



CITY OF SOMERVILLE, MASSACHUSETTS
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ZONING BOARD OF APPEALS AGENDA

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

Previously Opened Cases Continued to a Future Date

24 Hanson Street (ZBA 2018-161)	
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.



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11 Cedar Street (ZBA 2018-84):	
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.

27 Tufts Street (ZBA 2018-195):	
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

65 Bailey Road (ZBA 2019-27):	
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 June 5, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.



29 Ward Street (ZBA 2019-42):	
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 June 5, 2019 to continue the application to July 17, 2019.
Current Status:	The Applicant has submitted a request to continue the application to August 7, 2019.

171 Cedar Street (ZBA 2018-191)	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.

16 Whipple Street (ZBA 2018-173):	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Applicant has submitted a request to continue the application to August 7, 2019.



346 Somerville Avenue (ZBA 2019-19) Re-Advertised:	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.

169 Tremont St: (ZBA 2019-17)	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.

187 Central Street (ZBA 2019-29):	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.



50-54 Murdock Street (ZBA 2018-19-R1-4/19):	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.

365 Somerville Avenue (ZBA 2019-50):	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.

74 Winslow Avenue: (ZBA 2019-11)	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.



137 Summer Street (ZBA 2019-40):	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 7, 2019.

40 Columbus Avenue (ZBA 2018-147)	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to August 21, 2019.

Previously Opened Cases to be Heard

31 Heath Street (ZBA 2019-39):	
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:	The Applicant has submitted a request to withdraw the application without prejudice.



337 Somerville Avenue (ZBA 2016-116 R2-04/2019):	
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:	Will be heard.

241 Summer Street (ZBA 2019-18)	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	Will be heard.

156 Hudson Street (ZBA 2019-36):	
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 June 19, 2019 to continue the application to July 17, 2019.
Current Status:	Will be heard.



126 Pearl Street (ZBA 2019-46):	
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:	Will be heard.

23A Bow Street (ZBA 2019-47):	
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:	Will be heard.

42 Henderson Street (ZBA 2018-189)	
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:	Will be heard.



New Cases to be Opened and Heard

<u>117 Summer Street (ZBA 2019-65)</u>	
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:	--
Current Status:	Will be heard.

<u>25 Ivaloo Street (ZBA 2019-66)</u>	
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:	--
Current Status:	Will be heard.

<u>20-24 Rush Street (ZBA 2016-140-R1-5/19)</u>	
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:	Will be heard.



54 Myrtle Street (ZBA 2019-53)	
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:	Will be heard.

36 Summer Street (ZBA 2019-56)	
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
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

7 Oak Street (ZBA 2019-01)	
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:	Will be heard.



11 Rossmore Street (ZBA 2019-41)	
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:	Will be heard.

Other Business:

Plans and reports are available at the City of Somerville website at the following link:
<https://www.somervillema.gov/departments/ospcd/planning-and-zoning/reports-and-decisions>

