



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2016-81-R2-(09/19)
Date: October 16, 2019
Recommendation: Conditional approval

PLANNING STAFF MEMORANDUM

Site: 45 Cameron Avenue

Applicant Name: Aroli Realty Trust / Menkiti Ifeanyi, Trustee
Applicant Address: 45 Cameron Avenue, Somerville, MA
Owner Name: Aroli Realty Trust / Menkiti Ifeanyi, Trustee
Owner Address: 45 Cameron Avenue, Somerville, MA
Alderman: Katjana Ballantyne

Legal Notice: Applicant and Owner, Aroli Realty Trust, seeks a revision to a previous approved special permit (ZBA 2018-81) under SZO §5.3.8 to amend condition #19 regarding the pavement material. RB Zone. Ward 7.

Dates of Public Hearing: Zoning Board of Appeals – October 16, 2019

1. **Subject Property:** The parcel is 3,049 square feet and located in the RB zoning district. On March 1, 2017, the ZBA approved a special permit for 45 Cameron Avenue to do the following: alter a non-conforming property under §4.4.1 of the SZO through the upward extension of the non-conforming, left, right, and front yard setbacks, along with parking relief.

In October of 2018, the ZBA approved a revision to that proposal by striking Condition #25 that required the Applicant to bury all utility lines. The Highway, Lights & Lines Division of DPW is the department that has final jurisdiction over whether utilities are to be buried or allowed to go aerial. Steve MacEachern, the Superintendent of Highway, Lights and Lines, affirmed that these lines must go aerial and not be buried.

2. **Proposal:** The Applicant seeks to revise condition #19, which states “parking areas shall be made of grasscrete” to say “parking areas shall be made of pervious pavers”.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.3.8):

Section 5.3: Procedures for Special Permits and Special Permits with Site Plan Review

Revisions that are not de minimis shall be subject to the full notice and hearing provisions of §5.3.2 of this Ordinance, but shall not be subject to review by additional boards, departments, city agencies or commissions except as requested by the SPGA or upon the recommendation of the Planning Director. Applicable findings shall be made in accordance with the type of permit(s) being revised.

The findings made under the previous Special Permit approved by the ZBA in March of 2017 (ZBA 2016-81) and the Special Permit revision approved by the ZBA in October of 2018 (ZBA 2016-81-R1-8/18) are not applicable to this proposal.

During the final materials review performed by Planning Staff, the applicant proposed previous pavers on their materials board that was approved by Planning Staff and the Engineering Division.

III. RECOMMENDATION

Special Permit under §5.3.8

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
1	Approval is to strike condition #19 from the previous permit. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.	
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>September 4, 2019</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> </tbody> </table>			
Date (Stamp Date)	Submission			
September 4, 2019	Initial application submitted to the City Clerk's Office			
	Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.			
2	All other conditions of approval from ZBA 2016-81 except for #19 and #25 remain in effect.			
Final Sign-Off				
3	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	