional approval V: Unable to recommend
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Will be heard

<b>49 Cedar Street: (Case #ZBA 2017-92)</b>	
Applicant:	Alan Peterson of A. Peterson Development, LLC
Property Owner:	Alan Peterson of A. Peterson Development, LLC
Agent:	N/A
Legal Notice:	Applicant and Owner, Alan Peterson of A. Peterson Development, LLC, seeks Special Permits to increase the FAR and GFA by more than 25% each, construct an addition along the left side yard setback that horizontally and vertically extends this dimensional non-conformity, and under Article 9 for parking relief. RB zone. Ward 5.
Date(s) of Hearing(s):	10/18, 11/8
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Will be heard

<b>8 Whipple Street: (Case #ZBA 2017-96)</b>	
Applicant:	Lacourt Enterprises, LLC
Property Owner:	Mouhab Rizkallah
Agent:	N/A
Legal Notice:	Applicant, Lacourt Enterprises, LLC, and Owner, Mouhab Rizkallah, seek Special Permits under §4.4.1 of the SZO to increase the GFA and FAR by more than 25%, and for upward extensions of the non-conforming front, left, and right yard setbacks, and Special Permit under Article 9 of the SZO for parking relief. RC zone. Ward 6.
Date(s) of Hearing(s):	10/18, 11/8
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Will be heard



<b>1 Williams Court: (Case #ZBA 2017-82)</b>	
Applicant:	Frank Marinello
Property Owner:	Frank Marinello
Agent:	N/A
Legal Notice:	Applicant and Owner, Frank Marinello, seeks Special Permits under §4.4.1 of the SZO for the upward extension of the non-conforming rear yard setback and parking relief under §9.13 of the SZO.
Date(s) of Hearing(s):	10/18, 11/8
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Will be heard

### **New Cases to be Opened and Heard**

<b>906-908 Broadway (ZBA 2015-32-E-1-10/17)</b>	
Applicant:	Siyuan He
Property Owner:	Siyuan He
Agent:	N/A
Legal Notice:	Applicant and Owner, Siyuan He, seeks a one-year extension under §5.3.10 to the Special Permits issued by the ZBA in 2015 to alter a non-conforming 2-family structure to add an approximately 2,000 square foot addition. RA zone. Ward 6.
Date(s) of Hearing(s):	11/8
Staff Recommendation:	Approval
ZBA Action:	--
Current Status:	Will be heard

<b>24 Hall Avenue (ZBA 2017-102)</b>	
Applicant:	Justin Levine, as Manager of 24 Hall Ave LLC
Property Owner:	24 Hall Ave LLC
Agent:	N/A
Legal Notice:	Applicant, Justin Levine, as Manager of 24 Hall Ave LLC, and Owner, 24 Hall Ave LLC, seek a Special Permit under SZO §4.4.1 to increase the nonconforming floor area ratio (FAR) of the structure by finishing a portion of the basement. RA Zone. Ward 6.
Date(s) of Hearing(s):	11/8
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard



<b>21 Cherry Street (Case #ZBA 2017-105)</b>	
Applicant:	Alan Moore
Property Owner:	Lacourt Foundation, LLC
Agent:	N/A
Legal Notice:	Applicant, Alan Moore of 23 Cherry Street seeks an Administrative Appeal under §3.1.9, §3.2, and §3.2.3 of the SZO and M.G.L. Chapter 40A §8 of a decision by the Inspectional Services Department (ISD) to issue a building permit (B17-001444) for the property at 21 Cherry Street which is tied to ZBA Decision 2016-25. The owner if 21 Cherry Street is Lacourt Foundation, LLC. RB zone. Ward 5.
Date(s) of Hearing(s):	11/8
Staff Recommendation:	Recommendation forthcoming
ZBA Action:	--
Current Status:	Will be heard

<b>311 Highland Avenue (Case #ZBA 2017-103)</b>	
Applicant:	John Costello
Property Owner:	Lydia Rose Trust, John Costello Trustee
Agent:	N/A
Legal Notice:	Applicant, John Costello, and Owner, Lydia Rose Trust, John Costello Trustee), seek special permits to modify the signage requirements as permitted in the original zoning approval of ZBA 2014-120. RC zone. Ward 6.
Date(s) of Hearing(s):	11/8
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard

<b>38 Oliver Street: (Case #ZBA 2017-41)</b>	
Applicant:	Mark J. Ahern & Polly Chin-Ahern
Property Owner:	Mark J. Ahern & Polly Chin-Ahern
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, Mark J. Ahern & Polly Chin-Ahern seek Special Permits under §4.4.1of the SZO to renovate a non-conforming 4-unit residential structure. RB zone. Ward 1.
Date(s) of Hearing(s):	7/12, 8/2, 8/16, 9/6, 10/4, 10/18, 11/8
Staff Recommendation:	Conditional Approval
ZBA Action:	Voted on October 18, 2017 to continue the application to November 8, 2017.
Current Status:	Will be heard



<b>44 Broadway ZBA (2017-95)</b>	
Applicant:	Lower Broadway Development, LLC
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
Staff Recommendation:	Unable to recommend
ZBA Action:	--
Current Status:	Will be heard

**Other Business:**

*Plans and reports are available at the City of Somerville website at the following link:*  
<https://www.somervillema.gov/departments/osped/planning-and-zoning/reports-and-decisions>



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