



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, November 7, 2018

6:00 P.M.

Josh Safdie was absent.

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, 10/17, 10/24
Staff Recommendation:	None at this time
ZBA Action:	Voted on October 24, 2018 to continue the application to December 12.
Current Status:	Voted on October 24, 2018 to continue the application to December 12.



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
Staff Recommendation:	None at this time
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018.
The Applicant submitted a written request to continue the application to November 28, 2018.	

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
Staff Recommendation:	Denial
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
The Applicant submitted a written request to continue the application to November 28, 2018.	

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, 9/17, 10/3, 10/17, 10/24, 11/7
Staff Recommendation:	None at this time
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
The Applicant submitted a written request to continue the application to November 28, 2018.	



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, 9/17, 10/3, 10/17, 10/24, 11/7
Staff Recommendation:	None at this time.
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
The Applicant submitted a written request to continue the application to November 28, 2018.	

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, 10/3, 10/17, 10/24, 11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
The Applicant submitted a written request to continue the application to November 28, 2018.	

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
Staff Recommendation:	Denial
ZBA Action:	Voted on November 7, 2018 to continue the application to January 9, 2018
The Applicant submitted a written request to continue the application to January 9, 2018.	



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
Staff Recommendation:	None at this time
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
The Applicant submitted a written request to continue the application to November 28, 2018.	

Previously Opened Cases to be Heard

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, 10/17, 10/24, 11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the application with conditions.
<p>The architect, Ben Ives, presents.</p> <p>Danielle Evans is concerned about the tree located in the front right yard.</p> <p>The Planning Staff is to include a condition that states the tree shall remain unless an arborist deems it unhealthy. The staff report should also amend Section 2: Compliance & Standards. It lists the property as having a third floor unit, when it is a single family.</p> <p>Richard Rossetti made the motion to approve the application with conditions. Elaine Severino seconded. Motion approved 5-0.</p>	



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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
The Applicant submitted a written request to continue the application to November 28, 2018.	

28 Chestnut Street (ZBA 2018-100)	
Applicant:	Lawrence Realty 28 Chestnut LLC
Property Owner:	Lawrence Realty 28 Chestnut LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Owner/Applicant Lawrence Realty 28 Chestnut LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 to change a warehousing use to an office/R&D use of more than 10,000sf and a Variance under §5.5 for 16 parking spaces. IA zone. Ward 2.
Date(s) of Hearing(s):	9/17, 10/3, 10/17, 10/24, 11/7
Staff Recommendation:	V: Unable to recommend SPSR: Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018.
The Applicant submitted a written request to continue the application to November 28, 2018.	



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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018
<p>Rich DiGirolamo presented.</p> <p>Linda Schwashberg, 20 Dane Avenue, though in support of the development, has massing concerns.</p> <p>Rod Cavarin, an abutter, is also concerned with its proportions.</p> <p>Lynett, 15 Dane Avenue, can understand her neighbors concerns, however feels this architect is one of the best to do this project.</p> <p>Steve Beiber, 20 Dane Avenue, states he is happy to have the eyesore being redone. He has concerns regarding the size.</p> <p>The applicant has provided multiple iterations to the Staff, incorporating the feedback from abutters. This is the best iteration while retaining the house (as it is a historic house).</p> <p>Alderman J.T. Scott states there were hurt feelings on both sides since the first neighborhood meeting. The applicant has done as much as they can to be a good neighbor.</p> <p>The Board does not feel comfortable with approving a special permit less than 2ft from the lot line, and are concerned with massing as well. They have suggested an option to remove one unit (two units, instead of three). The Board would feel more comfortable voting in favor of this project if the applicant could bring the house in to at least 3ft from the lot line. Anne Brockelman, in particular, states the architect has done a great job with hiding the massing, however three feet from the property line would allow her to vote in favor. Danielle Evans agrees.</p> <p>The Board is in favor of tying the condo to providing off-site parking for tenants.</p> <p>Richard Rossetti made the motion to continue the application to November 28, 2018. Elaine Severino seconded. Motion approved 5-0.</p>	



17 Fremont St (ZBA 2018-61)	
Applicant:	Yinhai Yang & Mei Bai
Property Owner:	Yinhai Yang & Mei Bai
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicants & Owners, Yinhai Yang & Mei Bai, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming structure by increasing the GFA by more than 25%, constructing an addition within the left side yard setback. Parking relief under Article 9.
Date(s) of Hearing(s):	10/24, 11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the application with conditions.
<p>The Applicant presented.</p> <p>Danielle Evans is suggesting adding a third unit.</p> <p>Elaine Severino noticed during her site visit, there was trash in the back of the house. It wasn't well kept. The Board was informed that an abutter is a habitual offender of dumping and leaving trash around the neighborhood. Elaine Severino suggests moving the barrels into the cellar, as the home is not currently occupied. Susan Fontano suggests the owner visit weekly to remove the trash.</p> <p>Richard Rossetti made the motion to approve the application with conditions. Elaine Severino seconded. Motion approved 5-0.</p>	

28 Fitchburg Street (ZBA 2018-99)	
Applicant:	Sherman and Goldman Realty Trust
Property Owner:	Sherman and Goldman Realty Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Owner/Applicant Sherman and Goldman Realty Trust, seeks a Special Permit with Site Plan Review under SZO §5.2 to change a warehousing use to an office/R&D use of more than 10,000sf and a Variance under §5.5 for 16 parking spaces. IA zone. Ward 2.
Date(s) of Hearing(s):	9/17, 10/3, 10/17, 10/24, 11/7
Staff Recommendation:	V: Unable to recommend SPSR: Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018.
<p>The Applicant submitted a written request to continue the application to November 28, 2018.</p>	



26 Ossipee Rd (ZBA 2018-113)	
Applicant:	Todd Billet
Property Owner:	Todd Billet
Agent:	N/A
Legal Notice:	Applicant and Owner, Todd Billet, sees Special Permits under §4.4.1 of the SZO to alter a non-conforming property by constructing a roof deck on top of a single-story garage on the property line. RZ zone. Ward 7.
Date(s) of Hearing(s):	10/17, 10/24, 11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the Special Permit with conditions.
<p>The Applicant presented.</p> <p>Sarah White is satisfied with what they've put forth as the applicant has done their due diligence.</p> <p>Danielle Evans is in support, and likes that it is pulled back. She does not have significant issues with this project.</p> <p>Richard Rossetti made the motion to approve the application with conditions. Elaine Severino seconded. Motion approved 5-0.</p>	

27 Gilman Street (ZBA 2018-112)	
Applicant:	Jason Sachs & Elif Soyer
Property Owner:	Jason Sachs & Elif Soyer
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants/Owners, Jason Sachs & Elif Soyer, seek special permits under §4.4.1 of the SZO to alter a non-conforming structure by converting a two-family to a three-family. Parking relief under Article 9. RB zone. Ward 1.
Date(s) of Hearing(s):	10/3, 10/17, 10/18, 10/24, 11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018.
<p>The Applicant submitted a written request to continue the application to November 28, 2018.</p>	



New Cases to be Opened and Heard

2 Village Terrace Unit #5 (ZBA 2018-132)	
Applicant:	Michael Bell
Property Owner:	Michael Bell
Agent:	Richard Schreiber
Legal Notice:	Applicant and Owner, Michael Bell, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming building by adding a rear balcony and staircase to the second floor. RC zone. Ward 2.
Date(s) of Hearing(s):	11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the Special Permit with conditions.
Richard Rossetti made the motion to approve the application with conditions. Elaine Severino seconded. Motion approved 5-0.	

22-24 Fountain Ave (ZBA 2018-117)	
Applicant:	Prospect Realty Advisors, Inc
Property Owner:	Anthony J. Megna
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant, Prospect Realty Advisors, Inc. and Owner, Anthony J. Megna, seek 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% after moving the existing building to the front of the property and adding a rear addition. Special Permit for a non-conforming rear yard setback. Parking relief under Article 9 of the SZO. RB zone. Ward 1
Date(s) of Hearing(s):	11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the application with conditions.
The Applicant presented.	
The architect agrees to work with the Planning Staff regarding improving the landscape area, per Anne Brockelman. Danielle Evans is in support of this project but suggests replacing the shrubs in the front to trees.	
Richard Rossetti made the motion to approve the application with conditions. Elaine Severino seconded. Motion approved 5-0.	



292 Beacon Street (ZBA 2018-118)	
Applicant:	Kenn Spera
Property Owner:	Kenn Spera
Agent:	N/A
Legal Notice:	Applicant and Owner, Kenn Spera, seeks a Special Permit under SZO §7.11.1.c and §9.13 as well as a Variance under §5.5 and §8.5 to construct a new four-story wood framed structure with five dwelling units and underground parking. RC Zone. Ward 2
Date(s) of Hearing(s):	11/7
Staff Recommendation:	SP: Conditional Approval V: Unable to Recommend
ZBA Action:	Voted on November 7, 2018 to approve the Special Permit and Variance with conditions.
<p>The Applicant presents.</p> <p>The Board notes they have received two written comments in favor of this project.</p> <p>Richard Clanser, 35 Dane Ave, has seen the applicant building other buildings, day in and day out. He appreciates this gentleman's craftsmanship. He is in support of this project.</p> <p>Richard Rossetti made the motion to approve the Special Permit with conditions. Elaine Severino seconded. Motion approved 5-0.</p> <p>Richard Rossetti made the motion to approve the Variance with conditions. Elaine Severino seconded. Motion approved 5-0.</p>	

30 Franklin St (ZBA 2018-126)	
Applicant:	David Choi
Property Owner:	David Choi
Agent:	David Choi
Legal Notice:	Applicant, David Choi, and Owner, Ibrahim Ibrahim, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by converting the existing single family into a two family, increasing the height to 2.5 stories, and constructing an addition to the house. RB Zone. Ward 1.
Date(s) of Hearing(s):	11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the Special Permit with conditions
<p>The Applicant presented.</p> <p>Guss, 32 Franklin Street, is in support of this project however, would like the white fence to be removed.</p> <p>The Staff is to condition the removal of the fence, in addition to specifying the hours permitted for construction.</p> <p>Elaine Severino would like an apron of pervious pavers as well as a condition to include the driveway.</p> <p>Richard Rossetti made the motion to approve the Special Permit with conditions. Elaine Severino seconded. Motion approved 5-0.</p>	



395 Alewife Brook Parkway (ZBA 2018-40)	
Applicant:	395 ABP
Property Owner:	G.E. & M. Auto Service, Inc
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant, 395 ABP, LLC and Owner, G.E. & M. Auto Service, Inc., seek a Special Permit with Site Plan Review (SPSR) to construct a four-story, 23-unit residential building. Affordable units to be provided under Article 13 of the SZO. Special Permit for parking relief and to provide compact spaces under Article 9 of the SZO. NB zone. Ward 7.
Date(s) of Hearing(s):	11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to continue the application to November 28, 2018.
The Applicant submitted a written request to continue the application to November 28, 2018.	

161 Linwood Street (ZBA 2015-49-R2-10/18)	
Applicant:	Phil Naffah, Harvey Signs
Property Owner:	Herbert Chambers
Agent:	Phillip Naffah
Legal Notice:	Applicant, Phil Naffah, Harvey Signs, and Owner, Herbert Chambers, seeks a Revision to a previously approved Special Permit (ZBA 2015-49) for signage. IA Zone. Ward 2.
Date(s) of Hearing(s):	11/7
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on November 7, 2018 to approve the Special Permit with conditions.
The Applicant presented.	
Richard Rossetti made the motion to approve the Special Permit with conditions. Elaine Severino seconded. Motion approved 5-0.	

Other Business:

- The Board approved meeting minutes from October 3, 2018.
- The Board voted to continue the approval of October 24, 2018 meeting minutes.
- The Board voted to continue the approval of the 2019 ZBA Calendar

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>

