



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, September 5, 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.
Previously continued 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:	Conditional approval
ZBA Action:	Voted on August 22, 2018 to continue the application to October 17, 2018.
Previously continued 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
Staff Recommendation:	Denial
ZBA Action:	Voted on August 22, 2018 to continue the application to September 5, 2018.
The Applicant submitted a written request to continue the application to October 3, 2018. Elaine Severino made a motion to continue the application to October 3, 2018. Richard Rossetti 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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 22, 2018 to continue the application to September 5, 2018.
The Applicant submitted a written request to continue the application to September 17, 2018. Elaine Severino made a motion to continue the application to September 17, 2018. Richard Rossetti 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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 22, 2018 to continue the application to September 5, 2018.
The Applicant submitted a written request to continue the application to September 17, 2018. Elaine Severino made a motion to continue the application to September 17, 2018. Richard Rossetti 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
Staff Recommendation:	None at this time
ZBA Action:	Voted on August 22, 2018 to continue the application to September 5, 2018.
The Applicant submitted a written request to continue the application to September 17, 2018. Elaine Severino made a motion to continue the application to September 17, 2018. Richard Rossetti seconded. Motion passed 5-0.	

New Cases to be Opened that are Requesting a Continuance

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
Staff Recommendation:	Conditional approval
ZBA Action:	--
The Applicant submitted a written request to continue the application to September 17, 2018. Elaine Severino made a motion to continue the application to September 17, 2018. Richard Rossetti seconded. Motion passed 5-0.	



1 Munroe St (ZBA 2018-88)	
Applicant:	Enzo J. Orellana and Wesley J. Esser, III
Property Owner:	Enzo J. Orellana and Wesley J. Esser, III
Agent:	N/A
Legal Notice:	Applicants and Owners, Enzo J. Orellana and Wesley J. Esser, III, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming structure. Variance for wall/fence height. Unit count will increase from one to two. RA zone. Ward 3.
Date(s) of Hearing(s):	9/5
Staff Recommendation:	Conditional approval
ZBA Action:	--
The Applicant submitted a written request to continue the application to September 17, 2018. Elaine Severino made a motion to continue the application to September 17, 2018. Richard Rossetti seconded. Motion passed 5-0.	

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
Staff Recommendation:	Conditional approval
ZBA Action:	--
The Applicant submitted a written request to continue the application to September 17, 2018. Elaine Severino made a motion to continue the application to September 17, 2018. Richard Rossetti seconded. Motion passed 5-0.	

Previously Opened Cases to be Heard

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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 8, 2018 to continue the application to September 5, 2018.



Toby Wells (contractor): gave overview of project.

Fontano: had neighborhood meeting? GC: yes, discussed plans and other options, showed materials, did walkthrough of their house to see their perspective. Still feels rear decks are optimal.

Amy Shay (12 Quincy St): read email from applicant about why side or front decks don't work, and why rear is optimal.

Fontano: don't want rehashing of previous issues.

Forrest Brierre (5 School): worried about 15 School St occupants if decks are built.

Lucy Holsteadt (15 School): tried to create nice neighborhood. All bedrooms are in back of house, scared about losing all privacy. 15 School is only 1 ft from property line. Fontano: how old are existing 12 Quincy decks? Holsteadt : built a year after they moved in to 15 School

Kurt Etherton (15 School): 12 Quincy is already overbuilt. Concerned about 165sf of deck space being added. Ald. Will Mbah agrees that decks will be terrible.

Marlene Erdos (Medford resident): 2 units already have decks on side of house; potentially lots of people on new back porches. Significant privacy issue, sightlines right into bedroom.

Willy Turville (Arlington resident): architect, asked by Kurt to review situation. Decks feel uncomfortably cramped. Were the decks originally a SP or a V? This SP shouldn't be granted if they previously got relief. Proposal decreases pervious area. Decks don't feel compatible with surrounding area because of how close it is to 15 School. 12 Quincy should not be allowed to expand in any way. If previous SP or V were not filed with deed, decks are illegal and should be demolished.

Meredith Porter (104 Josephine): view project from perspective of abutters on School St. Difficult situation for the abutters.

Ald. White: contacted by 15 School St. concerned about development proposals with rear decks. Thinks impact of the nonconformity would be worsened; wants size of deck reduced or hours of use limited.

Ald. Scott: held neighborhood meeting. Ultimately a process between neighbors. No consensus by neighbors about deck; some support, some don't.

Kurt Etherton (15 School): didn't know about the project until it was before the ZBA. Reminded the board about all the emails sent to them.

Rossetti: all School St questions have been answered. What's the timeline of construction for 12 Quincy? How much was built by right? Planner Mello: no records in Planning Dept, so likely all by-right. Haven't pulled building jacket from ISD. Building currently conforms to setback requirements.

Rossetti: what can they build now by-right? Planner Mello: decks conform to setbacks, only here because it's a 3 family structure and it has a nonconforming right yard setback. Rossetti: seems like there are other places the deck could go; would like to explore that possibility. Fontano: according to 12 Quincy St, they've explored other options and decided against them.

Fontano: thinks 12 Quincy is overgrown. What they have is sufficient.

Brockelman: sympathizes with applicant, reasonable request. 15 School St is severely nonconforming, and will always be asking for consideration from neighbors. Agrees that there is no room to build on 12 Quincy.

Evans: unfair to applicant that they live next to such a nonconforming building. If your property is on the lot line what expectation of privacy do you have? Seems like too much deference to nonconforming neighbor. Is finding significantly more detrimental to existing neighbor?

Fontano: was this always a 3 family? Planner Mello: used to be a 1 family. Fontano: 12 Quincy residents knew what they were buying should be fine with it staying that way.

Severino: units 1 and 2 have side decks; rear decks are too much

Rossetti: asked Kurt whether Quincy St was 1 or 3 family when he bought 15 School. Kurt: 1 family. Rossetti: 15 School knew how close they were to lot line when they bought it. Against permit if voting tonight.



Fontano: wants to vote tonight. Applicant had option to move deck, and decided not to.
 Rossetti: if denied, they can't reapply for 2 years? Planner Mello: correct.
 Board is fine with continuance if there are substantial changes, otherwise not in favor.
 Safdie: can't imagine a design solution that the Board would view favorably.
 Toby Wells: would like to continue.
 Richard Rossetti made a motion to continue the application to October 3, 2018. Elaine Severino seconded.
 Motion passed 4-1 with Susan Fontano opposing.

14 Pearl Street (ZBA 2018-23)	
Applicant:	Adragna Dedic, LLC
Property Owner:	Adragna Dedic, LLC
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant and Owner, Adragna Dedic, LLC, seeks Special Permits under §4.4.1 of the SZO to substantially alter a non-conforming structure through additions and raising the roofline. GFA will increase by more than 25%. Number of units will increase from one to three. Parking relief requested under §9.13 of the SZO. RB zone. Ward 1.
Date(s) of Hearing(s):	8/8, 8/22, 9/5
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 22, 2018 to continue the application to September 5, 2018.
Richard DiGirolamo: gave overview of project. Peter Quinn (architect): went over site plan. Severino: is garage coming down? Quinn: no, being repaired. Richard Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0.	

New Cases to be Opened and Heard

76 School Street (ZBA 2018-103)	
Applicant:	Summer Living, LLC
Property Owner:	Summer Living, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant/Owner, Summer Living, LLC, seeks a Special Permit under SZO §4.5.1 to convert a portion (approximately 987 sf) of the previously approved (ZBA 2018-34) residential space back into commercial office space. As a result, the property will have three commercial office units totaling about 4,518 sf and one residential unit of 1,012 sf with two-bedrooms. RA Zone. Ward 3.
Date(s) of Hearing(s):	9/5
Staff Recommendation:	Conditional approval
ZBA Action:	--
Adam Dash: gave overview of project. Steven Azar (applicant): talked about who the new commercial tenant is, and some neighborhood feedback he's received. Meredith Porter (104 Josephine Ave): said accessibility narrative had wrong address. Dash: not wrong address. Richard Rossetti made a motion to conditionally approve the special permit. Elaine Severino seconded. Motion passed 5-0.	



5 Greene Street (ZBA 2018-104)	
Applicant:	Shelly Ziegelman, SWZ Architects LLC
Property Owner:	Stefan McDonough
Agent:	N/A
Legal Notice:	Applicant, Shelly Ziegelman, SWZ Architects LLC, and Owner, Stefan McDonough, seek a Special Permit under SZO §4.4.1 to alter nonconforming rear decks that were previously approved by the ZBA in November 2013 (ZBA 2013-70) by renovating the railing types and adding a pergola. RB Zone. Ward 2.
Date(s) of Hearing(s):	9/5
Staff Recommendation:	Conditional approval
ZBA Action:	--
<p>Shelly Ziegelman (architect): gave overview of the project.</p> <p>Brockelman: deck is bigger than mass supporting it. Fontano: is new deck same size as existing? Zeigelman: yes. Brockelman: new deck will look bigger because of solid railing; reads as more than just putting up railings. Discussion about where railing does or doesn't extend beyond the 2nd floor deck.</p> <p>Severino: is railing currently open or closed? Ziegelman : open now, will be closed on one side. Severino: old rails are vertical, new rails are horizontal; do children live there? Ziegelman: no. Fontano: would like vertical rails for kids' safety.</p> <p>Ziegelman: can push two of the three sides in, but third side would hit door if pushed in. fine with going vertical.</p> <p>Brockelman: wants just a trellis on porch, not plastic covering. Evans: agrees with Brockelman.</p> <p>Board added new conditions: vertical railings; railing bump out is removed; entire deck with exception of right side railing will be directly above 2nd story walls; proposed pergola has standard rafters</p> <p>Richard Rossetti made a motion to continue the application to September 17, 2018. Elaine Severino seconded. Motion passed 5-0.</p>	

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
Staff Recommendation:	Conditional approval
ZBA Action:	--
<p>Richard DiGirolamo: gave overview of project. Issac Smith (architect): gave overview of architectural plans.</p> <p>Randi Soltziak (50 Brastow Ave): here on behalf of her children. Unhappy that project is removing mature trees. Wants board to protect trees.</p> <p>Hayyim Feldman (83 Belmont St): Concerned about noise during construction, would like acoustic screening if possible, and wants advance warning about when work will be happening. Also concerned about more wires being added above ground.</p>	



Linda Cook (136 Lowell): concerned about number of units/density and the parking situation. Parking is already difficult. don't object to reuse of property as housing, just too many units and too many cars.

Janis Moore (81 Belmont): landscaping favors Lowell side, Belmont side is not significantly improved; car egress is only on Belmont; worried about asphalt and runoff; worried about noise, wants acoustic screening on top of building.

Ald. Ewen-Campen: believes this project is what's necessary, something more community centered would've been done if possible. Community has big concerns about traffic and parking; wants traffic calming on Summer St/Belmont intersection.

Ald. Rossetti: heard concerns about traffic/parking; wants Board to look seriously at the parking relief requested; do what's possible to protect existing trees on property.

DiGirolamo: will have construction management plan, would try to keep noise to minimum. Board, applicant, and staff discussion about adding the standard condition limiting construction hours.

DiGirolamo: providing 22 parking spaces for 20 units.

Rick Latinie (project engineer): residential use expected to generate fewer trips than existing use. Currently no stormwater management, but project adds some.

Issac Smith: will preserve as many existing trees as possible. Planner Lewis: can add condition requiring Applicant to work with City arborist on existing trees. Fontano: would like to add that condition.

Planner Lewis: applicant has agreed in theory to off-site traffic safety improvements. Can add another condition requiring that applicant works with T+I director on traffic improvements. Would like to add condition requiring that existing antenna be maintained during construction until ownership of them can be determined.

Michael Olson (applicant): Has had some conflicting feedback from neighborhood, and plans presented tonight are their attempt to incorporate all the feedback.

Discussion about utility units on roof and acoustic screening.

Brockelman: how many units would be allowed without variance? DiGirolamo: proposing 1250 sf/du, 2250 sf/du is required.

Brockelman: wants to see traffic study mentioned by project engineer. Project is too large/important to not have studies completed. Planner White: standard conditions requiring applicant to coordinate with other City departments are included. Brockelman: happy to see project redeveloped, but thinks conflict between open space and traffic needs to be answered in an analytical way; wants to see how claims are supported.

Discussion about number of parking spaces.

Brockelman: ground coverage went up? Isaac Smith: didn't add ground coverage, just enclosed some existing areas. Brockelman: landscaping went down? Pervious area increased minimally? Disappointed with parking lot design, could do a lot more. Want to see mature trees surveyed and included in plan. Trees per sf requirement? Could have more naturalistic/creative landscaping? More tree canopy in parking lot? Project could be a great catalyst for neighborhood improvement. Wants something more than just compliant.

Evans: concerns with parking lot; pervious pavers in parking lot? Enhance open space on Belmont edge; roof color? Concerns about open space along Lowell St, would like to be more creative; fewest parking spaces they could provide without relief?

Severino: any zipcar spaces? Permeable paver parking spots? Happy to see and hope to keep mature trees. How long will project take? (Applicant reply: approx. 1 year)

Discussion about what building will look like and materials.

Severino: who are roof decks open to? Michael Olson (applicant): still figuring out, think will be deeded to specific units. Jason (architect): not sure if deck will exist. Severino: concerned about massing with decks. Olson: existing deck, not looking to increase massing; still figuring out decks.



Safdie: for parking study, overnight spots is more relevant than day trips; wants to see asphalt reduced; wants more detail and certainty in the site plan; applicant could do more to improve the site plan, not just the building; opportunity to repair the streetscape; big project, wish it was doing more for the neighborhood.

Fontano: lots of unanswered questions

Richard Rossetti made a motion to continue the application to September 17, 2018. Elaine Severino seconded. Motion passed 5-0.

Other Business:

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>

