



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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ELAINE SEVERINO
JOSH SAFDIE
ANNE BROCKELMAN, *ALT.*
POOJA PHALTANKAR, *ALT.*

ZONING BOARD OF APPEALS MINUTES

Somerville High School Auditorium, 81 Highland Avenue, Somerville, MA
Wednesday, June 7, 2017
6:00 P.M.

Pooja Phaltankar absent.

Previously Opened Cases that are Requesting a Continuance

17 Porter Street: (Case #ZBA 2016-90)	
Applicant:	Daniel & Amanda Casparriello
Property Owner:	Daniel & Amanda Casparriello
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owners, Daniel and Amanda Casparriello, seek a Special Permit under SZO §4.4.1 to substantially alter an existing non-conforming structure by adding additions, decreasing the front yard setback, and increasing FAR, parking relief under SZO §9.13, and a Variance for ground coverage. RB zone. Ward 5.
Date(s) of Hearing(s):	9/21, 10/5, 11/2, 11/16, 12/7/16, 1/18/17, 2/15, 3/15, 4/19, 5/3, 6/7

Staff Recommendation:	None at this time.
ZBA Action:	Voted on May 3, 2017 to continue the application to June 7, 2017.
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

31 Porter Street: (Case #ZBA 2016-119)	
Applicant:	31 Porter Street, LLC
Property Owner:	31 Porter Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 31 Porter Street, LLC, seeks Special Permits under SZO §7.3 to increase the maximum number of dwelling units per lot from three to eight, Special Permit to extend existing non-conformities under §4.4.1 and parking relief under §9.13 of the SZO. RB zone. Ward 3.
Date(s) of Hearing(s):	11/16, 12/7/16, 1/18/17, 2/15, 3/15, 4/19, 5/3, 6/7
Staff Recommendation:	None at this time.
ZBA Action:	Voted on May 3, 2017 to continue the application to June 7, 2017.
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

13 Alpine Street: (Case #ZBA 2016-75)	
Applicant:	2-13 Alpine St., LLC
Property Owner:	2-13 Alpine St., LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 2-13 Alpine St. LLC, seeks Special Permits under §4.4.1 of the SZO to extending existing non-conformities, §7.11 to create more than three residential units, and Article 9 for parking relief. BB zone. Ward 5.
Date(s) of Hearing(s):	5/3, 6/7
Staff Recommendation:	None at this time.
ZBA Action:	Voted on May 3, 2017 to continue the application to June 7, 2017.
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

85-87 Gilman Street: (Case #ZBA 2017-26)	
Applicant:	James Balan
Property Owner:	Xiaomin Song
Agent:	N/A
Legal Notice:	Applicant, James Balan, and Owner, Xiaomin Song, seek a Special Permit under SZO §4.4.1 to perform alterations within the required front and left side yard setbacks of a nonconforming structure by adding a third story to the two-family dwelling. RB zone. Ward 1.
Date(s) of Hearing(s):	5/17, 6/7
Staff Recommendation:	Recommends conditional approval.

ZBA Action:	Voted on May 17, 2017 to continue the application to June 7, 2017.
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

New Cases to be Opened that are Requesting a Continuance

34 & 38 Dane Street: (Case #ZBA 2017-31)	
Applicant:	Paulo Dasilva & Cassia Silva
Property Owner:	Paulo Dasilva & Cassia Silva
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant/Owner, Paulo Dasilva and Cassia Silva, seek a Special Permit under Sections 7.11.1.c, 4.4.1, and 9.13 of the Somerville Zoning Ordinance (SZO) to renovate an existing nonconforming two-family dwelling, construct a new three-family dwelling, and parking relief to establish a total of five dwelling units on the site. RC Zone. Ward 3.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	None at this time.
ZBA Action:	---
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

24-28 Mount Pleasant Street: (Case #ZBA 2017-11)	
Applicant:	Warren A. Chaille, Trustee of the Chaille Trust
Property Owner:	Warren A. Chaille, Trustee of the Chaille Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, Warren A. Chaille, Trustee of the Chaille Trust, seeks a Special Permit under Section 7.3 of the Somerville Zoning Ordinance (SZO) to relocate, renovate, and construct an addition to the existing two-family dwelling to create a six-unit dwelling building. RB Zone. Ward 1.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	None at this time.
ZBA Action:	---
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

263 Washington Street: (Case #ZBA 2017-40)	
Applicant:	261-263 Washington Somerville, LLC
Property Owner:	Michael E. & Constance O'Connor
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, 261-263 Washington Somerville, LLC, and Owners, Michael E. & Constance O'Connor, seek Special Permits under the SZO Section 4.4.1 to increase the height of the building from three stories to four, increase the FAR to 2.0 and add an addition in the rear. Parking relief is sought under Section 9.13 of the SZO. NB zone. Ward 2.

Date(s) of Hearing(s):	6/7
Staff Recommendation:	None at this time.
ZBA Action:	---
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

41 Heath Street: (Case #ZBA 2017-32)	
Applicant:	Olga Bassa
Property Owner:	Francisco P. & Joana M. Barbosa
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Olga Bassa, and Owners, Francisco P. & Joana M. Barbosa, seek Special Permits under Section 4.4.1 of the SZO to extend existing non-conformities along the left side yard setback, increase the building height, upward extension of the existing, non-conforming left and right side yard setbacks, and increase the FAR. Relief under Section 7.11 is sought to increase the number of units from one to three. Parking relief is sought under Section 9.13 of the SZO. RB zone. Ward 4.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	None at this time.
ZBA Action:	---
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

51 Boston Street: (Case #ZBA 2017-39)	
Applicant:	Ji Shi
Property Owner:	Ji Shi
Agent:	N/A
Legal Notice:	Applicant and Owner, Ji Shi, seeks Special Permits to increase the non-conforming FAR, add a bedroom and bathroom to the attic and finish the basement. Parking relief is sought under Section 9.13 of the SZO.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	None at this time.
ZBA Action:	---
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

Previously Opened Cases to be Heard

275A Highland Avenue: (Case #ZBA 2017-28)	
Applicant:	Lennie Alickman
Property Owner:	Stacy Alickman Trust
Agent:	N/A
Legal Notice:	Applicant, Lennie Alickman, and Owner, Stacy Alickman Trust, seek a special permit under 4.4.1 of the Somerville Zoning Ordinance to perform alterations to a nonconforming structure that include relocating a door and windows. RC zone. Ward 5.
Date(s) of Hearing(s):	5/3, 5/17, 6/7

Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on May 17, 2017 to continue the application to June 7, 2017.
Architect: presented exterior design changes to project.	
Susan Fontano: noted that the new design was a vast improvement. Asked about landscaping in rear? (architect – asphalt in rear would be taken up).	
Staff Alex Mello asked if the front windows would pop out over the public way. (reply – they will). Mello	
Board revised conditions: Asphalt in rear will be taken up and landscaped in its place (e.g. patio pavers, landscaping, etc.). Planning Staff will work with Applicant on windows that don't overflow the public way. Richard Rossetti made a motion to conditionally approve the application. Seconded by Elaine Severino. Motion passed 5-0.	

292 Beacon Street: (Case #ZBA 2007-11-R3-3/2017)	
Applicant:	Kenn Spera
Property Owner:	Kenn Spera
Agent:	N/A
Legal Notice:	Applicant/Owner, Kenn Spera, seeks a Revision to a special permit (ZBA 2007-11, ZBA 2007-11R0508, and ZBA 2007-50) under SZO §5.3.8 to alter the footprint and a Variance under SZO §5.5 and SZO §8.5 to alter the height of the previously approved rear structure to build and approximately 4,850 square foot mixed use building with four residential units and one commercial unit. RC zone. Ward 2.
Date(s) of Hearing(s):	5/17, 6/7
Staff Recommendation:	Special Permit – Recommends conditional approval Variance – Unable to recommend approval
ZBA Action:	Voted on May 17, 2017 to continue the application to June 7, 2017.
The Applicant submitted a written request to continue the application to June 21, 2017. Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 4-0.	

New Cases to be Opened and Heard

120 Washington Street: (Case #ZBA 2017-35)	
Applicant:	Mark Food Enterprises, Inc.
Property Owner:	ITS Realty, LLC
Agent:	Sean T. O'Donovan, Esq.
Legal Notice:	Applicant, Mark Food Enterprises, Inc., and Owner, ITS Realty LLC, seek a Special Permit under Section 9.13 of the Somerville Zoning Ordinance (SZO) for parking relief to construct a patio to locate twenty-four outdoor dining seats. IA Zone. Ward 1.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---

Sean O'Donovan: explained the Applicant's petition to add outdoor seating. No public comment was given.

Susan Fontano: do more tables and seats give applicant more of an alcohol license than he currently has?
O'Donovan: said he understood the question but it didn't change the licensing requirements.

Fontano: confirmed the patio can only be accessed from within the restaurant; confirmed it would be closed off during inclement weather.

Richard Rossetti: wanted to know if they were capped out at 176 total seats and if it would go back down to 152.
Alex Mello: yes, it would go down to 152 in off-season.

Elaine Severino: wanted to make sure the landscaping was going to be kept after patio constructed.

Condition revisions: altered condition #7; approved outside seats cannot be accommodated inside during the off-season/weather-permitting.

Richard Rossetti made a motion to conditionally approve the special permit. Seconded by Elaine Severino.
Motion to conditionally approve the special permit passed 5-0.

51 Central Street: (Case #ZBA 2017-36)	
Applicant:	51 Central Development, LLC
Property Owner:	51 Central Development, LLC
Agent:	N/A
Legal Notice:	Applicants/Owners, 51 Central Development, LLC, seeks a Special Permit under Sections 4.4.1 of the Somerville Zoning Ordinance (SZO) to perform renovations of a nonconforming structure to a three-family residence with parking relief under Sections 9.4 and 9.13 of the SZO. RA Zone. Ward 3.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Architect Dan Sefanov: explained nature of project; 3-unit building to be renovated. Anthony Roney (developer/owner): stated that the asphalt driveway will be taken up. Brad Cutting (developer/owner): stated that the easement to the abutting property was to allow them to park; it's too narrow for use by the 51 Central property.	
Elaine Severino: disappointed to hear that the tree is coming down. Door to shared driveway is short (glorified bulkhead).	
Susan Fontano: asked about easement to neighbors for parking.	
Richard Rossetti made a motion to conditionally approve the special permit. Seconded by Elaine Severino. Motion to conditionally approve the special permit passed 5-0.	

22 Linden Avenue: (Case #ZBA 2017-33)	
Applicant:	Domicile, LLC
Property Owner:	Domicile, LLC
Agent:	Adam Dash, Esq.

Legal Notice:	Applicant and Owner, Domicile, LLC, seeks Special Permits under Section 4.4.1 of the SZO to increase the FAR and raise the building height by 2.5 feet, thereby creating an upward extension of the non-conforming rear and right setbacks. Parking relief is sought under Section 9.13 of the SZO. RB zone. Ward 5.
Date(s) of Hearing(s):	6/7
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
<p>Megan Kemp (rep for Adam Dash): provided an overview of the project. Tanya Carrier (architect): provided an architectural overview of the project; restore historical features, proposed addition.</p> <p>Josh Safdie: what do you mean by lifting? (reply – increase height). Richard Rossetti: fence height? (reply – 6’). Elaine Severino: disappointed to see loss of landscaping. Staff Sarah White: option to only allow two spaces and more greenery. Susan Fontano: greenery parallel with Gilson and fit 3 cars? (reply – no).</p> <p>Severino: take out that 3rd spot (reply – neighbors concern was site around corner). Susan Fontano: low growing greenery. Carrier: could move to the right 3 feet. Safdie: would rather see a space removed. Danielle Evans: would also be in favor of removing a space. Fontano: have them come back with a revised landscape plan.</p> <p>Fontano: Columns? (reply – gone now, will bring them back). Would prefer round with substantial size fluted. Safdie: design conditions covers that.</p> <p>Severino: can we extend the fence along Gilson? White: 3.5 feet because it’s on a corner. Evans: physical barrier between parking and landscape.</p> <p>Richard Rossetti made a motion to continue the application to June 21, 2017. Seconded by Elaine Severino. Motion passed 5-0.</p>	

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.