



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

City Council Chambers, 2<sup>nd</sup> floor, 93 Highland Avenue, Somerville MA  
Wednesday, July 17, 2019  
6:00 P.M.

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

<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.
Current Status:	Voted on June 19, 2019 to continue the application to August 7, 2019.



<b>11 Cedar Street (ZBA 2018-84):</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, 7/17
Staff Recommendation:	Revisions recommended
ZBA Action:	Voted on June 19, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on June 19, 2019 to continue the application to August 7, 2019.

<b>27 Tufts Street (ZBA 2018-195):</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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on June 19, 2019 to continue the application to August 7, 2019.

**Previously Opened Cases to Request a Continuance**

<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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.



<b>29 Ward Street (ZBA 2019-42):</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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<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, 7/17
Staff Recommendation:	See Staff Report Recommendation
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.



<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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<b>187 Central Street (ZBA 2019-29):</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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.



<b>50-54 Murdock Street (ZBA 2018-19-R1-4/19):</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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<b>365 Somerville Avenue (ZBA 2019-50):</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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.



<b>137 Summer Street (ZBA 2019-40):</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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 7, 2019.

<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, 7/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 17, 2019 to continue the application to August 21, 2019.
Current Status:	Voted on July 17, 2019 to continue the application to August 21, 2019.

**Previously Opened Cases to be Heard**

<b>31 Heath Street (ZBA 2019-39):</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, 7/17
Staff Recommendation:	Denial
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Current Status:	Danielle Evans made a motion to accept the applicant's request to withdraw without prejudice. Seconded by Elaine Severino. The Board voted 5-0 to approve the request.



<b>337 Somerville Avenue (ZBA 2016-116 R2-04/2019):</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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Current Status:	Zach Baum, operator of Bow Market, provided an overview of the request to extend the hours to 11pm for outside activities. Hans Jensen, ISD, provided an overview of the Staff memo that outlines that the request is to better align with the liquor license. Zach Baum, Requesting that the outdoor activities close at 11pm. Currently prohibited having outdoor activities last beyond 10pm. Public Comment: Meredith Porter, the legal notice says 12am. Board Comment: Elaine received a lengthy complaint from an abutter. Anne, liquor license is good to 12AM. Hans, seems like 11 would be best and could work for the Applicant. Elaine, supports outdoor activities ending at 11pm Zach Baum, we requested until midnight for future purposes in case they are allowed to extend their outdoor drinking license hours past 12am. Hans, ZBA conditions says outdoor drinking must end at 10pm they are seeking to extend to 12am. License permits outdoor drinking until 11pm. Drew, how did 10pm come to be in the first place. Wine bar hours? (outside until 11pm) Josh, other businesses are allowed outside until 1am but they stop serving at midnight as a courtesy. Capacity for brewery outside (about 40 people). Danielle, in favor of aligning it with their current license to 11pm. Josh, in favor of 12pm. Danielle Evans made a motion to amend the condition that outdoor activities for the brewery end at 11pm 7 days a week. Elaine Severino second. The Board voted 5-0.

<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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	There was no discussion.





<b>156 Hudson Street (ZBA 2019-36):</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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	<p>Dan Anderson of AndersonPorter Design and Jason Santana of North America Development presented the proposal.</p> <p>No one from the public had comments.</p> <p>SF confirmed that this is the first time they have discussed this project in public and that the updated staff report is the only one being discussed.</p> <p>AM stated that for the June 5th meeting a staff report was issued. Because of questions raised by an abutter after the issuance of the staff report, the applicant continued their June 5 hearing to meet with them.</p> <p>AB asked if the third floor massing of the addition has been improved and if the footprint has been changed from previous plans. Has concerns about the additional height and roof deck so close to the property line. Asked if the shaded area on the landscape plan is lawn.</p> <p>DA stated that the building is being extended to the rear by 3 feet along the same non-conforming side yard setback. The non-conforming setback is being extended upward as well. The setback narrows on the third floor but not on the two floors below. The roof deck meets setback. Proposed window well is new. Shaded area is lawn; rear yard is given over to grass.</p> <p>DK asked if the neighbor had concerns about the sheer wall overlooking neighbor's property.</p> <p>DA wanted to respect neighbor's privacy by not having a lot of windows on the side closest to the neighbor.</p> <p>AB asked about the increase in the setback noted on the dimensional table.</p> <p>DA stated that the bay on the side in question is being removed therefore another 3-ish feet is gained in setback.</p> <p>AB asked to the board how they feel about saving more green space in the back by having tandem parking in the driveway rather than separate spaces in the rear.</p> <p>DE noted that lack of dimensions in the landscape plan need to be added and should be in the future. The landscape plan is not to scale.</p> <p>DA noted that the rear yard setback is 20 feet. Main body of the house is not encroaching further onto the setback.</p> <p>JS asked staff the dimensions of a compact space.</p> <p>ES asked if the units would be condos</p> <p>DA and JS confirmed they would be condos</p> <p>DE wants to see the cars moved back from the property line to open up more green space in the back. Wants to see revised plans with dimensions, parking adjustment and the windows. Does not just want to condition these changes.</p> <p>DA stated that one new tree is proposed for the back corner of the lot.</p> <p>JS thinks that the changes are such that they can be conditioned.</p> <p>DK agreed with Josh</p> <p>Motion to continue to August 7th by DE, seconded by ES. Motion passes 5-0</p>





<b>126 Pearl Street (ZBA 2019-46):</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, 7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Current Status:	Richard DiGirolamo, attorney for the applicant, presented the proposal. Tanya Carrier from Khalsa Design presented the design of the building. Meredith Porter, non-abutter, suggested that the ZBA add stricter construction hours. JS noted to the architect that she needed to make some adjustments to the doors. Susan, can we add our standard construction hours. DE motion with condition changed for construction hours. ES Second. 5-0

<b>23A Bow Street (ZBA 2019-47):</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, 7/17
Staff Recommendation:	Conditional approval.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.
Current Status:	Applicant provided an overview of the proposal to convert the juice bar to a regular bar serving alcohol. No public or Board comment. DE Motion. ES second. 5-0

<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, 7/17
Staff Recommendation:	Conditional approval.
ZBA Action:	Voted on June 19, 2019 to continue the application to July 17, 2019.



Current Status:	<p>Rich DiGirolamo provided an overview of the proposal. Architects provided an overview of the design details of the proposal.</p> <p>Meredith Porter, only sees existing and proposed plans online that shows dormers on both sides.</p> <p>Sarah, relief needed is for the left dormer.</p> <p>Elaine, landscape plan.</p> <p>Sarah, condition #5 says that they need to submit a landscape plan to be reviewed and approved by Staff.</p> <p>Josh, why let them through tonight without showing us a landscape plan. Drawings are not clear with what is happening at the ground level. Would like to see some corrections made and a landscape plan.</p> <p>Anne, rear elevation makes the dormers look like they are not subordinate to the roof. It looks like a 3rd story from the rear.</p> <p>Sarah, recommends moving the dormers the back so that the gable end shows.</p> <p>DE, incorporate conditions 4-6 into the drawings for next time.</p> <p>DE motion to continue to August 7th. ES second. 5-0</p>
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### **New Cases to be Opened and Heard**

<b><u>117 Summer Street (ZBA 2019-65)</u></b>	
Applicant:	Riverside Community Care
Property Owner:	Riverside Community Care
Agent:	N/A
Legal Notice:	Applicant and Owner, Riverside Community Care, seeks a Special Permit under §4.4.1 of the SZO to increase the non-conforming FAR and a Variance for parking relief. RA and RB zones. Ward 3.
Date(s) of Hearing(s):	7/17
Staff Recommendation:	Variance: Unable to recommend. Special Permit: Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	There was no discussion.

<b><u>25 Ivaloo Street (ZBA 2019-66)</u></b>	
Applicant:	Tuesday Thomas & Can Keskin
Property Owner:	Tuesday Thomas & Can Keskin
Agent:	N/A
Legal Notice:	Applicants and Owners, Tuesday Thomas & Can Keskin seek a Special Permit under §4.4.1 of the SZO to substantially alter a non-conforming structure by razing the structure and rebuilding a single-family residence. *The Applicants/Owners received ZBA approval for this project in 2017 under project number ZBA 2016-145. The special permits have since expired and the Applicants/Owners seek to re-activate those special permits. RB zone. Ward 2.
Date(s) of Hearing(s):	7/17
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on July 17, 2019 to continue the application to August 7, 2019.
Current Status:	There was no discussion.



<b>20-24 Rush Street (ZBA 2016-140-R1-5/19)</b>	
Applicant:	Jonathan Lee/Buck Lee Real Estate Development
Property Owner:	Jonathan Lee/Buck Lee Real Estate Development
Agent:	N/A
Legal Notice:	Applicant and Owner, Jonathan Lee/Buck Lee Real Estate Development, seeks relief under §5.3.8 of the SZO to revise a previously-granted Special Permit. RB zone. Ward 1.
Date(s) of Hearing(s):	7/17
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Peter Quinn provided an overview of the proposal. No public comment. No Board comment. DE: only 1'4" higher so no discernable difference with shadows? Peter, No. DE motion to approved. ES second. 5-0

<b>54 Myrtle Street (ZBA 2019-53)</b>	
Applicant:	Christiane Bode-Boezio and Alessandro Boezio
Property Owner:	Christiane Bode-Boezio and Alessandro Boezio
Agent:	N/A
Legal Notice:	Applicants and Owners, Christiane Bode-Boezio and Alessandro Boezio, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by construction a two-story addition within the left side yard. RB Zone. Ward 1.
Date(s) of Hearing(s):	7/17
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Architect presented the proposal.  The public had no comment.  DE stated that she thought the addition request was modest and would enable a family to have their house work a little better for them while allowing them to remain in the city.  DE motion to approve. ES seconded. Motion passes 5-0.

<b>36 Summer Street (ZBA 2019-56)</b>	
Applicant:	MF Dulock, Inc.
Property Owner:	Michael F. Dulock and Maureen E. Gaffney
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant, MF Dulock, Inc., and Owners, Michael F. Dulock and Maureen E. Gaffney, seek a special permit under SZO §4.5.1 to change from one nonconforming use (a laundromat) into another nonconforming use (butcher shop). Parking relief under Article 9 is also required. RB Zone. Ward 3.
Date(s) of Hearing(s):	7/17



Hearing(s):	
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	<p>Adam Dash, attorney for the applicant, presented the proposal. Several members of the public spoke in support. SF noted that the ZBA had received all of the emails on the proposal.</p> <p>JS is supportive of the project and provided direction on accessibility items. Noted what the MAAB (Massachusetts Architectural Access Board) might be looking for and noted that this was not in the purview of the ZBA but he was making note of ADA items just to be helpful.</p> <p>DE motion to approve. ES second. Motion passes 5-0</p>

<b>7 Oak Street (ZBA 2019-01)</b>	
Applicant:	Dalfior Development, Inc.
Property Owner:	Joseph Trofimow, Trustee of the Trofimow Family Realty Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant, Dalfior Development, Inc., and Owner, Joseph Trofimow, Trustee of the Trofimow Family Realty Trust, seeks a special permit with site plan review under SZO §7.2 to erect a second principal structure on the lot. The existing structure is proposed to become a single family dwelling and the proposed structure is proposed to be a two-family dwelling. A special permit under SZO §9.13 for parking relief is also required. RB Zone. Ward 2.
Date(s) of Hearing(s):	7/17
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	<p>Adam Dash explained the proposal and outlined the changes from the original submission.</p> <p>ES asked about the tree in the front of the property.</p> <p>Architect stated that the tree in the front of the property was going to be moved to the rear of the property. The architect later explained that the street tree was the City's property and was not going to be touched by them. He stated that necessary protections would be taken to ensure the survival of the City's street tree.</p> <p>DK asked for clarification on the trees that would be moved and replanted. Asked about parking layout and how the turning movements would work.</p> <p>The architect addressed the tree and parking questions.</p> <p>JS asked about the double front entrances on the new building and noted that they were not a typical arrangement that we see. Asked about having a single entry into a common entry area as this is what we have been doing for over 100 years. Noted the length of the overall building and the interior configuration of some of the units. He stated that the building would have better site and area compatibility of it had a single entry. As an architect he didn't feel that he was asking something that couldn't be reasonably accomplished.</p> <p>DK agreed with JS statement. DK asked about removal and retention of windows on some</p>



	<p>of the elevations.</p> <p>AM recommends adding a condition regarding the protection of the street tree.</p> <p>DE wants a condition regarding the tree in the yard being moved, wants the condition to cover hiring a professional arborist, a plan for moving it, transplanting it, replanting if it perishes, etc.</p> <p>DE also thinks that it makes more sense to have one common entrance on the new building rather than two.</p> <p>DK supports the single entrance on the new building as well. Suggests that the applicant comes back with the changes and that they provide the elevations for the building on the other side of the same property.</p> <p>ES commented that she didn't have a problem with the double entry on the new building.</p> <p>SF stated she could go either way on the entrances.</p> <p>The architect opined on his philosophy of the meaningfulness of two separate entries.</p> <p>Motion to continue to August 7th by DE and seconded by ES. Motion passes 5-0</p>
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<b>11 Rossmore Street (ZBA 2019-41)</b>	
Applicant:	The Rossmore LLC
Property Owner:	The Rossmore LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant / Owner, The Rossmore LLC, seeks a special permit with site plan review under SZO §7.2 to erect a second principal structure on the lot. The proposal is to demolish the existing structure and build a new single family dwelling and a two-family dwelling. A special permit under SZO §9.13 for parking relief is also required. RB Zone. Ward 2.
Date(s) of Hearing(s):	7/17
Staff Recommendation:	Conditional approval
ZBA Action:	--



Current Status:	<p>Attorney Adam Dash presented the proposal. Peter Quinn explained the architectural component of the proposal and the site plan.</p> <p>ES asked about preserving the street tree and the proposed linear green area along the driveway.</p> <p>AB wants to remove condition #16. Wants to see the smaller front windows be more generous in size. Agrees that the change to the windows is something that can be accomplished by the architect working with staff.</p> <p>Board agrees that condition #16 will be struck.</p> <p>DE finds all of the hardscape and the numerous paths to be excessive. Asked about the parking spaces and the small strip of green. Wants to have more contiguous green space rather than have it be patchworked on the site.</p> <p>PQ stated he felt that the number of walkways on the site could be reduced by 20-30%. Board wants to see the applicant team return with updated plans, including a landscaping plan.</p> <p>Motion to continue to August 21st by DE. Seconded by ES. Motion passes 5-0</p> <p>Meeting adjourned at 9:23pm</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.*

