



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
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GEORGE J. PROAKIS  
EXECUTIVE DIRECTOR

*PLANNING DIVISION*

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DANIEL BARTMAN, *SENIOR PLANNER*  
SARAH WHITE, *PLANNER / PRESERVATION PLANNER*  
ALEX MELLO, *PLANNER*  
MONIQUE BALDWIN, *ADMINISTRATIVE ASSISTANT*

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**ZONING BOARD OF APPEALS MINUTES**

Visiting Nurse Association 3<sup>rd</sup> Floor Community Room, 259 Lowell Street, Somerville MA  
Wednesday, June 19, 2019  
6:00 P.M.

**Previously Opened Cases Continued to a Future Date**

<b><u>29 Ward Street (ZBA 2019-42):</u></b>	
Applicant:	Scott Flanagan
Property Owner:	Scott Flanagan
Agent:	N/A
Legal Notice:	Applicant / Owner, Scott Flanagan, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a third story and adding a third dwelling unit. A special permit is also being sought under SZO §9.13 for parking relief. BA Zone. Ward 2.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 5, 2019 to continue the application to July 17, 2019.
Current Status:	Continued to July 17, 2019.

<b>65 Bailey Road (ZBA 2019-27):</b>	
Applicant:	Jose F. and Ligia L. Couto
Property Owner:	Jose F. and Ligia L. Couto
Agent:	N/A
Legal Notice:	Applicants and Owners, Jose F. and Ligia L. Couto, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming structure by constructing a dormer within the left side yard setback. Parking relief under Article 9. RA zone. Ward 4.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 5, 2019 to continue the application to July 17, 2019.
Current Status:	Continued to July 17, 2019.

**Previously Opened Cases to Request a Continuance**

<b>171 Cedar Street (ZBA 2018-191)</b>	
Applicant:	171 Cedar Street, LLC
Property Owner:	171 Cedar Street, LLC
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, 171 Cedar Street, LLC, seeks special permits under §4.4.1 of the SZO for alterations to a non-conforming property including increasing the gross floor area of more than 25%. Number of units to increase from two to five. Special Permit with Site Plan Review (SPSR). Parking relief under Article 9 of the SZO. BB zone. Ward 5.
Date(s) of Hearing(s):	2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>16 Whipple Street (ZBA 2018-173):</b>	
Applicant:	David Feeney
Property Owner:	David Feeney
Agent:	N/A
Legal Notice:	Applicant and Owner, David Feeney, seeks a Special Permit under §4.4.1 to construct a dormer within the left side yard setback. RC zone. Ward 6.

Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	See Staff Report Recommendation
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>40 Columbus Avenue (ZBA 2018-147)</b>	
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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>24 Hanson Street (ZBA 2018-161)</b>	
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, 2/6, 2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to August 7, 2019.
Minutes:	No discussion.

<b>346 Somerville Avenue (ZBA 2019-19) Re-Advertised:</b>	
Applicant:	346 Somerville Avenue, LLC
Property Owner:	Palmac Realty Corp
Agent:	N/A
Legal Notice:	Applicant, 346 Somerville Ave., LLC, and Owner, Palmac Realty Corp proposes a project that requires zoning relief from two boards: the Planning Board and the ZBA. All special permitting for this project falls under the purview of the Planning Board. The ZBA is the only board that can grant variances. The Applicant seeks variances from the ZBA including lot area per dwelling unit, height, and number of stories. CCD-55. Ward 2.
Date(s) of Hearing(s):	3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>169 Tremont St: (ZBA 2019-17)</b>	
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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>42 Henderson Street (ZBA 2018-189)</b>	
Applicant:	Gary J. Lopresti
Property Owner:	MaryAnn Rapoza
Agent:	Richard DiGiralomo

Legal Notice:	Applicant and Owner, XYZ32MP, Inc., seeks Special Permits under §4.4.1 for alterations to a non-conforming property including adding a dormer and deck within the left side yard setback, increasing the non-conforming FAR through renovations. Parking relief under Article 9 of the SZO. RB zone. Ward 5.
Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b><u>31 Heath Street (ZBA 2019-39):</u></b>	
Applicant:	Sunnia Ko Davis & Marlon Davis
Property Owner:	Sunnia Ko Davis & Marlon Davis
Agent:	
Legal Notice:	Applicants and Owners, Sunnia Ko Davis & Marlon Davis, seek Variances under §5.5 of the SZO and Special Permits under § 4.4.1, 8.5 to convert an existing two-story accessory structure into two floors of finished living space with a bathroom on each floor. RB zone. Ward 4.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Denial
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b><u>187 Central Street (ZBA 2019-29):</u></b>	
Applicant:	Nora, LLC
Property Owner:	Nora, LLC
Agent:	Richard D. Giralamo
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

Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

**Previously Opened Cases to be Heard**

<b><u>106 Bromfield Road (ZBA 2019-44):</u></b>	
Applicant:	Cristian dos Santos
Property Owner:	David L. Jennings, III
Agent:	N/A
Legal Notice:	Applicant, Cristian dos Santos, and owner, David L. Jennings, III, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming property. Alterations may include rear egress stairs and changes to a non-conforming rear deck.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to Withdraw the Request for Special Permit Without Prejudice.
Minutes:	No discussion.

<b><u>337 Somerville Avenue (ZBA 2016-116 R2-04/2019):</u></b>	
Applicant:	BwB-Square & Owner, GNJ Real Estate Holdings, LLC
Property Owner:	BwB-Square & Owner, GNJ Real Estate Holdings, LLC
Agent:	N/A
Legal Notice:	Applicant, BwB-Square & Owner, GNJ Real Estate Holdings, LLC, seek to revise Special Permit #ZBA 2016-116 under §5.3.8 of the SZO. The applicant seeks to amend condition #5 (a condition that corresponds only to the NB-zoned portion of the property) such that the brewing establishment ceases outside activities at 12am, which coincides with their liquor license restrictions. NB zone. Ward 2.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>47 Oliver Street (ZBA2018-194)</b>	
Applicant:	North America Development
Property Owner:	Selma P. Damasceno
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owner, Selma P. Damasceno, seek special permits under §4.4.1 of the SZO to alter a non-conforming property including increasing the Gross Floor Area (GFA) by more than 25%, upward and linear extension of the non-conforming left side yard setback through the construction of a large rear addition. Number of units to increase from two to three. Parking relief under Article 9 of the SZO. RB zone. Ward 1.
Date(s) of Hearing(s):	2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	No recommendation at this time.
ZBA Action:	Voted on June 19, 2019 to conditionally approve the request for special permit.
Minutes:	<p>The Applicant provided an overview of the project. The Applicant requested conditions number 5, 6, and 16 be stricken. The Applicant also requested to amend condition number one to include the provision of compact parking spaces.</p> <p>** Anne Brockelman and Danielle Evans stated they each have listened to the tape.</p> <p>Danielle Evans: I am happy to see the hatches.</p> <p>Drew Kane: Is the tree being proposed adjacent to the two parking spaces or is it not being shown in the landscape plan?</p> <p>Applicant: It is located on the opposite corner of the parking—the northeast corner.</p> <p>Danielle Evans made a motion to conditionally approve the request for special permit with the amendments to the conditions. Elaine Severino seconded. Motion approved 5-0.</p>

<b>118-124 College Avenue (ZBA 2018-166)</b>	
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, 2/6, 2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	Deny administrative appeal and uphold ISD decision.
ZBA Action:	Voted on June 19, 2019 to deny the administrative appeal. Voted on June 19, 2019 to uphold the IDS decision.
Minutes:	<p>Meredith Porter 104 Josephine Avenue provided an overview of the project.</p> <p>Sarah White: He is here not appealing the Zoning Board decision as none of the bases on which Mr. Porter has filed his appeal are actually bases on which one can appeal a building permit. The only way to appeal a ZBA decision is in court, within the 20 day appeal period. That appeal period ended. His argument is regarding affordability, meaning you provide in circumstance one <b>OR</b> a fractional payment.</p> <p>Hans Jensen, ISD: This is simply too late. The appeal period has passed.</p> <p>Meredith Porter: I went to the Planning Office to ask what the process was for appealing the decision in court. Alex Mello stated 1) no advice could be provided on that. 2) a better thing to do would be to appeal the Building Permit. There were concerns that were raised at the final hearing which were not addressed. No one had at least spoken to those points. That has generated a source of frustration. The largest concern has been around the contribution to affordable housing.</p> <p>Josh Safdie: Page 6 is copied from the ordinance. That was in a Staff Report. If you want to bring a case forward or question then it is on you to get the correct information. This is incorrect. This table applies to all developments with SPSR general requirement. But section 7.3 requires 20% and regardless <b>OR</b> at least one unit- regardless of the size.</p> <p>Danielle Evans made a motion to deny the administrative appeal. Elaine Severino seconded. Motion approved 5-0. Danielle Evans made a motion to uphold the ISD decision. Elaine Severino seconded. Motion approved 5-0.</p>

<b><u>14 Cutler Street (ZBA 2018-180)</u></b>	
Applicant:	Margaret O'Meara
Property Owner:	Margaret O'Meara
Agent:	N/A
Legal Notice:	Applicant and Owner, Margaret O'Meara, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a rear deck within the required right side yard setback. RB Zone. Ward 5.
Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue to conditionally approve the request for special permit.
Minutes:	The Applicant provided an overview of the project.  Danielle Evans: I cannot support a deck so close to the property line.  Danielle Evans made a motion to conditionally approve the request for special permit. Seconded by Elaine Severino. Motion approved 4-1.

<b><u>39 Tennyson Street (ZBA 2018-149)</u></b>	
Applicant:	Derick Snare
Property Owner:	Eddie and Dulce Giron
Agent:	N/A
Legal Notice:	Applicant, Derick Snare, and Owner, Eddie and Dulce Giron, seek a special permit under SZO §4.4.1 to alter a nonconforming structure to alter the roof with a rear gable and dormers and constructing decks in the right side yard. RB Zone. Ward 4.
Date(s) of Hearing(s):	5/15, 6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to conditionally approve the request for special permit
Minutes:	The Applicant provided an overview of the project.  **Danielle Evans stated she has listened to the audio recording of this case. Elaine Severino: This looks so much better.  Danielle Evans made a motion to conditionally approve the request for special permit. Elaine Severino seconded. Motion approved 5-0.

<b><u>10-12 Ward Street (ZBA 2017-122-E-12/18)</u></b>	
Applicant:	Block Properties, LLC
Property Owner:	14 Ward Street, LLC
Agent:	N/A
Legal Notice:	Applicant, Block Properties, LLC, and owner, 14 Ward Street, LLC, seek a revision to a special permit under §5.3.8 of the SZO. Proposed changes include window arrangement.
Date(s) of Hearing(s):	5/1, 5/15, 6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on May 15, 2019 to continue to June 19, 2019.
Minutes:	<p>The Applicant provided an overview of the project.</p> <p>Josh Safdie: The other piece commented was between Special Permit approval. Gone from sketch up to 2d. Now showing skewed elevations.</p> <p>Anne Brockelman: On pages 10c and 12c can you fit two spaces and an access isle?</p> <p>Josh Safdie: There are changes to the handicapped parking.</p> <p>Danielle Evans made a motion to conditionally approve the request for special permit with the amendments to the conditions. Elaine Severino seconded. Motion approved 5-0.</p>

<b>74 Winslow Avenue: (ZBA 2019-11)</b>	
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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b><u>7 Summer Street (ZBA 2018-107-R1-5/19):</u></b>	
Applicant:	35atSummer, LLC
Property Owner:	35atSummer, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant / Owner, 35atSummer, LLC, seeks a revision to a previously approved special permit (ZBA 2018-107) under SZO §5.3.8 to make changes to the building including raising the height by 2.8 feet, adding rear entry stairs, an ADA compliant ramp, stone retaining wall, and added/removed windows. NB Zone. Ward 3.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to conditionally approve the request for special permit.
Minutes:	<p>The Applicant provided an overview of the project.</p> <p>Susan Fontano: What type of material will be used?</p> <p>The Applicant: Cedar.</p> <p>Drew Kane: What is the width of the sidewalk of the building that sits near Summer Street? I want to make sure there is ample room on the sidewalk for pedestrians.</p> <p>Applicant: I believe 7 or 8 feet.</p> <p>Danielle Evans made a motion to conditionally approve the request for special permit. Elaine Severino seconded. Motion approved 5-0.</p>

<b><u>50-54 Murdock Street (ZBA 2018-19-R1-4/19):</u></b>	
Applicant:	Roberto Grieco
Property Owner:	Alida Elena Grieco, Trustee of the Fifty Murdock Investment Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant, Roberto Grieco, and Owner, Alida Elena Grieco, Trustee of the Fifty Murdock Investment Trust, seek a revision to a previously approved special permit (ZBA 2018-19) under SZO §5.3.8 to make changes to the right side of the building. RB Zone. Ward 5.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b><u>137 Summer Street (ZBA 2019-40):</u></b>	
Applicant:	137 Summer Street, LLC
Property Owner:	137 Summer Street, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant and Owner, 137 Summer Street, LLC, seeks special permits under §4.4.1 of the SZO to alter a non-conforming structure by increasing the GFA by more than 25% and constructing a 3-story addition within the left side yard setback. Parking relief under Article 9 of the SZO. Number of units will increase from two to three. RB zone. Ward 3.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b><u>60 Vernon Street (ZBA 2019-38):</u></b>	
Applicant:	Joel Luis
Property Owner:	Avelino Luis
Agent:	N/A
Legal Notice:	Applicant, Joel Luis, and Owner, Avelino Luis, seek special permits to alter a non-conforming property by adding an addition within the setbacks for a second living unit. GFA increase of more than 25%. Parking relief under Article 9 of the SZO. RB zone. Ward 5.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Recommendation forthcoming.
ZBA Action:	Voted on June 19, 2019 to conditionally approve the request for special permit.

Minutes:	<p>The Applicant provided an overview of the project.</p> <p>Drew Kane: Have you spoken with the neighbor?</p> <p>Applicant: Yes. This project is for his sister.</p> <p>Elaine Severino: I like the backyard.</p> <p>Drew Kane: Can we add a condition (#14) to rip up the extra pavement beyond the gate shall be removed into the backyard and be landscaped instead. Please add an apron at the beginning, where it meets the sidewalk going up 6 feet. The rest remains existing up until the gate, along with a hardscaped permeable pathway to get into the units. A revised landscaped plan would have to be submitted to Planning Staff.</p> <p>Danielle Evans made a motion to conditionally approve the request for special permit. Elaine Severino seconded. Motion approved 5-0</p>
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<b>241 Summer Street (ZBA 2019-18)</b>	
Applicant:	Gary J. Lopresti
Property Owner:	MaryAnn Rapoza
Agent:	N/A
Legal Notice:	Applicant, Gary J. Lopresti, and Owner, MaryAnn Rapoza, see Special Permits under §4.4.1 of the SZO to enclose a first floor rear porch within the left and rear yard setbacks. RB zone. Ward 5.
Date(s) of Hearing(s):	4/3, 4/17, 5/, 5/15, 6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

<b>81-83 Alpine Street (ZBA 2018-141)</b>	
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, 2/6, 2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19
Staff Recommendation:	Recommendation forthcoming.
ZBA Action:	Voted on June 19, 2019 to conditionally approve the request for special permit.
Minutes:	The Applicant provided an overview of the project.  **Danielle Evans and Josh Safdie stated they had listened to the audio file for this case.  Danielle Evans made a motion to conditionally approve the request for special permit. Elaine Severino seconded. Motion approved 5-0

<b><u>156 Hudson Street (ZBA 2019-36):</u></b>	
Applicant:	North America Development
Property Owner:	Hudson and Lisa Santana
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owners, Hudson and Lisa Santana, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing an addition, adding a third story, and converting it into a two-family dwelling. A special permit for parking relief is also being sought under SZO §9.13. RB Zone. Ward 5.
Date(s) of Hearing(s):	6/5, 6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Minutes:	No discussion.

**New Cases to be Opened and Heard**

<b><u>96 Wheatland Street (RE-ADVERTISED ZBA 2018-175):</u></b>	
Applicant:	Xia Li
Property Owner:	Xia Li
Agent:	N/A
Legal Notice:	Applicant / Owner, Xia Li, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure to construct a rear addition and a special permit under SZO §9.13 for parking relief. RB Zone. Ward 4.
Date(s) of Hearing(s):	5/15, 6/5, 6/19

Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19 to conditionally approve the request for special permit.
Minutes:	<p>The Applicant provided an overview of the project.</p> <p>** Danielle Evans stated she has listened to the audio for this case.</p> <p>Sarah White: On page A3 both images are labeled as proposed. Please change the label to existing.</p> <p>Danielle Evans made a motion to conditionally approve the request for special permit with the amendment to the plan set. Elaine Severino seconded. Motion approved 5-0</p>

<b><u>11 Cedar Street (ZBA 2018-84):</u></b>	
Applicant:	John D. Barry, Esq.,
Property Owner:	Cheryl A. Hurley and Carl A. Hurley
Agent:	N/A
Legal Notice:	Applicant, John D. Barry, Esq., and Owners, Cheryl A. Hurley and Carl A. Hurley, seek a special permit with site plan review under SZO §7.2 and §7.3 to erect a second principal structure on the lot and to have five dwelling units on the lot. The proposal is to demolish the existing garage structure and erect a new three-unit dwelling in the rear of the site. A special permit under SZO §4.4.1 to alter the existing nonconforming structure by constructing a rear deck and under SZO §9.13 for parking relief is also required. RB Zone. Ward 5.
Date(s) of Hearing(s):	6/19
Staff Recommendation:	Revisions recommended
ZBA Action:	Voted on June 19, 2019 to continue to August 7, 2019.

Minutes:	<p>The Applicant provided an overview of the project.</p> <p>Sarah White: This was Alex Mello's case. Having read the staff report, I encourage you to have an in-depth conversation especially regarding the bulk of the building. The building is too large for that lot and the shade and privacy seems to encroach. There are concerns regarding parking. There is no greater good that this project is bringing to the City.</p> <p>Cathy McNeil: The size of the building is concerning. She has a very small strip of property in her backyard. It will block her sunlight, she has tenants, and this is an income property. If tenants leave, there is no space in back that is private and sunny. Parking is concerning.</p> <p>The Board requests a proper shadow study. The Board has outlined specifically that they would like to see the equinox, solstice and three points during day (perhaps 9, 12, and/or 3 to 4). It should also include existing trees.</p> <p>David Wilson, 9 Cedar Street: Has several concerns; none of us were aware of abutters meeting. Is concerned about the process of construction and impact it will have. The proposed structure comes close to an easement that is shared between 9 and 11 Cedar Street.</p> <p>The Board has left the comment period open for this case.</p> <p>Anne Brockelman: How can cars can park without going onto 9 Cedar? Grove Court is a private way?</p> <p>Danielle Evans made a motion to continue to August 7, 2019. Elaine Severino seconded. Motion approved 5-0.</p>
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<b><u>27 Tufts Street (ZBA 2018-195):</u></b>	
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
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue to August 7, 2019.

Minutes:	<p>The Applicant provided an overview of the project.</p> <p>Hans Jensen—this site is approximately 530 sf from the Washington street T Stop.</p> <p>Drew Kane: It’s hard to sell to have no parking at all on the site. He’s torn because he believes in the principals but worries with 3 new units. The site plan and, in particular, the landscape plan. The 20ft landscape shows no plans for space to plant shade trees. He is concerned reardin the urban heat island affets and encourages trees.</p> <p>Josh Safdie: The conversation about architectural style is a nonstarter. He appreciates what the architect is saying. He’s fine with the style. It could still be in keeping in terms of material, the way it relates to the yard and street. One way it could feel like it had a lesser impact was if there was a connection to the back of the existing dwelling unit was more minimal. On A001 is aspalut going to be pulled up? The roof deck, where is it?</p> <p>The Applicant: Yes. That was part of intention in reconfiguring the landscape. You will not be able to see it from the street?</p> <p>Danielle Evans made a motion to continue to August 7, 2019. Elaine Severino seconded. Motion approved 5-0.</p>
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<b><u>126 Pearl Street (ZBA 2019-46):</u></b>	
Applicant:	Phellarisimo, LLC
Property Owner:	Phellarisimo, LLC
Agent:	N/A
Legal Notice:	Applicant and Owner, Phellarisimo, LLC, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by performing a complete renovation of the retail façade including new siding, signage, light fixtures, and doors/windows. RB Zone. Ward 1.
Date(s) of Hearing(s):	6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue to July 17, 2019.
Minutes:	No discussion.

<b><u>76 Wallace Street (ZBA 2019-51):</u></b>	
Applicant:	Tim and Ellen Finn
Property Owner:	Tim and Ellen Finn
Agent:	N/A
Legal Notice:	Applicants and Owners, Tim and Ellen Finn, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a dormer within the required right side yard setback. The structure will be converted from a two-family dwelling into a single family dwelling. RA Zone. Ward 6.
Date(s) of Hearing(s):	6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to conditionally approve the request for special permit.
Minutes:	The Applicant provided an overview of the project.  Susan Fontano: It's unusual for someone to go from a two family to a one family.  Josh Safdie: It's a tough lot for landscaping. There isn't really anything else they could do regarding landscaping.  Danielle Evans made a motion to conditionally approve the request for special permit. Motion approved 5-0.

<b><u>23A Bow Street (ZBA 2019-47):</u></b>	
Applicant:	Sophia P. Ibarra Deschamps / Ibarra Bars, LLC
Property Owner:	Eddie Giron
Agent:	N/A
Legal Notice:	Applicant, Sophia P. Ibarra Deschamps / Ibarra Bars, LLC, and Owner, Eddie Giron of Musician Realty Trust, LLC, seek Special Permits under Article 7 of the SZO to establish a bar, Article 9 of the SZO for parking relief, and Article 4 of the SZO to alter a non-conforming structure. NB zone. Ward 3.
Date(s) of Hearing(s):	6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue to July 17, 2019.
Minutes:	No discussion.

<b><u>365 Somerville Avenue (ZBA 2019-50):</u></b>	
Applicant:	Nikhilsh Rao Goruknati
Property Owner:	Riggins Holdings, LLC
Agent:	N/A
Legal Notice:	Applicant, Nikhilsh Rao Goruknati, and Property Owner, Riggins Holdings, LLC, seek special permits to convert from a café use to dentist office. Parking relief under Article 9. Ward 2.
Date(s) of Hearing(s):	6/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 19, 2019 to continue to July 17, 2019.
Minutes:	No discussion.

<b><u>391-395 Somerville Avenue (ZBA 2019-37):</u></b>	
Applicant:	Somerville Avenue Trust, LLC
Property Owner:	Somerville Avenue Trust, LLC
Agent:	N/A
Legal Notice:	Applicant and Owner, Somerville Avenue Trust, LLC, seeks a Special Permit with Site Plan Review (SPSR) to increase the number of residential units on the site from seven to 10 by constructing a new, three-family structure on the lot (Article 7). Relief under Section 4.4.1 to further reduce the non-conforming lot area per dwelling unit ratio. Parking relief under Article 9. BA zone. Ward 2.
Date(s) of Hearing(s):	6/19
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19 to conditionally approve the request for special permit.

Minutes:	<p>The Applicant provided an overview of the project.</p> <p>Sarah White: Would like to be clear the Applicant is going to add inclusionary unit on this site. I would like to make sure an additional condition is included that states the inclusionary housing will be provided and that the Somerville housing office that will determine which it will be as condition #35. Condition #36 will be regarding Airbnb rentals and the City's policies.</p> <p>Drew Kane: Landscaping planning to plant shade or canopy trees rather than shrubbery.</p> <p>Applicant: The existing street tree we are trying to preserve. In the back they are proposing a couple of shade trees. We would develop a landscape plan as part of the condition to review with the neighbor.</p> <p>Danielle Evans made a motion to conditionally approve the request for special permit with the amendment to the plan set. Elaine Severino seconded. Motion approved 5-0</p>
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**Other Business:**

There was no other business.

*NOTICE: While reasonable efforts have been made to assure the accuracy of the data provided in these minutes, do not rely on this information as the complete and accurate portrayal of the events in the meeting without first checking with the Planning Division staff. If any discrepancies exist, the decisions filed by the Board serve as the relevant record for each case. The Planning Division also maintains audio recordings of most Board meetings that are available upon request.*