



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

Aldermanic Chambers, City Hall, 93 Highland Avenue
Wednesday, January 9, 2019
6:00 P.M.

Previously Continued to a Future Date

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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
The Applicant requested a continuance to January 23, 2019.	



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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
The Applicant requested a continuance to January 23, 2019.	

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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
The Applicant requested a continuance to January 23, 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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
The Applicant requested a continuance to January 23, 2019.	



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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
The Applicant submitted a written request to continue to January 23, 2019.	

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
Staff Recommendation:	Recommendation fourthcoming.
ZBA Action:	Voted on December 12, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue the application to January 23, 2019.	

Previously Opened Cases to Request a Continuance

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
Staff Recommendation:	None at this time
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	



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
Staff Recommendation:	Denial
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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
Staff Recommendation:	None at this time
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	



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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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 structure to reconstruct an existing rear deck to include egress stairs. RB Zone. Ward 2.
Date(s) of Hearing(s):	11/28, 12/12, 1/9
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	



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
Staff Recommendation:	SPSR: Conditional approval Variance: Unable to Recommend
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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
Staff Recommendation:	None at this time
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	



New Cases to Request a Continuance

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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	

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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	



Previously Opened Cases to be Heard

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, 10/17, 10/24, 11/28, 12/12, 1/9
Staff Recommendation:	None at this time.
ZBA Action:	Voted on January 9, 2018 to approve the request for withdrawal without prejudice.
The Applicant submitted a request to withdraw without prejudice. Motion approved 5-0.	

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, 10/3, 11/7, 11/28, 12/12, 1/9
Staff Recommendation:	Denial
ZBA Action:	Voted on January 9, 2018 to approve the request for withdrawal without prejudice.
The Applicant submitted a request to withdraw without prejudice. Motion approved 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, 9/17, 10/3, 10/17, 10/24, 11/7, 11/28, 12/12, 1/9
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.



Rich DiGirolamo provided an overview of the project. David Desola provided an overview on the revised plans and updates on meetings that he has had with neighbors. He mentioned an email from Aldermen Scott regarding the windows.

Public Comment:

Minka Van Beuzekom, a local real estate agent, states this is a good location for three units as the property is in close proximity to transit. It is a good plan considering the factors of the lot size, train tracks, and factory.

Steve Weeber, who lives next door, states the meeting was during a bad time of year with a lot of neighbors out of town. It's ultimately the same development as before. He doesn't understand why it has to be three units or why it has to go so far back.

Josh Safdie states they have not seen the changes that have been made from September to now. The applicant states the side yard was reduced, the addition came back from the rear lot line, shortened decks and stairs,

Ann Brockelman asks what the Applicant's responses to Alderman Scott's points were. Rich Digerolamo states it would not work economically with two-units. She goes further to explain that the massing issue affects the left abutter the most. Dimensional chart numbers seem modest for the RC zone. The angled and changes in window size help reduce those impacts. It's not walkable area. She's always happy to grant relief for one parking spot per unit. If tearing down and starting all over, there would still be no space with parking.

Susan Fontano states the staff is knowledgeable, and they have been working with the Applicant to address everyone's views. She has seen much more evolvment from neighbors. To Josh Safdie's point, the Board would be overwhelmed if they saw every single plan set.

Richard Rossetti states he agrees he does not want to see every plan set. The Applicant asks them for corrections and they've provided us with those changes. A lot of good faith efforts have been made by the Applicant. Richard Rossetti is in favor of this project.

Susan Fontano would like to see conditions that include specifics about landscaping.

Danielle Evans would prefer to have two larger units instead of small two bedroom units. Danielle Evans cannot vote in favor of three units. She also has an issue with the parking, as the information provided is vague.

Richard D'giralamo states he is able to provide the lease. The risk is on the owner if he can't produce the parking then he can't get the Certificate of Occupancy. Danielle Evans asks what the enforcement of that is. Richard states it calls for the parking condition to be a part of the condominium documents.

Josh Safdie states there seem to be a lot of information they were not privy to. The meeting minutes that weren't provided, Josh missed a meeting, it's not the same for him. In addition, the Alderman just sent his recommendation at 5p today. He would like some more time to absorb this information.

Danielle Evans stated she has been inundated with emails regarding Elm Street however, the night before is hard to absorb. She's having a hard time keeping track of what the sentiment of the neighborhood is. Which letter was Alderman Scott referencing? What is the sentiment regarding parking? What is the consensus? She would like to hear a public portion again.

Susan Fontano states abutters need to be more mindful of submitting comments; however she will grant the permission for another meeting. She would like the staff to get in touch with Alderman Scott to bring him up to date on this meeting. The Staff will provide an up to date packet and would like to see Mr. Scott at the next hearing if possible. Next time the Board should be ready to vote.



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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
Current Status:	The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.

New Cases to be Opened and Heard

20-24 Rush Street (ZBA 2016-140-E1 (11/18))	
Applicant:	Buck Lee Real Estate Development, LLC
Property Owner:	Buck Lee Real Estate Development, LLC
Agent:	N/A
Legal Notice:	Applicant and Owner, Buck Lee Real Estate Development, LLC, seek to extend their Special Permit by one year under §5.3.10 of the SZO. RB zone. Ward 1.
Date(s) of Hearing(s):	1/9
Staff Recommendation:	Approval
ZBA Action:	Voted on January 9, 2018 to approve the special permit extension with conditions.
<p>The Applicant presented.</p> <p>Colin Christopherson (17 Rush Street) states the property has become a mess. Originally the prior owners flipped the property, then it went two steps down over to this individual (the current owner). It's a garbage site. There are trash, microwaves, garbage on the property and it needs a cleanup.</p> <p>Susan Fontano asks why they should approve this if they're not taking care of what they have.</p> <p>Hans Jensen states the city has a minimum maintenance standard and the health inspector has purview over garbage. Susan Fontano asks the Staff to condition the removal of trash on the site within two weeks of tonight. She would also like the Applicant to receive a copy of this photo. Richard Rossetti: Where is the pride?</p> <p>Danielle Evans made a motion to approve the request with conditions. Elaine Severino seconded. Motion approved 5-0.</p>	



10-12 Ward Street (ZBA 2017-122-E1-121/8)	
Applicant:	Block Properties
Property Owner:	Block Properties
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, Block Properties, seeks re-approval of previously granted variances that included lot area per dwelling unit and Floor Area Ratio (FAR). Article 5 of the SZO. BA zone. Ward 2.
Date(s) of Hearing(s):	1/9
Staff Recommendation:	Approve previously-granted variances as-conditioned
ZBA Action:	Voted on January 9, 2018 to approve the special permit extension.
Sean O'Donovan provided an overview of the request. Danielle Evans made the motion to approve the extension. Elaine Severino seconded. Motion passed 5-0.	

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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
<p>Richard DiGirolamo provided an overview of the project.</p> <p>Wayne Ckuayk (42 Packard Ave) states the site as existing provides parking for five cars and the Applicant would like to have six. Wayne is speaking against parking relief.</p> <p>Susan Fontano closed the public portion of the meeting.</p> <p>Anne Brockelman questions if abutters at 45 Electric Avenue support this project as that setback is close to their property. Salvaman, owner of 47 Electric Avenue, states his neighbor supports this project. He has an email stating this.</p> <p>Susan Fontano would like to see support (written or verbal) from the neighbor.</p> <p>Josh Safdie asked about the parking. He sees potential for plenty of living space on first floor looking at A100, as there's a ton of living space on the first floor. It seems like for the price point, they could still get a two bedroom on top and basement. It could allow tandem parking.</p> <p>Richard Rossetti agrees with Josh stating with a snow emergency. At least he can get three or four cars into that driveway. Richard Rossetti would like this done.</p> <p>Danielle Evans made a motion to continue to January 23, 2019. Elaine Severino seconded. Motion approved 5-0.</p>	



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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to continue the application to February 6, 2019.
<p>Anne Brockelman recused herself from 36 Elm Street. 36 Elm Street requests a continuance to February 6, 2019. **** The Board reconsidered the item and decided to hear this case as many abutters were present. Sean O'Donovan provided an overview of the project.</p> <p>James Getsderang (749 Somerville Ave #3) would like the side setback further away. Tushar Parlkar (749 Somerville Ave #1). The greenspace is one of the last remaining open spaces. It looks lush and beautiful. They've been used to looking at that. The landscape doesn't seem changed. More specifically, the chain-link fence has been nice to look through. He also has parking concerns.</p> <p>Heather Boorte (749 Somerville Avenue.) has a displeasure with the structure not conforming to setbacks. They appreciate the natural light in her unit. She would appreciate a conversation with the neighborhood to conserve green space.</p> <p>Mark Niedergang – Does not support this project because it takes away green space. Why can't they build smaller units and not extend the footprint of the building so far back? He has no objections to parking relief to they seek- he thinks it's reasonable. He'd be willing to sacrifice parking for green space. Would prefer something more modest.</p> <p>Meredith Porter (104 Josephine Avenue) section 10, has there been an analysis of this? Alex Mello states: Yes. Meredith would like the tree planting information included in the Staff Report</p> <p>The public portion is to remain open.</p> <p>Josh Safdie knows the requirements are what they are but when they look at the site plan it looks hard to believe 30% of the lot is landscaped. The drawing is a sea of grey and this project is really maxing out. He would prefer for the project to be downsized considerably.</p> <p>Elaine Severino is concerned with the landscaping. She saw photos before and after and it was devastating. "There is not a green thing of anything back there". She agrees with Mark Alderman. The permeable pavers go on forever.</p> <p>Danielle Evans would not be in support of project as proposed. Parking in rear needs to be eliminated. Parking location should be moved. It could be converted to greenspace. The setback needs to be increased. Most setbacks aren't dimensioned. Eliminate driveway then it could be shifted down. While they are in compliance, it would be nice to not meet the bear minimum. The patio seems large. This does nothing for heat island effect.</p> <p>Danielle Evans made a motion to continue to February 6, 2019. Elaine Severino seconded. Motion approved 5-0.</p>	



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, 2018 to approve the application with conditions.
Current Status:	The Applicant submitted a request to continue the application to January 23, 2019.

2 Morrison Avenue (ZBA 2018-146)	
Applicant:	Tal Patlazaan and Sophie Simkin
Property Owner:	Tal Patlazaan and Sophie Simkin
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, Tal Patlazaan and Sophie Simkin, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a rear addition within the required left side yard setback that will be greater than 25% of the existing gross floor area (GFA) and a special permit under SZO §9.13 for parking relief. RB Zone. Ward 5.
Date(s) of Hearing(s):	1/9
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on January 9, 2018 to approve the application with conditions.
<p>Richard DiGirolamo provided an overview of the project.</p> <p>Tim (259 Lowell Street) is concerned with traffic and school.</p> <p>Elaine Severino is concerned with how the corner is landscaped. With the reality of creating a sight obstruction, the Applicant will work with staff to modify this.</p> <p>Danielle Evans notes a condition about slope of dormers. Have they made changes to satisfy that request? The Applicant states they are happy to accommodate. She would like the staff to condition reasonable construction hours.</p> <p>Anne Brockelman expresses sadness seeing backyard turn into parking. The Applicant states they've included some replacement of outdoor area by adding the 2nd floor porch.</p> <p>Danielle Evans made a motion to approve the special permit with conditions. Elaine Severino seconded. Motion approved 5-0</p>	

654 Mystic Avenue (ZBA 2018-167)	
Applicant:	Linda Pingiaro and James DeMichelle, Trustee of 48-50 Ash Avenue Condominium
Property Owner:	654 Mystic, LLC
Agent:	Philip H. Cahalin



Legal Notice:	Applicant, Linda Pingiaro and James DeMichelle, individually and as Trustee of 48-50 Ash Avenue Condominium, seek an Administrative Appeal per SZO §3.1.9, §3.2, and §3.2.3 of building permits numbered B18-000680, B18-000681, and B18-000682 issued by the Inspectional Services Department (ISD) for the building lots located at 654, 656, and 658 Mystic Avenue. The properties for which the building permits were issued are owned by 654 Mystic, LLC. BB zone. Ward 4.
Date(s) of Hearing(s):	12/12 1/9
Staff Recommendation:	Deny administrative appeal and uphold building permits
ZBA Action:	Voted on January 9, 2018 to deny the appeal and uphold building permit.
<p>The Applicant's lawyer, Philip H. <u>Cahalin</u>, provided an overview the appeal. The property owner's lawyer, Gordon T. provided his overview.</p> <p>Josh Safdie feels comfortable and convinced with the staff's recommendation. They have divided the appellants notes into sections to address them. He feels comfortable about the question of subdivision, that they are townhouses, and that it's not a six unit dwelling. He is not clear about the building height. This was murky on the other project that the Board had Special Permitted on Mystic, which is now a monstrosity. He states he does not have enough information to say the height of the building and average grade has been calculated correctly. Can staff help walk through correct application of section of the ordinance? What the appropriate calculation method is.</p> <p>Hans Jensen – the only selection where it says significant—it says “insignificant”. There is no such thing as a significant slope. We look at definitions for basement, height, and grade. As they apply and through his analysis, double checking with GP and senior building inspector Paul Nonni. All concluded, as drawn the plans do meet the definition.</p> <p>Josh Safdie asks, where do you start that 40' measurement.</p> <p>Hans explains how they came up with the calculation.</p> <p>Richard Rossetti mentions there has been much time spent much time analyzing this. The issue that kept coming up was interpretation. There's not enough to overturn the decision. There's nothing that says “<i>here it is</i>”.</p> <p>Danielle Evans makes a motion to deny the administration appeal ad uphold the ISD decision. Dated January 9, 2018. Elaine Severino seconded. 4 in the affirmative and 1 abstained. Motion approved.</p>	

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
Staff Recommendation:	Deny administrative appeal and uphold building permits
ZBA Action:	Voted on January 9, 2018 to continue the application to January 23, 2019.
The Applicant submitted a request to continue to January 23, 2019. Motion approved 5-0.	



Other Business:

- Elections of 2019 Officers
 - Richard Rossetti opened the floor for nominations.
 - Elaine Severino nominated Susan Fontano as Chair. The Board voted in favor unanimously.
 - Elaine Severino nominated Danielle Evans as Clerk. The Board voted in favor unanimously.

- Appointment to SomerVision 2040 Committee
 - Anne Brockelman will work with Alex Mello and Melissa Woods to serve on the SomerVision 2040 Committee.

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>

