

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

MICHAEL F. GLAVIN EXECUTIVE DIRECTOR

PLANNING DIVISION

STAFF

GEORGE PROAKIS, DIRECTOR OF PLANNING SARAH LEWIS, SENIOR PLANNER SARAH WHITE, CITY PLANNER / PRESERVATION PLANNER ALEX MELLO, PLANNER DAWN PEREIRA, ADMINISTRATIVE ASSISTANT MEMBERS Orsola Susan Fontano, *Chair* Richard Rossetti, *Clerk* Danielle Evans Elaine Severino Josh Safdie Anne Brockelman, Alt. Pooja Phaltankar, Alt.

ZONING BOARD OF APPEALS MINUTES

City Hall, Aldermanic Chambers, 93 Highland Avenue, Somerville, MA Wednesday, February 14, 2018 6:00 P.M.

18 Brook Street: (C	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	10/18, 11/8, 11/29, 1/3, 1/31	
Hearing(s):		
Staff	Conditional approval	
Recommendation:		
ZBA Action:	Voted on January 31, 2018 to continue the application to March 7, 2018.	
Voted on January 31	, 2018 to continue the application to March 7, 2018.	



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	6/7, 6/21, 7/12, 8/2, 8/16, 9/6, 10/4, 10/18, 11/8, 11/29, 1/3, 1/31
Hearing(s):	
Staff	None at this time.
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to March 7, 2018.
Voted on January 31	, 2018 to continue the application to March 7, 2018.

45 Kent Street: (Ca	se #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	10/18, 11/8, 11/29, 1/3, 1/31, 2/14
Hearing(s):	
Staff	None at this time.
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted	a written request to continue the application to March 7, 2018. Richard Rossetti made a
	e case to March7, 2018. Elaine Severino seconded the motion. The motion to omtinue the
case to March 7, 201	8 passed 5-0 with Josh Safdie and Anne Brockelman absent.

51 McGrath Highw	ray: (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	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
Hearing(s):	
Staff	Recommends denial
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0 with Josh Safdie and Anne Brockelman absent.	



8-10 Appleton Street (ZBA 2017-120)	
Applicant:	Trio Enterprises, LLC
Property Owner:	Trio Enterprises, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Trio Enterprises, LLC, seeks a Special Permit under §4.4 to alter a
	nonconforming structure that had previously been damaged by a fire by modifying porches,
	windows, landings, and finishing a portion of the basement. RA Zone. Ward 6.
Date(s) of	1/17, 1/31, 2/14
Hearing(s):	
Staff	None at this time
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted	a written request to continue the application to March 7, 2018. Richard Rossetti made a
	e case to March7, 2018. Elaine Severino seconded the motion. The motion to omtinue the
case to March 7, 201	8 passed 5-0 with Josh Safdie and Anne Brockelman absent.

140 & 150 Line Stre	eet (Case #: ZBA 2017-83)
Applicant:	Inman Square Properties, LLC
Property Owner:	Inman Square Properties, LLC
Agent:	Sean T. O'Donnovan
Legal Notice:	Applicant & Owner, Inman Square Properties, LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 to remove the existing non-conforming asphalt surface parking lot and replace with 8 residential dwelling units in two structures under SZO §7.2, §7.3, §7.5, and §7.10. Parking relief is also required under §9.13. Zone RB. Ward 2.
Date(s) of	1/17, 1/31, 2/14
Hearing(s):	
Staff	None at this time
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0 with Josh Safdie and Anne Brockelman absent.	

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	9/27, 10/4, 10/18, 11/8, 11/29, 12/13, 1/17, 1/31, 2/14
Hearing(s):	
Staff	Conditional approval
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.



Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0 with Josh Safdie and Anne Brockelman 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	11/8, 11/29, 12/13, 1/3, 1/31, 2/14
Hearing(s):	
Staff	SP: Conditional approval
Recommendation:	V: Unable to recommend
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0 with Josh Safdie and Anne Brockelman absent.	

314 Highland Avenue (ZBA 2017-111)	
Applicant:	Pet Stop Plus
Property Owner:	C T & M, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Pet Stop Plus, and Owner, C T & M, LLC, seek approval from the ZBA pursuant
	to a prior Decision (Case # ZBA 2013-23) and a Variance under SZO §5.5 and §12.3 to
	install a signage awning for the veterinarian. RC Zone. Ward 6.
Date(s) of	1/17, 1/31, 2/14
Hearing(s):	
Staff	SP: Conditional approval
Recommendation:	V: Conditional approval
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a	
motion continue the case to March7, 2018. Elaine Severino seconded the motion. The motion to omtinue the	
case to March 7, 201	8 passed 5-0 with Josh Safdie and Anne Brockelman absent.

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	2/14
Hearing(s):	
Staff	None at this time
Recommendation:	
ZBA Action:	



Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0 with Josh Safdie and Anne Brockelman absent.

111 Cedar Street (ZBA 2018-03)	
Applicant:	111 Cedar Street, LLC
Property Owner:	111 Cedar Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, 111 Cedar Street, LLC, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing a three-story rear deck and stairs as well as finishing a portion of the basement. RB Zone. Ward 5.
Date(s) of	2/14
Hearing(s):	
Staff	None at this time
Recommendation:	
ZBA Action:	
Applicant submitted	a written request to continue the application to March 7, 2018. Richard Rossetti made a
	A March 7 2010 Flain Comming and the mating The mating to antiput

motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0 with Josh Safdie and Anne Brockelman absent.

118-124 College Av	enue: (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	9/6, 9/27, 10/4, 10/18, 11/8, 11/29, 12/13, 1/17, 1/31, 2/14
Hearing(s):	
Staff	Recommendation forthcoming
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0.	

10-12 Ward Street (ZBA 2017-122)	
Applicant:	Block Properties, LLC
Property Owner:	F & L Realty Development
Agent:	Sean T. O'Donnovan, Esq.
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, height and setbacks. 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	12/13, 1/17, 1/31, 2/14
Hearing(s):	



Staff	SPSR and SP: Conditional approval	
Recommendation:	V: Unable to recommend	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.	
Sean O'Donnovan (a	Sean O'Donnovan (attorney), Peter Quinn (architect), and representative from applicant appeared and provided	
an overview of the p	an overview of the project and case history. No public testimony was given. Fontano hasn't received any negative	
emails and approves of neighborhood meetings. Rossetti asked about the Staff findings for the variance. White		
explained findings -	explained findings - project meets first and third findings for variance, but less clear on second finding. Evans	
asked about variance critera for new zoning - isit fixed? (reply -yes). Richard Rossetti made a motion to		
conditionally approve the variance. Elaine Severino seconded the motion. The motion to conditionally approve		
the variance passed 5-0. Richard Rossetti made a motion to conditionally approve the special permit. Elaine		
Severino seconded the motion. The motion to conditionally approve the special permit passed 5-0.		

44 Broadway (ZBA 2017-95)	
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, 11/29, 1/17, 1/31, 2/14
Staff	Unable to recommend
Recommendation:	
ZBA Action:	Voted on January 31, 2018 to continue the application to February 14, 2018.
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0.	

28 Avon Street (ZB	28 Avon Street (ZBA 2018-01)	
Applicant:	Dan Benjakul and Josue Guinart-Carreno	
Property Owner:	Dan Benjakul and Josue Guinart-Carreno	
Agent:	N/A	
Legal Notice:	Applicants/Owners, Dan Benjakul and Josue Guinart-Carreno, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing two dormers. RA Zone. Ward 3.	
Date(s) of Hearing(s):	2/14	
Staff	Conditional approval	
Recommendation:		
ZBA Action:		
Dan Benjakul appeared and provided an overview of the project. No public testimony was given. Richard Rossetti		
made a motion to conditionally approve the special permit. Elaine Severino seconded the motion. The motion to		
conditionally approve the special permit passed 5-0.		

94 Moreland Street (ZBA 2018-09)	
Applicant:	Jonathan Scamman and Kelly Best
Property Owner:	Jonathan Scamman and Kelly Best
Agent:	N/A



Legal Notice:	Applicants / Owners, Jonathan Scamman and Kelly Best, seek a Special Permit under §4.4.1
	to alter a nonconforming structure by constructing a second story rear addition in the rear
	above an existing one story portion of the structure. RA Zone. Ward 4.
Date(s) of	2/14
Hearing(s):	
Staff	Conditional approval
Recommendation:	
ZBA Action:	
Jonathan Scamman	appeared and provided an overview of the project. No public testimony was given. Fontano

Jonathan Scamman appeared and provided an overview of the project. No public testimony was given. Fontano is fine with this. Richard Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded the motion. The motion to conditionally approve the special permit passed 5-0.

200 North Street (ZBA 2017-125)	
Applicant:	LaCourt Foundation LLC, c/o Mouhab Rizkallah
Property Owner:	LaCourt Foundation LLC, c/o Mouhab Rizkallah
Agent:	N/A
Legal Notice:	Applicant / Owner, LaCourt Foundation LLC, c/o Mouhab Rizkallah, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing a second floor addition and reconfiguring the floor plans of the four existing dwelling units as well as a Special Permit under SZO §9.13 for parking relief. RA Zone. Ward 7.
Date(s) of	2/14
Hearing(s):	
Staff	Conditional approval
Recommendation:	
ZBA Action:	

Mouhab Rizkallah appeared and presented overview of project. Ron Perry objects. Meredith Porter (104 Josephine Ave) is troubled about project's housing impact on affordable housing – going from 4 one-bedroom units to 3 three-bedroom and 1 two-bedroom units; wants at least one unit to be an affordable unit; wants the case continued to allow further consideration of their point. Fontano asked cutoff for affordable units (reply – 6 units). Severino asked about window wells in basement bedrooms? (reply – yes, not shown on plans but meant to be there – only one place they can be). Evans thinks floor plans are unclear. Evans wants affordable units but doens't want to disprove this project for lack of affordable units – thinks this building needs rehab. Fontano thinks would be nice to fix up building – affordable housing is being added elsewhere in the city. Rossetti agrees with Fontano and Evans. Safdie wants to see window wells added to drawings; concerned that drawings are unattributed. Safdie would like to see reproduction of table of dimensional requirements. Safdie would like to reduce parking area footprint. Prepared to vote after receiving better set of drawings. Richard Rossetti made a motionto continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0.

374 Somerville Avenue (ZBA 2018-11)	
Applicant:	374 Somerville Ave, LLC
Property Owner:	374 Somerville Ave, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 374 Somerville Ave, LLC, seeks a Variance under SZO §6.1.22.G.5 and §5.5 to construct a rear addition to the existing structure that is proposed within a required setback abutting a residential zoning district line. CCD-55 zone. Ward 2.
Date(s) of	2/14
Hearing(s):	
Staff	Unable to recommend
Recommendation:	
ZBA Action:	



Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the case to March 7, 2018 passed 5-0.

54 Prescott Street (ZBA 2017-118)	
Applicant:	54 Prescott Street, LLC
Property Owner:	54 Prescott Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 54 Prescott Street, LLC, seeks Special Permits under Section 7.11 of the SZO to increase the number of units from one to two, under Section 4.4.1 of the SZO to increase existing non-conformities, including increasing the FAR by more than 25%, and Article 9 of the SZO for parking relief. RA zone. Ward 3.
Date(s) of	2/14
Hearing(s):	
Staff	Conditional approval
Recommendation:	
ZBA Action:	
Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a	
motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to omtinue the	

105-107 Washington Street (ZBA 2017-91) Applicant: 105 Washington 5 LLC Property Owner: 105 Washington 5 LLC Agent: N/A Legal Notice: Applicant and Owner, 105 Washington 5 LLC, seeks a Special Permit with Site Plan Review (SPSR) to construct a 7-unit residential structure in the RC zone, Special Permits under Section 4.4.1 of the SZO to extend existing non-conforming setbacks, and a special permit and/or variance for parking under Article 9 of the SZO, special permit under Section 7.11 to increase the number of units on the site from 3 to 7. RC zone. Ward 1 Date(s) of 2/14Hearing(s): Staff Conditional approval Recommendation: ZBA Action: Applicant submitted a written request to continue the application to March 7, 2018. Richard Rossetti made a motion continue the case to March 7, 2018. Elaine Severino seconded the motion. The motion to continue the case to March 7, 2018 passed 5-0.

84 Franklin Street (ZBA 2017-50) (re-advertisement)	
Applicant:	84 Franklin LLC
Property Owner:	84 Franklin LLC
Agent:	Sean T. O'Donnovan, Esq.
Legal Notice:	Applicant and Owner, 84 Franklin LLC, seeks a Special Permit with Site Plan Review (SPSR) under §7.1 to erect a second principal structure on the same lot, §7.11 of the SZO to increase the number of units from two to three, §4.4.1 to extend existing non-conformities, including increasing the FAR by more than 25%, and Article 9 for parking relief. RB zone. Ward 1.
Date(s) of	1/31, 2/14
Hearing(s):	
Staff	Conditional approval
Recommendation:	



case to March 7, 2018 passed 5-0.

ZBA Action:Voted on January 31, 2018 to continue the application to February 14, 2018.Sean O'Donnovan (attorney), Peter Quinn (architect), and representative for applicant appeared and provided
overview of the project. Alderman McLaughin delivered message through White – Ald. is not in favor of project
at this time, wants property line dispute resolved first. Fontano asked about setback (reply—house is set back
further than zoning requires). Fontano asked about property line dispute (reply – varies in width from 5' to 0'). 82
Franklin (Rose Cruger) spoke against the project and about property line dispute; is pursuing adverse possession.
Fontano asked 82 Franklin about solar panels (82 Franklin is concerned about project being too tall) and property
line dispute (did 82 Franklin have a survey done? Reply – no). 93 Franklin appeared and spoke in support of the
current version of the project. Applicant (Chris Poli of Belmont) responded to and disagreed with 82 Franklin's
concerns about property line dispute.

Fontano asked Quinn about plans for frontage if fence is torn down (reply – tear down the fence on all three sides and have natural barrier, leave plants on frontage with 82 Franklin). Fontano asked about height of project (reply – under zoning height requirements, slightly taller than neighboring houses). Brockelman asked for clarification about conforming/non-conforming (reply – height, sideyard are conforming). Brockelman wants property line dispute area and trees clarified on site plan, and what trees are being saved/taken down (O'Donnavan says easement is much easier way ofachieveing goal than adverse possession). White reminded Board of condition #13 on special permit (cannot tear down fruit trees). Applicant is fine with removing the fence and leaving the trees. Brockelman asked about boundry dispute (White replied – staff doesn't get involved in property disputes, must be solved privately). Safdie wants to understand other limitations that impact project (Quinn replied -- talked about setbacks and zoning requirements for project). Safdie asked Staff about difference between having 1 building versus 2 buildings on one property. Safdie is nervous about holding up permit because of pending legal action for adverse possession. Brockelman curious why not have 1 building rather than 2 buildings to achieve 3 units and keep green space.

93 Franklin talked about landscape conditions on project lot. Brockelman says inventory of existing versus propsed trees would help decision. Fontano likes Brockelman's idea and wants inventory of trees. Fontano asked 82 Frankin's attorney what doing adverse selection would do for 82 Franklin (Reply – assurance that trees wont be torn down). Safdie suggests that parties have conversation now and try to work something out. Evans asked about effect of adverse selection on zoning of lot (reply – could affect FAR, would affect setback). O'Donnavan says applicant is fine with 82 Franklin using land and trees, but wants the square footage for the project to meet FAR/zoning requirmenets. Evans thinks condition to require trees to be kept should satisfy concerns about trees – thinks adverse position is meant to kill project. Rossetti sees biggest disagreement as trees and fence/property line – wants 82 and 84 Franklin to sit down and talk; thinks the neighborhood is losing because this project is held up. Severino asked about who gets taxed on property in question (reply – owner would get taxed) and who cares for trees (reply – Cruger would likely take care of trees). Safdie brought up 82 Franklin's concern about solar panels – would like shadow study done to reassure. Overall four things the Board wants: Square footage of area in question; Shadow study for solar panels; Inventory of trees and bushes; Landscaping plan. Richard Rossetti made a motion to continue the hearing to March 7, 2018. Elaine Severino seconded the motion. The motion to continue the hearing to March 7, 2018.

Other Business:

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

