



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

Council Chambers, 2nd floor of City Hall, 93 Highland Avenue, Somerville MA
Wednesday, October 16, 2019
6:00 P.M.

Previously Opened Cases Continued to a Future Date

<u>40 Columbus Avenue (ZBA 2018-147)</u>	
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, 2/6, 2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to November 6, 2019.
Current Status:	Voted on October 2, 2019 to continue the application to November 6, 2019.

18 Glendale Avenue (ZBA 2019-86)	
Applicant:	Ji Shi
Property Owner:	Ji Shi & Yan Zhao
Agent:	N/A
Legal Notice:	Applicant, Ji Shi, and Owners, Ji Shi & Yan Zhao, seek special permits under §4.4.1 of the SZO to alter a non-conforming property including adding a dormette within the left side yard setback, extending the left elevation roofline to cover the third floor rear porch, and to construct a right elevation dormer within the right side yard setback. RB zone. Ward 7.
Date(s) of Hearing(s):	9/4, 9/18 (re-advertisement), 10/2
Staff Recommendation:	Conditional approval.
ZBA Action:	Voted on October 2, 2019 to continue the application to November 6, 2019.
Current Status:	Voted on October 2, 2019 to continue the application to November 6, 2019.

187 Central Street (ZBA 2019-29):	
Applicant:	Nora, LLC
Property Owner:	Nora, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Nora, LLC, seeks a Special Permit with Site Plan Review (SPSR) under §7.3.3 of the SZO to increase the number of dwelling units from one to four where one of these units will be affordable. Parking relive under Article 9 of the SZO. RA zone. Ward 4.
Date(s) of Hearing(s):	6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to November 6, 2019.
Current Status:	Voted on October 2, 2019 to continue the application to November 6, 2019.

27 Tufts Street (ZBA 2018-195):	
Applicant:	Pulin and Katai Wang
Property Owner:	Pulin and Katai Wang
Agent:	N/A
Legal Notice:	Applicants and Owners, Pulin and Katai Wang, seek a special permit under SZO §4.4.1 and §7.11.1.c to alter a nonconforming structure by constructing a large addition to the existing structure that will add three dwelling units making it a five-unit dwelling. Parking relief under Article 9 is also required. RC Zone. Ward 1.
Date(s) of Hearing(s):	6/19, 7/17, 8/7, 8/21, 9/4, 10/2
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to November 6, 2019.
Current Status:	Voted on October 2, 2019 to continue the application to November 6, 2019.



Previously Opened Cases to Request a Continuance

<u>21 Eastman Road (ZBA 2019-02)</u>	
Applicant:	F. Michael Byrnes
Property Owner:	F. Michael Byrnes
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant and Owner, F. Michael Byrnes, seeks a special permit under the slope protection ordinance (agenda item 207122 ordained by the City Council on November 20, 2018) to perform necessary site work on a lot with a slope greater than 25% to construct a two-family dwelling and a variance for building height under SZO §5.5 and §8.5. RA Zone. Ward 5.
Date(s) of Hearing(s):	9/18, 10/2, 10/16
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.

<u>23 Rush Street (ZBA 2019-82)</u>	
Applicant:	Electra Realty Corporation c/o Kevin Jackson
Property Owner:	Electra Realty Corporation c/o Kevin Jackson
Agent:	N/A
Legal Notice:	Applicant and Owner, Electra Realty Corporation c/o Kevin Jackson, seeks a special permit under SZO §4.5.3 to expand the nonconforming use (carpenters shop) and under §4.4.1 to alter the nonconforming structure by constructing two additional stories. A Variance under §5.5 and §8.5 is also required for exceeding the maximum floor area ratio (FAR). Parking relief under Article 9 is also required. RB Zone. Ward 1.
Date(s) of Hearing(s):	9/18, 10/16
Staff Recommendation:	Denial
ZBA Action:	Voted on September 18, 2019 to continue the application to October 16, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to November 6, 2019.

<u>169 Tremont St: (ZBA 2019-17)</u>	
Applicant:	Santino Ferrante
Property Owner:	Tremont 2000, LLC
Agent:	N/A
Legal Notice:	Applicant, Santino Ferrante, and Owner, Tremont 2000, LLC), seek Special Permits under §4.4.1 of the SZO to enclose rear porches within the right side yard setback. RB zone. Ward 2.
Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2, 10/16
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.



14 Carlton Street (ZBA 2019-83)	
Applicant:	North America Development
Property Owner:	Louis M. Carcon & Yvrose Merzeus
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owners, Louis M. Carcon & Yvrose Merzeus, seek Special Permits under §4.4.1 of the SZO to significantly alter a non-conforming property by creating an upward extension of the non-conforming front and left side yard setbacks, and increasing the GFA by more than 25%. Parking relief under Article 9. RC zone. Ward 2.
Date(s) of Hearing(s):	9/4, 9/18, 10/2, 10/16
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to November 6, 2019.

8 Sycamore Street (ZBA 2019-61)	
Applicant:	Creative Property Solutions, LLC
Property Owner:	Eight Sycamore Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Creative Property Solutions, LLC, and Owner, Eight Sycamore Trust, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming property including increasing the GFA by more than 25%. Parking relief under Article 9 for number of spaces and providing compact spaces. RC zone. Ward 4.
Date(s) of Hearing(s):	9/18, 10/2, 10/16
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to November 6, 2019.

21 Laurel Street (ZBA 2019-91)	
Applicant:	Adam Panken
Property Owner:	Adam Panken
Agent:	N/A
Legal Notice:	Applicant and Owner, Adam Panken, seeks special permits under §4.4.1 of the SZO to alter a non-conforming property including constructing a left elevation dormer and altering the rear portion of the structure within the non-conforming rear yard setback. RB zone. Ward 2.
Date(s) of Hearing(s):	9/18, 10/2, 10/16
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.



48 Elm Street (ZBA 2019-79)	
Applicant:	Balany Real Estate Group, LLC
Property Owner:	Balany Real Estate Group, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, Balany Real Estate Group, LLC, seek special permits under §4.4.1 of the SZO to alter a non-conforming property by constructing dormers within the right side yard setback, and the upward extension of the non-conforming right side yard setback through the construction of a second story at the rear of the building. Parking relief under Article 9. RB zone. Ward 6.
Date(s) of Hearing(s):	9/4, 9/18, 10/2, 10/16
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.

10 Oak Street (ZBA 2018-10-R1-6/19)	
Applicant:	10 Oak Street, LLC
Property Owner:	10 Oak Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, 10 Oak Street, LLC, under §5.3.8 of the SZO, seek revisions to a previously-granted special permit. RC zone. Ward 2.
Date(s) of Hearing(s):	9/4, 9/18, 10/2, 10/16
Staff Recommendation:	Amend conditions as determined by ZBA.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.

346 Somerville Avenue (ZBA 2019-19)	
Applicant:	346 Somerville Ave., LLC
Property Owner:	Palmac Realty Corp
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, 346 Somerville Ave., LLC, and Owner, Palmac Realty Corp propose a mixed-use structure with 94 residential units, ground floor commercial. A publicly-accessible park is proposed at the rear of the lot. The NB portion of the property requires the following relief from the ZBA: Special Permit with Site Plan Review (SPSR), variances including but not limited to FAR, height, lot area per dwelling unit, number of stories, and any and all other dimensionals that might be needed. Special Permit for parking relief under Article 9. The CCD-55 portion of the project needs relief from the ZBA for the following: variances including but not limited to landscaping, FAR, height, ground coverage, lot area per dwelling unit, number of stories, and all other dimensionals that might be needed. All special permitting in the CCD-55 zone is the purview of the Planning Board. CCD-55 & NB zones. Ward 2.
Date(s) of Hearing(s):	3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2 (re-advertisement), 10/16
Staff Recommendation:	V: Unable to recommend SP and SPSR: Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.



85 Munroe Street (ZBA 2019-45)	
Applicant:	John Murray
Property Owner:	Raymond & Mary Snow
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, John Murray, and Owners, Raymond & Mary Snow, seek special permits to alter a non-conforming three-family structure. Special permits including but not limited to the upward extension of the non-conforming left side yard setback and the construction of a front dormer within the front and right side yard setbacks. RA zone. Ward 2.
Date(s) of Hearing(s):	10/2, 10/16
Staff Recommendation:	None at this time
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.

New Cases to be Opened and Requesting a Continuance

12 Flint Avenue (ZBA 2019-60) (re-advertisement)	
Applicant:	Derek Snare
Property Owner:	Fiorillo Melares
Agent:	N/A
Legal Notice:	Applicant, Derick Snare, and Owner, Fiorillo Melades, seek special permits under §4.4.1 of the SZO to alter a non-conforming property. Special permits including but not limited to the upward and linear extension of a non-conforming left side yard setback, constructing rear decks within the right side yard setback. RB zone. Ward 1.
Date(s) of Hearing(s):	9/18, 10/2 (re-advertisement), 10/16 (re-advertisement again)
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.

15 Carlton Street (ZBA 2019-98)	
Applicant:	Yu Shu
Property Owner:	Yu Shu
Agent:	N/A
Legal Notice:	Applicant and Owner, Yu Shu, seeks special permits to alter a non-conforming property under §4.4.1 of the SZO. Number of units to increase from three to four. Upward extension of the non-conforming right and front yard setbacks. Parking relief under Article 9. RC zone. Ward 2.
Date(s) of Hearing(s):	10/16
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	The Applicant has submitted a written request to continue the case to November 6, 2019.



Previously Opened Cases to be Heard

<u>74 Winslow Avenue: (ZBA 2019-11)</u>	
Applicant:	Jamie Maguire & Michael Hovanec
Property Owner:	Jamie Maguire & Michael Hovanec
Agent:	N/A
Legal Notice:	Applicants, Jamie Maguire & Michael Hovanec, seek special permits under §4.4.1 of the SZO to reconstruct a deck within the rear and right side yard setbacks. RA zone. Ward 6.
Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2, 10/16
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	The applicant has submitted a request to withdraw the application without prejudice.

<u>15 Bartlett Street (ZBA 2019-73)</u>	
Applicant:	Sally & Margaret Klessens
Property Owner:	Margaret Klessens
Agent:	N/A
Legal Notice:	Applicants, Sally & Margaret Klessens, and Owner, Margaret Klessens, seek a Special Permit under §9.9.b of the SZO to create a handicapped parking space on a residential lot. RA zone. Ward 5.
Date(s) of Hearing(s):	9/18, 10/2, 10/16
Staff Recommendation:	Unable to recommend
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Will be heard

<u>14 Farragut Avenue (ZBA 2019-81)</u>	
Applicant:	14 Farragut Avenue, LLC
Property Owner:	14 Farragut Avenue, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant and Owner, 14 Farragut Avenue, LLC, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a two-story addition within the left side yard setback and greater than 25% of the existing gross floor area to add a third unit to the structure. A special permit for parking relief under SZO 9.13 is also being requested. RB Zone. Ward 7.
Date(s) of Hearing(s):	9/18, 10/2, 10/16
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Will be heard



2 Adrian Street (ZBA 2019-62)	
Applicant:	2 Adrian Holdings, LLC, with Mahmood Firouzbakht, Manager
Property Owner:	2 Adrian Holdings, LLC, with Mahmood Firouzbakht, Manager
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner, 2 Adrian Holdings, LLC, with Mahmood Firouzbakht, Manager, seeks special permits under §4.4.1 of the SZO to alter a non-conforming property by adding an addition with a dormer within the right side yard setback. Parking relief under Article 9 of the SZO. RB zone. Ward 2.
Date(s) of Hearing(s):	9/18, 10/2, 10/16
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Will be heard

New Cases to be Opened and Heard

103 Washington Street (ZBA 2019-97)	
Applicant:	Clover Leaf Capital Holdings, LLC
Property Owner:	Clover Leaf Capital Holdings, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant and Owner, Clover Leaf Capital Holdings, LLC, seek seeks a Special Permit under Section 7.11 to alter a nonconforming use (auto-body shop) and Section 4.4.1 to alter a nonconforming structure of the Somerville Zoning Ordinance (SZO) structure to a 3-story mixed-use building, containing a commercial space and 6 dwelling units, with a request for parking relief under Section 9.13. RC Zone. Ward 1.
Date(s) of Hearing(s):	10/16
Staff Recommendation:	None at this time
ZBA Action:	--
Current Status:	Will be heard

24 Kensington Avenue (ZBA 2019-104)	
Applicant:	Christie Xie
Property Owner:	Christie Xie
Agent:	N/A
Legal Notice:	Applicant and Owner, Christie Xie, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by installing balconies within the nonconforming right side yard setback. RC Zone. Ward 1
Date(s) of Hearing(s):	10/16
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard



45 Cameron Avenue (ZBA 2018-81-R2-9/19)	
Applicant:	Aroli Realty Trust
Property Owner:	Aroli Realty Trust
Agent:	Richard G. DiGirolamo, Esq.
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.
Date(s) of Hearing(s):	10/16
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard

57 Trull Street (ZBA 2019-85) (re-advertisement)	
Applicant:	Timothy Buntel and Cynthia Graber
Property Owner:	Timothy Buntel and Cynthia Graber
Agent:	N/A
Legal Notice:	Applicants and Owners, Timothy Buntel and Cynthia Graber, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a single story addition that is greater than 25% of the existing structures gross floor area and to extend the structure upward within the nonconforming left side yard setback. RB Zone. Ward 5.
Date(s) of Hearing(s):	10/2, 10/16 (re-advertisement)
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Will be heard

40 Belmont Street (ZBA 2019-101)	
Applicant:	Derick Snare
Property Owner:	Diane Carson
Agent:	N/A
Legal Notice:	Applicant, Derick Snare, and Owner, Diane Carson, seek special permits under §4.4.1 of the SZO. Alterations include but may not be limited to the upward extension of the non-conforming right side yard setback, extension of rear porch. Roof style to change from hip to gable. RB zone. Ward 3.
Date(s) of Hearing(s):	10/16
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard



59 Linden Avenue (ZBA 2019-96)	
Applicant:	Marc Wagner and Fan Wang
Property Owner:	Marc Wagner and Fan Wang
Agent:	N/A
Legal Notice:	Applicants and Owners, Marc Wagner and Fan Wang, seek a special permit under SZO §4.4.1 to alter the nonconforming structure by constructing a 2.5-story addition in the rear that will increase the existing structures gross floor area by greater than 25%. The proposal will also extend the structure backward within the nonconforming left side yard setback. A special permit under SZO §9.13 for parking relief is also required. The proposal will result in two dwelling units being located on the site. RA Zone. Ward 5.
Date(s) of Hearing(s):	10/16
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard

87 Jaques Street (ZBA 2019-82) (re-advertisement)	
Applicant:	North America Development
Property Owner:	Nelia DaCova-Pissarra
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owner, Nelia DaCova-Pissarra, Trustee of the DaCova Family Trust, seek a special permit under SZO §4.4.1 to alter the nonconforming structure by constructing a single story addition atop the existing structure and by constructing a three-story addition in the rear that will increase the existing structures gross floor area by greater than 25%. A special permit under SZO §9.13 for parking relief is also required. The proposal will result in three dwelling units being located on the site. RB Zone. Ward 4.
Date(s) of Hearing(s):	9/18, 10/2, 10/16 (re-advertisement)
Staff Recommendation:	Unable to recommend
ZBA Action:	Voted on October 2, 2019 to continue the application to October 16, 2019.
Current Status:	Will be heard

Other Business:

Approval of Minutes from September 4, 2019, September 18, 2019, and October 2, 2019.

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>

