



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

Aldermanic Chambers, City Hall, 93 Highland Avenue
Wednesday, January 23, 2019
6:00 P.M.

Previously Continued to a Future Date

36 Elm Street (ZBA 2018-127)	
Applicant:	Highland Elm Street LLC
Property Owner:	Highland Elm Street LLC
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant / Owner, Highland Elm Street LLC, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing an addition greater than 25% of the existing gross floor area (GFA), which will add two residential units to the site. A special permit under SZO §9.13 is also required for parking relief. RB Zone. Ward 5.
Date(s) of Hearing(s):	1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to February 6, 2019.
Current Status:	The Applicant submitted a request to continue to February 6, 2019.



Previously Opened Cases to Request a Continuance

527-529 Mystic Valley Parkway (ZBA 2018-163)	
Applicant:	He Zheng
Property Owner:	Jim Lin
Agent:	N/A
Legal Notice:	Applicant, He Zheng, and Owner, Jim Lin, seek a Variance under §5.5 of the SZO to create a new non-conformity by increasing the FAR from .69 to .94 by finishing the basement and adding a dormer. Parking relief under Article 9 of the SZO. RA zone. Ward 7.
Date(s) of Hearing(s):	12/12, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to February 6, 2019.

124 Heath Street (ZBA 2018-148)	
Applicant:	Emerald 75, LLC
Property Owner:	Emerald 75, LLC
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, Emerald 75, LLC seeks a Special Permit with Site Plan Review (SPSR) under §4.4.1 of the SZO to alter a non-conforming property by removing an existing 4-bay garage and constructing a two-unit residential building within the left, right, and rear yard setbacks. Increase the number of dwelling units from one to three. Parking relief under Article 9 of the SZO. RB zone. Ward 4.
Date(s) of Hearing(s):	12/12, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

47 Sewall Street (ZBA 2018-154)	
Applicant:	Justina & Emelindo Ubaldo
Property Owner:	Justina & Emelindo Ubaldo
Agent:	N/A
Legal Notice:	Applicants 7 Owners, Justina & Emelindo Ubaldo, seek special permits under §4.4.1 of the SZO to construct a dormer within the side yard setback. RB zone. Ward 4.
Date(s) of Hearing(s):	12/12, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
Current Status:	The Applicant submitted a written request to continue to February 6, 2019.



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, 10/17, 10/24, 11/7, 11/28, 12/12, 1/9, 1/23
Staff Recommendation:	None at this time
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

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, 11/7, 11/28, 12/12, 1/9, 1/23
Staff Recommendation:	Denial
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

81-83 Alpine Street (ZBA 2018-141)	
Applicant:	Elan Sassoon
Property Owner:	Catherine A. DeStefano, Trustee of the Francis J. Bucca Family Trust
Agent:	N/A
Legal Notice:	Applicant, Elan Sassoon, and Owner, Catherine A. DeStefano, Trustee of the Francis J. Bucca Family Trust, seek special permits under §4.4.1 to alter a non-conforming property by increasing the GFA by more than 25%, extending the non-conforming front yard setback to the right and into the side yard. Parking relief under Article 9 of the SZO. RB zone. Ward 5.
Date(s) of Hearing(s):	11/28, 12/12, 1/9, 1/23
Staff Recommendation:	None at this time
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.



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, 10/17, 10/24, 11/7, 11/28, 12/12, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

15 Lake Street (ZBA 2018-152)	
Applicant:	Elan Sassoon
Property Owner:	Carlos & Virginia Bettencourt
Agent:	N/A
Legal Notice:	Applicant, Elan Sassoon, and Owners, Carlos & Virginia Bettencourt, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming structure by increasing the Gross Floor Area (GFA) by more than 25%, construct dormers within the right side yard setback. Variance under §5.5 and §8.5 of the SZO to create a new non-conformity with respect to the rear yard setback. Parking relief under Article 9 of the SZO. RC zone. Ward 2.
Date(s) of Hearing(s):	12/12, 1/9, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

109-111 Prospect Street (ZBA 2018-139)	
Applicant:	109-111 Prospect Street Somerville, LLC
Property Owner:	109-111 Prospect Street Somerville, LLC
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicants & Owners, 109-111 Prospect Street Somerville, LLC, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming property including, but not limited to right and left side yard setbacks; Special Permit under Article 9 for parking relief. Variances under §5.5 and §8.5 of the SZO for height, number of stories and lot area per dwelling unit; Special Permit with Site Plan Review (SPSR) to construct a 15-unit residential structure with inclusionary housing included under Article 13 of the SZO. RC zone. Ward 2.
Date(s) of Hearing(s):	12/12, 1/9, 1/23
Staff Recommendation:	SPSR: Conditional approval Variance: Unable to Recommend
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.



40 Columbus Avenue (ZBA 2018-147)	
Applicant:	Vincent Spadea
Property Owner:	Vincent Spadea
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, Vincent Spadea, seeks a special permit under SZO §7.11.2.b to convert an existing two-family dwelling into three-dwelling units, special permits under SZO §4.4.1 to alter the nonconforming lot area per dwelling unit requirement of the property and the nonconforming floor area ratio (FAR) requirement, and a special permit under SZO §9.13 for parking relief. RA Zone. Ward 3.
Date(s) of Hearing(s):	1/9, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Applicant submitted a written request to continue to February 6, 2019.

13 Quincy Street (ZBA 2018-156)	
Applicant:	Hudson Santana/North America Development, LLC
Property Owner:	Ilidio N. Pina, Pina Family Realty Trust
Agent:	N/A
Legal Notice:	Applicant, Hudson Santana/North America Development, LLC, and Owner, Ilidio N. Pina, Pina Family Realty Trust, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming property including the rear yard setback by creating an upward extension of this non-conformity. The number of units is proposed to increase from 2 to 3. Parking relief under Article 9 of the SZO. RB zone. Ward 2.
Date(s) of Hearing(s):	1/9, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

24 Hanson Street (ZBA 2018-161)	
Applicant:	BruceDharma, LLC
Property Owner:	BruceDharma, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, BruceDharma, LLC, seeks a special permit with site plan review under SZO §7.2 to construct a second principal structure on the lot (a single family dwelling) and a special permit under SZO §9.13 for parking relief. RB Zone. Ward 2.
Date(s) of Hearing(s):	1/9
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will submit a request to continue to February 6, 2019.



47 Electric Avenue (ZBA 2018-160)	
Applicant:	Nordau Ventures, LLC
Property Owner:	Nordau Ventures, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Nordau Ventures, LLC, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by increasing the nonconforming floor area ratio (FAR) by finishing the basement and a special permit under SZO §9.13 for parking relief. RA Zone. Ward 7.
Date(s) of Hearing(s):	1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.

62 Flint Street (ZBA 2018-162)	
Applicant:	Derek Snare
Property Owner:	Jose Moreira
Agent:	Derek Snare
Legal Notice:	Applicant, Derek Snare, and Owner, Jose Moreira, seek a variance to convert from a conforming FAR to a non-conforming FAR under §5.5 and §8.5 of the SZO. Special permits including the upward extension of the non-conforming left side yard setback. RB zone. Ward 1.
Date(s) of Hearing(s):	1/9, 1/23
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to February 6, 2019.

New Cases to Request a Continuance

1244 Broadway (ZBA 2018-135)	
Applicant:	Patricia Birchem
Property Owner:	1244 Broadway Real Estate Partners LLC
Agent:	
Legal Notice:	Applicant, Patricia Birchem, and Owner, 1244 Broadway Real Estate Partners LLC, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure and a special permit under SZO §9.13 for parking relief to demolish a portion of the building, construct two additional stories, and change the use from a laundromat/dry cleaning drop-off to a mix of uses including retail and three residential units. RC Zone. Ward 7.
Date(s) of Hearing(s):	1/23
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	The Staff anticipates the Applicant will request a continuance to February 6, 2019.



Previously Opened Cases to be Heard

123 Packard Avenue (ZBA 2018-165)	
Applicant:	Kappa Charge of the Theta Delta Chi Fraternity
Property Owner:	Kappa Charge of the Theta Delta Chi Fraternity
Agent:	Richard L, Walsh III, Clerk of Corporation
Legal Notice:	Applicant, Kappa Charge of the Theta Delta Chi Fraternity, through their attorney, Richard L, Walsh III, Clerk of Corporation, seeks an Administrative Appeal per SZO §3.1.9, §3.2, and §3.2.3 of the Inspectional Services Department's (ISD) determination that, due to the fraternity's charter being revoked by Tufts University, the fraternity has no affiliation with said University and, therefore, is operating without any established permitted use under the SZO. §7.11.3.b. UN zone. Ward 6.
Date(s) of Hearing(s):	1/9, 1/23
Staff Recommendation:	Deny administrative appeal and uphold building permits.
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant with request to withdraw the application without prejudice.

503-505 Medford Street (ZBA 2018-129)	
Applicant:	Sophia S. Thakali
Property Owner:	Broadway Investment
Agent:	N/A
Legal Notice:	Applicant, Sophia S. Thakali, and Property Owner, Broadway Investment, seek Special Permits under Article 7 of the SZO to increase the square footage of an existing restaurant by expanding into adjoining commercial space. Relief under Article 9 for parking. NB zone. Ward 5.
Date(s) of Hearing(s):	11/28, 12/12, 1/9
Staff Recommendation:	None at this time
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	The Staff anticipates the Applicant with request to withdraw the application without prejudice.

61 Myrtle Street (ZBA 2018-140)	
Applicant:	Elan Sassoon
Property Owner:	Rupesh S. & Laxmi Lama
Agent:	N/A
Legal Notice:	Applicant, Elan Sassoon, and Owners, Rupesh S. & Laxmi Lama, seek special permits under §4.4.1 of the SZO to alter a non-conforming property by reducing the rear yard setback, increasing the GFA by more than 25%. Unit count will increase from two units to three units. Parking relief under Article 9 of the SZO. RB zone. Ward 1.
Date(s) of Hearing(s):	11/28, 12/12, 1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	Will be heard.



74 Moreland Street (ZBA 2018-128)	
Applicant:	74 Moreland Street, LLC
Property Owner:	Vittorio Gensale and Marco Gensale
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant, 74 Moreland Street, LLC, and Owners, Vittorio Gensale and Marco Gensale, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by constructing dormers on both sides of the roof and finishing a portion of the basement. RA Zone. Ward 4.
Date(s) of Hearing(s):	12/12, 1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	Will be heard.

118-124 College Avenue (ZBA 2018-166)	
Applicant:	Havurat Shalom Community Seminary, Inc
Property Owner:	Lacourt Realty, LLC
Agent:	Meredith Porter
Legal Notice:	Applicant, Havurat Shalom Community Seminary, Inc., through their representative, Meredith Porter, seeks an Administrative Appeal per SZO §3.1.9, §3.2, and §3.2.3 of building permit No. B18-001184 issued by the Inspectional Services Department (ISD). The property for which the building permit was issued is owned by LaCourt Realty, LLC. RB zone. Ward 6.
Date(s) of Hearing(s):	12/12, 1/23
Staff Recommendation:	Deny administrative appeal and uphold IDS decision.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
Current Status:	Will be heard.

9 Taylor Street (ZBA 2018-144)	
Applicant:	Walter Tauro
Property Owner:	Walter Tauro
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant and Owner, Walter Tauro, seeks Special Permits under §4.4.1 of the SZO to alter a non-conforming property by created an upward extension of the non-conforming right side yard setback. Parking relief under Article 9 of the SZO.
Date(s) of Hearing(s):	12/12, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
Current Status:	Will be heard.



28 Otis Street (ZBA 2018-145)	
Applicant:	Gina D. Tauro & Jonathan M. Nascimento
Property Owner:	Gina D. Tauro & Jonathan M. Nascimento
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicants and Owners, Gina D. Tauro & Jonathan M. Nascimento, seek to alter a non-conforming property under §4.4.1 of the SZO. Parking relief under Article 9 of the SZO. RB zone. Ward 1.
Date(s) of Hearing(s):	12/12, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
Current Status:	Will be heard.

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, 10/17, 10/24, 11/7, 11/28, 12/12, 1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	Will be heard.

378-382 Highland Ave (ZBA 2018-121)	
Applicant:	Sohia's Greek Pantry Norht O/B/A Opa Greek Yeeros, Inc
Property Owner:	Christos Poutahidis Management, LLC
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant, Sohia's Greek Pantry Norht O/B/A Opa Greek Yeeros, Inc., and Owner, Christos Poutahidis Management, LLC, seeks a Special Permit under § 4.5 of the SZO to expand existing resaurant space into a vacant storefront and increase seating capacity. Parking relief under Article 9 of the SZO. NB zone. Ward 6.
Date(s) of Hearing(s):	10/17, 10/24, 11/7, 11/28, 12/12, 1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2019 to continue the application to January 23, 2019.
Current Status:	Will be heard.



New Cases to be Opened and Heard

52-54 Craigie Street (ZBA 2018-177)	
Applicant:	Clare O'Brien and Nancy Walsh
Property Owner:	Clare O'Brien and Nancy Walsh
Agent:	N/A
Legal Notice:	Applicants and Owners, Clare O'Brien and Nancy Walsh, seek a special permit under SZO §4.4.1 to alter a nonconforming structure and a special permit under SZO §9.13 for parking relief to increase the height of the roof ridge and construct dormers to create a master suite on the 3rd floor. RB Zone. Ward 3.
Date(s) of Hearing(s):	1/23
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

68 Dimick Street (ZBA 2018-151)	
Applicant:	David Shepherd
Property Owner:	David Shepherd
Agent:	N/A
Legal Notice:	Applicant/Owner, David Shepherd, seeks a special permit per SZO §4.4.1 to alter a nonconforming three-family structure by reconfiguring the layout of the three units. RB Zone. Ward 2.
Date(s) of Hearing(s):	11/28, 12/12, 1/9, 1/23
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

17 Elmwood Street (ZBA 2018-125)	
Applicant:	Elmwood Street, LLC
Property Owner:	Elmwood Street, LLC
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant and Owner, Elmwood Street, LLC, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure and a special permit under SZO §9.13 for parking relief to demolish portions of the building, construct two additional stories, and change the use from a mix of uses that include two residential units and an office to three residential units. RB Zone. Ward 7.
Date(s) of Hearing(s):	1/23
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard

Other Business:

- Meeting minutes: January 9, 2019
- Meeting minutes: November 28, 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>



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