



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

Visiting Nurse Association, 3rd floor Community Room, 259 Lowell Street, Somerville MA
Wednesday, September 4, 2019
6:00 P.M.

* This agenda has been revised to indicate that Planning Staff anticipates the Applicant of 1133B Broadway to submit a request to withdraw the application without prejudice.

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, 8/7, 8/21
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 21, 2019 to continue the application to September 18, 2019.
Current Status:	Voted on August 21, 2019 to continue the application to September 18, 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, 8/7, 8/21
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 21, 2019 to continue the application to October 2, 2019.
Current Status:	Voted on August 21, 2019 to continue the application to October 2, 2019.

Previously Opened Cases to Request a Continuance

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, 8/7, 9/4
Staff Recommendation:	Revisions recommended
ZBA Action:	Voted on August 7, 2019 to continue the application to September 4, 2019
Current Status:	The Staff anticipates the Applicant will request to continue to September 18, 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, 8/7, 9/4
Staff Recommendation:	See Staff Report Recommendation
ZBA Action:	Voted on August 7, 2019 to continue the application to September 4, 2019
Current Status:	The Applicant has submitted a written request to continue the case to September 18, 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, 8/7, 8/21, 9/4
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to September 18, 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, 8/7, 8/21, 9/4
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to September 18, 2019.

187 Central Street (ZBA 2019-29):	
Applicant:	Nora, LLC
Property Owner:	Nora, LLC
Agent:	Richard G. DiGirolamo, Esq.
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, 8/7, 8/21, 9/4
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	The Staff anticipates the Applicant will request to continue to September 18, 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, 8/7, 8/21, 9/4
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to September 18, 2019.

New Cases to be Opened and Requesting a Continuance

18 Glendale Avenue (ZBA 2019-86)	
Applicant:	Ji Shi
Property Owner:	Ji Shi & Yan Zhao
Agent:	N/A
Legal Notice:	Applicant, Ji Shi, and Owners, Ji Shi & Yan Zhao, seek special permits under §4.4.1 of the SZO to alter a non-conforming property including adding a dormer within the left side yard setback. RB zone. Ward 7.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	The Applicant has submitted a written request to continue the case to September 18, 2019.

14 Carlton Street (ZBA 2019-83)	
Applicant:	North America Development
Property Owner:	Louis M. Carcon & Yvrose Merzeus
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owners, Louis M. Carcon & Yvrose Merzeus, seek Special Permits under §4.4.1 of the SZO to significantly alter a non-conforming property by creating an upward extension of the non-conforming front and left side yard setbacks, and increasing the GFA by more than 25%. Parking relief under Article 9. RC zone. Ward 2.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	The Applicant has submitted a written request to continue the case to September 18, 2019.



Previously Opened Cases to be Heard

<u>365 Somerville Avenue (ZBA 2019-50):</u>	
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, 8/7, 8/21, 9/4
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	The Applicant has submitted a written request to withdraw the application without prejudice.

<u>71 Bow Street (ZBA 2019-52)</u>	
Applicant:	Scott Zink
Property Owner:	Leins Family Realty Trust with Luis E. Leins, Trustee
Agent:	Peter Quinn
Legal Notice:	Applicant, Scott Zink, and Owner, Leins Family Realty Trust with Luis E. Leins, Trustee, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming structure, a Special Permit with Site Plan Review (SPSR) to construct a mixed-use building with 24 residential units and ground floor commercial space, Variances including height, number of stories, FAR, and parking relief under Article 9. NB zone. Ward 3.
Date(s) of Hearing(s):	8/7, 9/4
Staff Recommendation:	SP and SPSR: Conditional approval V: Unable to recommend
ZBA Action:	Voted on August 7, 2019 to continue the application to September 4, 2019
Current Status:	Will be heard.

<u>50-54 Murdock Street (ZBA 2018-19-R1-4/19):</u>	
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, 8/7, 8/21, 9/4
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	Will be heard.



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, 8/7, 8/21, 9/4
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	Will be heard.

34-38 Dane Street (ZBA 2017-31-R1-07/19)	
Applicant:	Paulo DaSilva and Cassia Silva
Property Owner:	Paulo DaSilva and Cassia Silva
Agent:	N/A
Legal Notice:	Applicants and Owner, Paulo DaSilva and Cassia Silva, seeks a special permit under SZO §5.3.8 to revise a previously approved special permit (ZBA 2017-31) to construct a roof deck on the rear of the proposed three family dwelling. RC Zone. Ward 3.
Date(s) of Hearing(s):	8/21, 9/4
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	Will be heard.

346 Somerville Avenue (ZBA 2019-19)	
Applicant:	346 Somerville Avenue, LLC
Property Owner:	Palmac Realty Corp
Agent:	Richard G. DiGirolamo, Esq.
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, 8/7, 8/21, 9/4
Staff Recommendation:	Unable to recommend
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	Will be heard.



New Cases to be Opened and Heard

1133B Broadway (ZBA 2019-66)	
Applicant:	Kenneth F. Gray, III
Property Owner:	Shree Ganesh Realty Trust
Agent:	N/A
Legal Notice:	Applicant, Kenneth F. Gray, III, and Owners, Shree Ganesh Realty Trust, seek special permits under §4.4.1 of the SZO to alter a non-conforming property by establishing a comedy venue. Parking relief under Article 9 of the SZO. NB zone. Ward 7.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Staff anticipates the Applicant will submit a written request to withdraw the application without prejudice.

269 Washington Street (ZBA 2019-84)	
Applicant:	JTSRE Holdings, LLC
Property Owner:	J.T. Scott
Agent:	Kebert Joseph
Legal Notice:	Applicant, JTSRE Holdings, LLC, and Owner, J.T. Scott, seek special permits under §4.4.1 to legalize a unit, construct a deck and stairs within the rear yard setback. Parking relief under Article 9 of the SZO. NB zone. Ward 2.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

27-29 Cedar Street (ZBA 2019-90)	
Applicant:	Charles Spellman
Property Owner:	Charles Spellman
Agent:	N/A
Legal Notice:	Applicant and Owner, Charles Spellman, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing two shed dormers. RB Zone. Ward 5.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.



12 Aldersey Street (ZBA 2019-80)	
Applicant:	Vladimir & Lara Jaugust
Property Owner:	Vladimir & Lara Jaugust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicants and Owners, Vladimir & Lara Jaugust, seek special permits under §4.4.1 of the SZO to alter a non-conforming structure (4-family in an RA zone) including exterior modifications, increasing the GFA by more than 25%. Parking relief under Article 9 of the SZO. RA zone. Ward 3.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

48 Elm Street (ZBA 2019-79)	
Applicant:	Balany Real Estate Group, LLC
Property Owner:	Balany Real Estate Group, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, Balany Real Estate Group, LLC, seek special permits under §4.4.1 of the SZO to alter a non-conforming property by constructing dormers within the right side yard setback, and the upward extension of the non-conforming right side yard setback through the construction of a second story at the rear of the building. Parking relief under Article 9. RB zone. Ward 6.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

117 Summer Street (ZBA 2019-65) (re-advertisement)	
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 Article 9 of the SZO for parking relief. RA and RB zones. Ward 3.
Date(s) of Hearing(s):	7/17, 8/7, 8/21, 9/4 (re-advertisement)
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on August 21, 2019 to continue the application to September 4, 2019.
Current Status:	Will be heard.



124 Highland Avenue (ZBA 2018-93) (re-advertisement)	
Applicant:	Barros Properties, LLC
Property Owner:	Somerville Post 19 American Legion
Agent:	Sean T. O'Donovan, Esq.
Legal Notice:	Applicant, Barros Properties, LLC, and Owner, Somerville Post 19 American Legion, seeks Special Permits under §4.4.1 of the SZO to alter a non-conforming structure, parking relief under Article 9, a Special Permit with Site Plan Review (SPSR) to construct 19 residential units, Variances include lot area per dwelling unit, FAR height, front yard setback. Existing building to be demolished. Somerville Post 19 to be relocated to rear of the building. NB zone. Ward 3.
Date(s) of Hearing(s):	8/7, 9/4 (re-advertisement)
Staff Recommendation:	SP and SPSR: Conditional approval V: Unable to recommend
ZBA Action:	Voted on August 7, 2019 to continue the application to September 4, 2019
Current Status:	Will be heard.

17 Thorndike Street (ZBA 2019-67)	
Applicant:	Jake Steward
Property Owner:	Kirsten Chervinsky
Agent:	N/A
Legal Notice:	Applicant, Jake Steward, and Owner, Kirsten Chervinsky, seek special permits under §4.4.1 of the SZO to enclose a portion of a first story existing porch within the right side yard setback. RB zone. Ward 7.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Additional information required
ZBA Action:	--
Current Status:	Will be heard.

63 Franklin Street (ZBA 2019-68)	
Applicant:	Hudson Santana of North America Development, LLC
Property Owner:	Sonam Dorjee & Karma Sichoe
Agent:	N/A
Legal Notice:	Applicant, Hudson Santana of North America Development, LLC, and Owner, Sonam Dorjee & Karma Sichoe, seek special permits under §4.4.1 of the SZO to significantly alter a non-conforming property by creating an upward extension of a non-conforming front yard setback, increase the GFA by more than 25%. Parking relief under Article 9 of the SZO. Unit count to increase from 1 to 2. RB zone. Ward 1.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.



31 Woodbine Street (ZBA 2019-85)	
Applicant:	Fly Together Fitness
Property Owner:	Rail and Glass, LLC
Agent:	N/A
Legal Notice:	Applicant, Fly Together Fitness, and Owner, Rail and Glass, LLC, seek a special permit under SZO §7.11.6.3.a to establish a commercial exercise facility in one of the storefronts of the newly constructed building. A special permit for parking relief under SZO §9.13 is also being sought. RC Zone. Ward 5.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

1154 Broadway (ZBA 2018-78-E1-8/19)	
Applicant:	Anuj Pradhan, Trustee of the 1154 Broadway Realty Trust
Property Owner:	Anuj Pradhan, Trustee of the 1154 Broadway Realty Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Anuj Pradhan, Trustee of the 1154 Broadway Realty Trust, seeks a six-month extension of time under M.G.L Ch. 40A Sect. 10 of a previously approved variance (ZBA 2018-78) that was granted in October 2018 to construct a 75-room hotel. NB Zone. Ward 7.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard.

10 Oak Street (ZBA 2018-10-R1-6/19)	
Applicant:	10 Oak Street, LLC
Property Owner:	10 Oak Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, 10 Oak Street, LLC, under §5.3.8 of the SZO, seek revisions to a previously-granted special permit. RC zone. Ward 2.
Date(s) of Hearing(s):	9/4
Staff Recommendation:	Amend conditions as determined by ZBA.
ZBA Action:	--
Current Status:	Will be heard.

Other Business:

Approval of minutes from: August 21, 2019

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>



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