



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

Visting Nurse Association, 259 Lowell Street, Somerville, MA
Wednesday, August 2, 2017
6:00 P.M.

75 Washington Street: (Case #ZBA 2017-27)	
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 1.
Date(s) of Hearing(s):	7/12, 8/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 12, 2017 to continue the application to August 16, 2017.
Previously continued to August 16, 2017.	

24-28 Mount Pleasant Street: (Case #ZBA 2017-11)	
Applicant:	Warren A. Chaille, Trustee of the Chaille Trust



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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, 8/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 12, 2017 to continue the application to August 2, 2017.
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	

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, 6/21, 7/12, 8/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on July 12, 2017 to continue the application to August 2, 2017.
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	

51 McGrath Highway: (Case #ZBA 2017-46)	
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, 8/2
Staff Recommendation:	Recommends Denial
ZBA Action:	Voted on July 12, 2017 to continue the application to August 2, 2017.
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	



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, 8/2
Staff Recommendation:	Special Permit – Recommends conditional approval Variance – Unable to recommend approval
ZBA Action:	Voted on July 12, 2017 to continue the application to August 2, 2017.
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0.	

21 Lake Street: (Case #ZBA 2017-69)	
Applicant:	Yeongcheon Baek
Property Owner:	Yeongcheon Baek
Agent:	N/A
Legal Notice:	Applicant and Owner, Yeongcheon Baek, seeks a Special Permit under §4.4.1 of the Somerville Zoning Ordinance (SZO) to construct an addition on the right of the structure within the required right side yard setback of the nonconforming structure. RC zone. Ward 2.
Date(s) of Hearing(s):	8/2
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	

21 Henderson Street: (Case #ZBA 2017-66)	
Applicant:	Nick Aalerud, Trustee of the Hepplewhite Realty Trust
Property Owner:	Nick Aalerud, Trustee of the Hepplewhite Realty Trust
Agent:	N/A
Legal Notice:	Applicant and Owner, Nick Aalerud being the Trustee of the Hepplewhite Realty Trust, seeks a Special Permit under §4.4.1 of the Somerville Zoning Ordinance (SZO) to construct a dormer on the rear of the structure within the required rear yard setback of the nonconforming structure. RB zone. Ward 5.
Date(s) of Hearing(s):	8/2
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	



88 Irving Street: (Case #ZBA 2017-56)	
Applicant:	88 Irving, LLC
Property Owner:	88 Irving, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 88 Irving, LLC, seeks a Special Permit under §4.4.1 of the Somerville Zoning Ordinance (SZO) to construct an addition to the structure to add a dwelling unit and a Special Permit under §9.13 for parking relief. RA zone. Ward 6.
Date(s) of Hearing(s):	8/2
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	

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 Special Permits under §4.4.1 of the SZO to renovate a non-conforming 4-unit residential structure. RB zone. Ward 1.
Date(s) of Hearing(s):	7/12, 8/2
Staff Recommendation:	Conditional Approval
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 passed 5-0 with Danielle Evans and Anne Brockelman absent.	

131 Orchard Street: (Case #ZBA 2017-48)	
Applicant:	Mouhab Rizkallah
Property Owner:	LaCourt Enterprises
Agent:	N/A
Legal Notice:	Owner, LaCourt Enterprises, and Applicant, Mouhab Rizkallah, Manager of LaCourt Enterprises, seeks a Special Permit under §4.4.1 of the Somerville Zoning Ordinance (SZO) to alter a nonconforming structure by decreasing the requirement for lot area per dwelling unit and increasing the floor area ratio (FAR), a Special Permit under §9.13 for parking relief, and a Special Permit with Site Plan Review under §7.3 to add an additional four units in the basement of the existing 24 unit apartment building. RB Zone. Ward 6.
Date(s) of Hearing(s):	8/2
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. Elaine Severino seconded the motion. The motion to continue the application to August 16, 2017 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, 8/2
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on July 12, 2017 to continue the application to August 2, 2017.
<p>Ald. Niedergang read letter from Julio Certuci at 17 Alpine: concerns about building height and general construction. Ald. Niedergang said shadows are not issues, worried about height, bulk, and mass; wants to reduce size of top floor. Neighbor at 18 Alpine said thanks for shadow study, puts mind at ease. Ald. Niedergang said abutters against demolition of building, offers privacy and keeps mess out.</p> <p>Board had some discussion for clarity surrounding shadow study and project impacts. Fontano asked who manages the affordable unit in condo association? Asked about payment for open space: how does it work? How does it help neighbors? What is the difference in height between 13 Alpine and abutting building on Cedar (143 Cedar)? Asked general clarification of height with headhouse.</p> <p>Rossetti said not happy with size and bulk – maybe add an affordable unit? Evans agrees with Rossetti; does not meet with zoning, and green screening may not work. Jai Khalsa (architect) said original building is nonconforming, addition is not; ill advised to partially demolish wall. Safdie asked if they are confident in stability of existing wall? (reply – yes). Brockelman said bulk apparent from drawings; changing may make it worse; it’s currently the right size. Severino asked about green wall with ivy – where is it planted? on property to the right? (reply – 6’ strip for porch). Fontano asked if Cedar St is maybe not the place for a taller building? Board’s hope is to say yes, not no; but need to salvage the neighborhood.</p> <p>Rossetti asked whether they should strike or keep condition #8. Evans wants to have better idea of plans before yes vote. Safdie said he could vote yes to strike #8 and add inclusionary requirement. Rossetti wants to see inclusionary housing. Evans asked if adding affordable unit, at what Area Median Income? (reply – housing department sets policy). Brockelman is in favor of striking #8; saves s.f. on penthouse, reduction does nothing. Evans said we don’t approve because old residents are moving back; completely irrelevant for decision; better for family not empty nester.</p> <p>Richard Rossetti made a motion to strike condition #8 and add standard Affordable Housing Implementation Plan and Accessory Dwelling Unit conditions. Elaine Severino seconded the motion. The motion to revise conditions passed 5-0.</p> <p>Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.</p>	

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, 6/21, 7/12, 8/2
Staff Recommendation:	Conditional Approval
ZBA Action:	Voted on June 21, 2017 to continue the application to August 2, 2017.
Applicant and Owner Ji Shi appeared and proposes to finish the attic and basement. Fontano said it's a two-family, how will it be broken up? Shi said will have common mechanical area in the basement. Evans asked playroom and office have closets? How would parking change if they were bedrooms? Sarah White said staff considered them as bedrooms. Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.	

620 Broadway: (Case #ZBA 2014-69-E1-0617)	
Applicant:	Gaseus Maximums, LLC
Property Owner:	Gaseus Maximums, LLC
Agent:	Sean T. O'Donovan, Esq.
Legal Notice:	Applicant and Owner, Gaseus Maximums, LLC, seeks a time extension of a Special Permit and a Special Permit with Site Plan Review under SZO §5.3.10 for Case No. ZBA 2014-69, approved on August 5, 2015, which was granted to construct an 11 unit apartment building. NB zone. Ward 5.
Date(s) of Hearing(s):	8/2
Staff Recommendation:	Conditional Approval
ZBA Action:	---
O'Donovan: Deed restriction stymied development options – formerly not known. Rossetti: had a question about condition #42 – total value is 50-60k. Brockelman: asked why condition #42? Planning and other departments developed policy to reflect both sentiments. Fontano asked can this condition be revised later? (reply – yes). Evans said fine with year extension. Condition #42 is new and a large cost, why hold to new standard? Safdie said policies change and \$50,000 is pennies to 11 unit building; keep condition #42. Fontano asked how is payment used? Bad deal with state, but not fair to pass along. Rossetti said he was fine either way.	
Richard Rossetti made a motion keep condition #42. Elaine Severino seconded the motion. The motion to revise conditions passed 5-0. Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.	

42 Princeton Street: (Case #ZBA 2015-50-E1-0617)	
Applicant:	Kenneth and Alexandra Greene
Property Owner:	Kenneth and Alexandra Greene
Agent:	N/A
Legal Notice:	Applicants and Owners, Kenneth and Alexandra Greene, seeks a time extension of a Special Permit under SZO §5.3.10 for Case No. ZBA 2015-50, approved on August 5, 2015, which was granted to alter a nonconforming structure by adding a dormer. RB zone. Ward 5.
Date(s) of Hearing(s):	8/2
Staff Recommendation:	Approval
ZBA Action:	---
No comments or questions from public or board. Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.	

47 Oxford Street: (Case #ZBA 2017-61)
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Applicant:	Antonin & Susan Tutter
Property Owner:	Antonin & Susan Tutter
Agent:	N/A
Legal Notice:	Applicant and Owners, Antonin & Susan Tutter, seek Special Permits under §4.4.1 of the SZO to extend existing non-conforming setbacks by enlarging a front porch. RA zone. Ward 3.
Date(s) of Hearing(s):	8/2
Staff Recommendation:	Conditional Approval
ZBA Action:	---
No comments or questions from public or board. Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.	

62 Albion Street: (Case #ZBA 2017-65)	
Applicant:	Mark Mascaro & Jessica Destamp
Property Owner:	Mark Mascaro & Jessica Destamp
Agent:	N/A
Legal Notice:	Applicants and Owners, Mark Mascaro & Jessica Destamp seek Special Permits under §4.4.1 of the SZO to expand a single-story addition off the rear of the building, construct a new rear deck and reconstruct the front porch with deck above. RA zone. Ward 5.
Date(s) of Hearing(s):	8/2
Staff Recommendation:	Conditional Approval
ZBA Action:	---
Severino asked if siding will match porch? Fontano said replace siding now or later – not sure yet. Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.	

133 Hudson Street: (Case #ZBA 2017-64)	
Applicant:	William & Karen Oemier
Property Owner:	William & Karen Oemier
Agent:	
Legal Notice:	Applicants and Owners, William & Karen Oemier seek Special Permits under §4.4.1 of the SZO to replace and enlarge an existing front porch and replace and enlarge an existing rear porch along with adding a second floor deck and trellis above. RB zone. Ward 5.
Date(s) of Hearing(s):	8/2
Staff Recommendation:	Conditional Approval
ZBA Action:	---
No comments or questions from public or board. Richard Rossetti made a motion to conditionally approve the application. Elaine Severino seconded the motion. The motion to conditionally approve the application passed 5-0.	

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.

Plans and reports are available at the City of Somerville website at the following link:
www.somervillema.gov/planningandzoning/reports



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