



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

**Somerville High School Auditorium, 81 Highland Avenue, Somerville, MA**  
**Wednesday, July 12, 2017**  
**6:00 P.M.**

**Previously Continued Cases to a Future Date**

<b>51 Boston Street: (Case #ZBA 2017-39)</b>	
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, 6/21, 7/12
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 21, 2017 to continue the application to August 2, 2017.
Previously continued to August 2, 2017.	

**Previously Opened Cases that are Requesting a Continuance**

<b>24-28 Mount Pleasant Street: (Case #ZBA 2017-11)</b>	
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, 6/21, 7/12
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 21, 2017 to continue the application to July 12, 2017.
Applicant submitted a written request to continue the application to August 2, 2017. Richard Rossetti made a motion to continue the application to August 2, 2017. Seconded by Josh Safdie. Motion to continue the application to August 2, 2017 passed 5-0.	

<b>263 Washington Street: (Case #ZBA 2017-40)</b>	
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, 6/21, 7/12
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 21, 2017 to continue the application to July 12, 2017.
Applicant submitted a written request to continue the application to August 2, 2017. Richard Rossetti made a motion to continue the application to August 2, 2017. Seconded by Josh Safdie. Motion to continue the application to August 2, 2017 passed 5-0.	

**Previously Opened Cases to be Heard**

<b>41 Heath Street: (Case #ZBA 2017-32)</b>	
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, 6/21, 7/12
Staff Recommendation:	None at this time.
ZBA Action:	Voted on June 21, 2017 to continue the application to July 12, 2017.

Applicant submitted a request to Withdraw the Application without Prejudice. Richard Rossetti made a motion to approve the applicant's request to withdraw without prejudice. Seconded by Josh Safdie. 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, 6/21, 7/12
Staff Recommendation:	Special Permit – Recommends conditional approval Variance – Unable to recommend approval
ZBA Action:	Voted on June 21, 2017 to continue the application to July 12, 2017.
Fontano: missing paperwork. Kenn Spera: submitted stair detail. Does not have the accessibility narrative. Safdie: explained accessibility narrative. Told Spera to submit accessibility narrative and drawing showing 40'	
Richard Rossetti made a motion to continue the application to August 2, 2017. Seconded by Josh Safdie. Motion to continue the application to August 2, 2017 passed 5-0.	

**27 Belmont Street: (Case ZBA #2017-51)**

Applicant:	Allison Ellis
Property Owner:	Allison Ellis
Agent:	N/A
Legal Notice:	Applicant and Owner, Allison Ellis, seeks a Variance under Section 5.5 and 9.8.d of the Somerville Zoning Ordinance (SZO) to locate/legalize a parking space within the front yard of the property. RB Zone. Ward 3.
Date(s) of Hearing(s):	6/21, 7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on June 21, 2017 to continue the application to July 12, 2017.
Alderman McWatters spoke in favor of the requested variance. Important to get car off the street. Spoke to Steve Mac; no curb cuts needed. Allison Ellis appeared. Planner Alex Mello provided an overview. Fontano: July 7 <sup>th</sup> new condition. Evans: no cub cut, can park in front.	
Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 4-1 with Danielle Evans opposing.	

**New Cases to be Opened that are Requesting a Continuance**

**38 Oliver Street: (Case #ZBA 2017-41)**

Applicant:	Mark J. Ahern & Polly Chin-Ahern
Property Owner:	Mark J. Ahern & Polly Chin-Ahern
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, Mark. J. Ahern & Polly Chin-Ahern seek s Special Permit with Site Plan Review under Section 7.3 of the SZO to add a fourth unit to a property where a maximum of three units per lot is allowed unless affordable housing is provided. RB zone. Ward 1.
Date(s) of Hearing(s):	7/12

Staff Recommendation:	None at this time.
ZBA Action:	---
Applicant submitted a written request to continue the application to August 2, 2017. Richard Rossetti made a motion to continue the application to August 2, 2017. Seconded by Josh Safdie. Motion to continue the application to August 2, 2017 passed 5-0.	

<b>75 Washington Street: (Case #ZBA 2017-27)</b>	
Applicant:	Somerville 75 Washington St, LLC
Property Owner:	Somerville 75 Washington St, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, Somerville 75 Washington St. LLC, seeks a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to alter a nonconforming structure (auto-body shop) to a 3-story mixed-use building with a request for parking relief under Section 9.13. RC Zone. Ward 2.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	None at this time.
ZBA Action:	---
Applicant submitted a written request to continue the application to August 16, 2017. Richard Rossetti made a motion to continue the application to August 16, 2017. Seconded by Josh Safdie. Motion to continue the application to August 16, 2017 passed 5-0.	

**New Cases to be Opened and Heard**

<b>46-48 Boston Avenue: (Case #ZBA 2017-49)</b>	
Applicant:	46-48 Boston Avenue, LLC
Property Owner:	46-48 Boston Avenue, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 46-48 Boston Avenue LLC, seeks a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to renovate a nonconforming two-family structure. RA Zone. Ward 5.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Fontano: wanted clarification of FAR number. Safdie: supports but closets not measured in FAR? (staff – no)	
Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.	

<b>30 Putnam Street: (Case #ZBA 2017-54)</b>	
Applicant:	Hudson Santana
Property Owner:	Doris Garvey
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Hudson Santana, and Owner, Doris Garvey, seek a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to alter a nonconforming 3-family structure to a 2-family residential building with a rear addition and new dormers. RA Zone. Ward 3.
Date(s) of Hearing(s):	7/12

Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
<p>Fontano: clarification on 2<sup>nd</sup> roof deck, “seems like a lot of decks.” Any substantive trees coming out (reply – only one). Deck materials (reply – wood). Brockelman: clarification of 3<sup>rd</sup> floor dormer being changed on drawing 2.2.</p> <p>Safdie: how wide existing curb cut? In landscaping drawing? (reply – yes). Lots of hardscape; tight drive/backup aisle; some plantings so-so. Is slop from street sign? (reply –yes, retaining wall needed, save money). 36% permeability is kinda close.</p> <p>Brockelman: okay with design. Evans: where is the curb cub and how wide? Try to get more landscape. Safide: defacto 4<sup>th</sup> spot ? yes? Add more plantings? (reply – yes in logical way and staff approved).</p> <p>Condition #27 – work with staff on drive way design. Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.</p>	

<b>103 Washington Street: (Case #ZBA 2017-50)</b>	
Applicant:	WashDev, LLC
Property Owner:	WashDev, LLC
Agent:	Sean T. O’Donovan, Esq.
Legal Notice:	Applicant/Owner, WashDev. LLC, 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 2.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
<p>O’Donovan: provided an overview of the project. Support at neighborhood meeting and verbal support by Ald. McLaughlin. Quinn: provided an overview of the architectural elements of the project.</p> <p>No public comment provided. Fontano: good to offer these amenities. Quinn: trees and landscaping in sidewalk. Safdie: parking designated for uses? Brockelman: good to have retail forward. Evans: access to triangle? (reply – yes, you can walk there). Evans: How’s it being maintained? Quinn: low maintenance; we can add a door; make a compact spaces. Fontano: update landscape area to improve functionality of landscaping. Safide: will be shaded.</p> <p>Board added condition to move back building and enhance landscape area. Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.</p>	

<b>51 McGrath Highway: (Case #ZBA 2017-46)</b>	
Applicant:	Life Storage Limited Partnership
Property Owner:	Sovran Acquisition Limited Partnership
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Life Storage Limited Partnership, and Owner, Sovran Acquisition Limited Partnership, seek a Special Permit with Design Review (SPSR) under Section 7.11.12.4.c and Section 5.2 of the Somerville Zoning Ordinance (SZO) to construct a self-storage facility of 28,880 gross square feet. The Applicant and Owner also seek a Variance under Article 12 of the SZO for signage. IA Zone. Ward 2.
Date(s) of Hearing(s):	7/12

Staff Recommendation:	Recommends Denial
ZBA Action:	---
Applicant submitted a written request to continue the application to August 2, 2017. Richard Rossetti made a motion to continue the application to August 2, 2017. Seconded by Josh Safdie. Motion to continue the application to August 2, 2017 passed 5-0.	

<b>8 Spring Hill Terrace: (Case #ZBA 2017-58)</b>	
Applicant:	Mae Joyce B. Gay & Daniel T. Kettler
Property Owner:	Mae Joyce B. Gay & Daniel T. Kettler
Agent:	N/A
Legal Notice:	Applicants / Owners, Mae Joyce B. Gay and Daniel T. Kettler, seek a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to increase the floor area ratio (FAR) of the nonconforming single family dwelling to finish the third floor attic space. RA Zone. Ward 3.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
No comments. Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.	

<b>24 Liberty Avenue: (Case #ZBA 2017-59)</b>	
Applicant:	Joshua L. McCarthy & Sangwha Hong
Property Owner:	Joshua L. McCarthy & Sangwha Hong
Agent:	N/A
Legal Notice:	Applicants / Owners, Joshua L. McCarthy and Sangwha Hong, seek a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to construct a dormer within the nonconforming left side yard of the single family dwelling. RA Zone. Ward 6.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Fontano: clarification of bedroom removal; which floor? (reply – 6 bedrooms to 3 bedrooms; parking stays the same). Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.	

<b>9 Pearson Road: (Case #ZBA 2017-60)</b>	
Applicant:	Robert J. Hoey & Jacalyn Anne Crowe
Property Owner:	Robert J. Hoey & Jacalyn Anne Crowe
Agent:	N/A
Legal Notice:	Applicants / Owners, Robert J. Hoey and Jacalyn Anne Crowe, seek a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to alter a nonconforming three-family dwelling by constructing a three-story open porch on the rear of the structure. RA Zone. Ward 6.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---

Fontano: materials for deck? (reply – Azek). Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.

**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, 2-13 Alpine St., LLC, seeks a Special Permit with Site Plan Review (SPSR) under Sections 7.11 and 5.2 of the SZO to construct seven residential units and Special Permits under Section 4.4.1 of the SZO to alter a non-conforming structure. The Applicant seeks Special Permits under Article 9 of the SZO for parking relief and to provide compact spaces. BB zone. Ward 5.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--

Richard G. DiGirolamo: provided an overview of the project and neighborhood meeting process. Jai Khalsa: provided an overview of the architecture of the building.

George Landers: direct abutter. Knew something would happen. Had concerns about decks, in favor of the proposal.

Pat Dugan: across the street. In support of new development but this is too high and bulky. Would like 40'. Thinks there is a shadow impact. Concerned about privacy with the terraces. Pent house should be 1,200-1,500sf. Can alert signal be silent? Would like an affordable unit.

Fontano: adding an affordable unit. DiGirolamo: no a payment.

John Wheeler: second abutter. Doesn't want the building shorter. Would like a one-way sign leaving the garage.

Ald. Mark Niedergang: it's a long road, has tried to accommodate the neighborhood. Too tall (55' with the elevator penthouse) penthouse should be 1,200-1,500sf. Has a shadow impact. Likes \$10,000 for green space fund. Would like an affordable unit.

Fontano: what would an affordable unit mean. Evans: what does a 60% contribution mean? DiGirolamo: \$300,000 cash payment.

DiGirolamo: height – preference of owner to keep garage. Direct abutters indicated a higher building was preferable.

Mike Dupuis: direct abutter on the left; supports project.

Fontano: TOD-50 in East Somerville. Transportation is handy. Didn't think equipment was discounted in height; they should count. Khalsa: will screen around the roof equipment.

George Landers: disappointed that Ald. Niedergang doesn't support this; listen to direct abutters. Brockelman: right abutter's thoughts? Dupuis: we own it; we agree. Ald. Niedergang: one couple agrees, wants a unit; other couple thinks it's too high and shadowy. Khalsa: provided a detailed overview of the shadow study.

Pat Dugan: fall/summer equinox 3-4pm too early; in shadow during prime growing season. Dupis: Dugan's front yard is shadowed by a tree anyway.

Brockelman: A3.3 shows the step effect. AV-2 placement of elevator shaft. That is where it's high and bulky. Rendered in light color doesn't help. Reducing the penthouse will not reduce the bulk. Could you move it in? Khalsa: could change the color treatment. Could add a glazing to stairwell. Could also use ivy on stairwall and windows. Safdie: first floor of apartment at roof deck elevation; move them down. Khalsa: would lose mezzanine in basement. Would need added support. Ald. Niedergang: changes sound like they could work.

Rossetti: building is too big. Started to go down the side streets. Wants to see it come down a little. Evans: has concern of Dugan's yard. Not ready to vote. Maybe step back 3<sup>rd</sup> floor and penthouse or shorten. Khalsa: top floor is not casting the shadow. Evans: can you step back 3<sup>rd</sup> floor, would it cast? Khalsa: will have to check. Fontano: not ready to vote. Rossetti: not ready to vote. Brockelman's, Safdie's, and Evans's concerns should be considered. Safdie: zoom in on Dugan's house. Brockelman: resizing penthouse; should not be reduced if not casting shadow, should look at its impacts.

Richard Rossetti made a motion to continue the application to August 2, 2017. Seconded by Anne Brockelman. Motion to continue the application to August 2, 2017 passed 5-0.

<b>5-7 Parker Place: (Case #ZBA 2017-62)</b>	
Applicant:	Louis & Millie Busi
Property Owner:	Louis & Millie Busi
Agent:	N/A
Legal Notice:	Applicant and Owners, Louis & Millie Busi, seek a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to replace a first floor rear deck with stairs and add a deck at the second floor. RB Zone. Ward 5.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Azek and composites for material. Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.	

<b>415 Medford Street: (Case #ZBA 2017-52)</b>	
Applicant:	Matt Gray, Neighborhood Produce, LLC
Property Owner:	Marc S. Resnick, Trustee
Agent:	Michelle Baratta, Esq.
Legal Notice:	Applicant, Matt Gray of Neighborhood Produce, LLC, and Owner, Marc S. Resnick Trustee, seek special permits under Article 4 of the SZO to change from one non-conforming use to another non-conforming use, and Article 9 of the SZO for parking relief. RB zone. Ward 4.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Fontano: question about exterior alterations; sf? (Reply – 450'). Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.	

<b>17 Porter Street: (Case #ZBA 2016-90)</b>	
Applicant:	Daniel & Amanda Casparriello
Property Owner:	Daniel & Amanda Casparriello
Agent:	Richard G. DiGirolamo, Esq.



Legal Notice:	Applicants and Owners, Daniel & Amanda Casparriello, seek a Special Permit with Site Plan Review under Section 7.2 of the SZO to have more than one principal structure on a lot, increase the number of units from two to three, Special Permits under Section 4.4.1 of the SZO to alter a non-conforming structure and parking relief under Article 9 of the SZO. RB zone. Ward 3.
Date(s) of Hearing(s):	7/12
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Fontano: make more permeable spaces, less asphalt; add landscape buffer on Gould. Evans: strip on Gould? Purpose? (reply – helps with maneuverability and access). Safdie: is a defacto sidewalk with no curb. Richard Rossetti made a motion to conditionally approve the application. Seconded by Josh Safdie. Motion to conditionally approve the application passed 5-0.	

**Other Business:**