



City of Somerville, Massachusetts
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

PLANNING DIVISION

Meeting Minutes
March 5, 2008

The meeting was called to order at 6:00PM. in the Aldermanic Chambers of Somerville City Hall, 93 Highland Avenue, Somerville, MA.

Members Present:

Herbert Foster, Chairman
Orsola Susan Fontano, Clerk
Richard Rossetti
Danielle Fillis
Elaine Severino

Staff Present:

Lori Massa
Madeleine Masters
Chris DiIorio
Dawn Pereira

Absent:

T.F. Scott Darling, III, Esq.

34 Allen Street: (Case # ZBA 2007-59) Applicant Anthony Pasquale & Owner Allen Street Realty Trust seek a special permit (SZO §4.5.1) to change from one non-conforming use (factory) to another non-conforming use (recreational/health club). RB zone. *The ZBA voted on February 20, 2008 to grant the Applicant's request for a continuance to March 5, 2008.*

Attorney Richard DiGirolamo appeared on behalf of the Applicant. He stated the Applicant is proposing a martial arts studio to occupy the 5,300 s.f. space. A community meeting was sponsored by Ward 2 Alderman Maryann Heuston and the proposal was well received by the neighborhood. Mr. DiGirolamo stated that the 7 parking spaces met the demand based on the building's design occupancy (27 people). Chairman Foster stated that he had spoken to Alderman Heuston and she stated that the neighborhood was in support of the project but that

she wanted to require an additional condition: that additional Special Permit review would be required if the Owner were to have any change in use. This condition was included in the staff recommendation. Chairman Foster acknowledged a letter of support from Union Square Main Streets. Susan Fontano stated that this project did not seem detrimental to the neighborhood and made a motion to approve the Applicant's request. Elaine Severino seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

39 Endicott Avenue: (Case # ZBA 2007-66) Applicant & Owner Endicott Partners, LLC seek Special Permit with Site Plan Review approval from the Planning Board under SZO §7.3 in order to construct an eight unit apartment building (including one affordable unit) on a 12,504 s.f. parcel in a RB zone. Ward 7. *The ZBA voted on February 20, 2008 to grant the Applicant's request for a continuance to March 5, 2008.*

Susan Fontano made a motion to grant the Applicant's request for a continuance to March 19, 2008. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

88 Beacon Street: (Case # ZBA 2007-65) Applicant Nextel Communications of the Mid-Atlantic, Inc. & Owner 88 Beacon Street Realty, Inc. seek a special permit under SZO §7.11.15.3 to install a wireless communications facility on the roof of 88 Beacon Street, Somerville. Pursuant to an Order of the Superior Court, dated October 23, 2007, the Zoning Board of Appeals will conduct a *de novo* hearing on the request. See, Kramer v. Ercolini et al., Superior Court C.A. No. MICV03-2174. *The Board voted on February 20, 2008 to grant the Applicant's request for a continuance to March 5, 2008.*

Attorney Steve Grill appeared on behalf of Nextel Communications. Mr. Grill presented maps indicating wireless service coverage in the area. Mr. Grill stated that the sites at 15 Warren, 59 Union Square and 10 Webster Avenue, which are located to the East of the proposed site do not provide the same coverage as 88 Beacon Street. He stated that use of those sites would leave a significant gap in coverage to the West. The site at 120 Beacon Street, which is located to the North of the proposed site would not provide coverage to the East. Mr. Grill also stated that the Applicant had looked at two sites in Cambridge, (1493 Cambridge Street and 1575 Cambridge Street) and neither would have provided sufficient coverage. Mr. Grill stated that the antenna couldn't be lowered on the site of 88 Beacon Street because that would affect the coverage. Mr. Grill stated that if the antenna were to be moved to the rooftop of 94 Beacon Street there would be interference with the signal. Madeleine Masters testified that Staff had spoken with the management company for 94 Beacon Street and the roof could not accommodate more facilities and they would not consent to façade mountings. Applicant's radiofrequency engineer, Joseph Sutherland testified that none of the sites presented would comply with coverage requirements. Attorney Grill also presented a report from Traffic Solutions. Mr. Grill testified that if the change were made to put the shelter in the parking lot the antennas would still be up on roof and would still impact Mr. Kramer's view Madeleine Masters contested Attorney Grill's comments and stated that the point the City still maintains is that the court has ordered no deference be given to the prior approval and she rejects that part of the argument which asks the Board to consider previous findings made by the

Planning Board and Zoning Board of Appeals without the benefit of public testimony. Ms. Masters testified that in regards to the comments to the interest of Mr. Kramer's rights versus community interest in protecting views as a whole. Ms. Masters stated emphatically that while we are not dealing with a property right to a view, the Staff considers very seriously impacts of developments to abutters and views would be considered particularly when that burden is imposed more on a few members than society in general. Chairman Foster stated that he would like something more tangible at this point and requested that a peer review consultant be obtained in order to make a decision. Susan Fontano made a motion to continue the application to April 2, 2008 in order to obtain a peer review consultant. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

308 Beacon St: (Case # ZBA 2008-01) Applicant Basnight, Buckingham & Partners, Inc. and Owner Kyle E. Gale; Agent: Adam Dash) seek Special Permit approval under SZO §4.4.1 for the alteration of a non-conforming structure. The Applicant seeks Special Permit approval under SZO §7.11.c to build a three-story, six-unit dwelling with parking underneath in a RC zone. Ward 2. Planning Board recommends conditional approval. *The Board voted on February 20, 2008 to grant the Applicant's request for a continuance to March 5, 2008.*

Susan Fontano made a motion to grant the Applicant's request for a continuance to March 19, 2008. Elaine Severino seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

26 Henderson St: (Case # ZBA 2008-02) Applicant & Owner Patev Haase seeks a special permit (SZO §4.4.1) to construct a dormer that will be dimensionally nonconforming in terms of the front yard setback under SZO §8.5.G. RB zone. Ward 5. *The Board voted on February 20, 2008 to continue the application to March 5, 2008 because there was no Planning Board report.*

Applicant Patev Haase testified to restore her two-family house after a fire. Ms. Haase explained her request to add two dormers for third floor to provide adequate headroom in the stairway and to put a canopy over existing front stairway. Abutter Stewart Goldman stated that he had no opposition to the dormer, however, since the Board brought up the landscaping issue he would be willing to take down his fence and to add shrubbery instead of a tree Susan Fontano made a motion to approve the Applicant's request for a special permit with an added condition to collaborate with the Planning staff with regards to the landscaping. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

7 Prospect Hill Ave: (Case # ZBA 2008-03) Applicant & Owner Kevin Whalen seek special permits (SZO §4.4.1 & §4.5.3) to construct a one-story addition in the back and steps on the side of the dwelling to extend the residential use. RA zone. Ward 3. *The Board voted on February 20, 2008 to continue the application to March 5, 2008 because there was no Planning Board report.*

The Applicant explained his request to construct a one-story addition in the back and steps to the side in order to create more living space. The Applicant currently lives on the third floor with his wife. He and his wife both have mobility problems and would like to add a family room for convenience. Susan Fontano made a motion to approve the Applicant's request for a special permit. Danielle Fillis seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

503b Medford St: (Case # ZBA 2008-04) Applicant & Owner Broadway Investments seek a Special Permit (SZO §9.4 & §9.13a) for modification of parking requirements in order to expand an existing restaurant (currently Churrasco) into an adjacent space that is currently an office use. NB zone. Ward 5. *The Board voted on February 20, 2008 to continue the application to March 5, 2008 because there was no Planning Board report.*

Susan Fontano made a motion to grant the Applicant's request for a continuance to March 19, 2008. Danielle Fillis seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

2 Main St: Applicant Maria Grasso & Owner Diana Arenella seek Special Permit approval (SZO §4.4.1) for the alteration of a non-conforming structure in order to open a new front entrance in the existing structure, which would allow for the expansion of the existing beauty salon. NB zone. Ward 4.

Susan Fontano opened the case and read it into the record. Susan Fontano made motion to grant the Applicant's request for a continuance to March 19, 2008. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

292 Beacon St: Applicant & Owner Kenneth Spera seeks a special permit under SZO §4.4.1 to reconstruct a nonconforming structure and allow a six-family dwelling, (SZO §7.11.1.c), as part of an approved mixed-use structure. RC zone. Ward 2.

Susan Fontano opened the case and read a description into the record. Susan Fontano made a motion to grant the Applicant's request for a continuance to March 19, 2008. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

135 Willow Ave: Applicant & Owner 131 Willow Ave seeks a revision to Special Permit 2004-05 to allow for the continued existence of the porch roof, doors and windows. RC zone. Ward 6.

Adam Dash appeared on behalf of the Applicant. Mr. Dash proposed a revision to previously approved plans. The first request concerned the roof over the third floor deck on the rear of the property and the second request concerned the relocation of doors and windows on the second and third floor decks (there are currently four windows and two doors and the

Applicant was proposing four reconfigured windows and one door). Architect John McConnel testified that the roof was integral to the structural design and that altering the roof structure would be detrimental. Ward 6 Alderman Rebekah Gewirtz expressed her concerns that projects should be approved based on their benefit to the neighborhood not on whether it was a dump before. Alderman Gewirtz stated her opposition to the project unless the developer reached an agreement with the neighborhood. Alderman White testified that he does not support work being done after the fact and Applicants' then coming in front of the Board for revisions. Alderman Dennis Sullivan testified that the City had to send a message to prevent issues like this in the future echoed Alderman Gewirtz's sentiments that he was opposed but could be in favor if an agreement were worked out. Alderman Connolly testified the building has been a major improvement in the neighborhood. Alderman Connolly stated issues like these should be picked up by City departments when the final inspection was completed prior to the sign off of a building permit. Alderman Connolly testified that the Applicant should upgrade landscaping, irrigation, etc. Adam Dash stated that this is only a small issue and requested to let the penalty fit the crime. Abutter Holly Jo Sparks testified in support of the project but requested ivy or bushes to obscure the slab that covers the parking lot structure. Abutter Joe Dimeta testified in support of a community meeting being held and in support of the project. Tenant of the building Jennifer O'Donnell testified that she hopes this can be worked out. Abutter William Davenport requested mitigation equivalent to the cost of removing the roof, such as additional affordable housing units within the building. Abutter Julie Davenport testified against the project, expressing concerns regarding the inclusionary housing unit and the certificate of occupancy, and stated that 25% landscaping is required and is not shown. Abutter Jim Thomas testified that the landscaping near the bike bath should be required and not considered mitigation. Abutters Ann Kelley, Bill Knowles and Jonathan Rich echoed previous sentiments.

Alderman Gewirtz requested a continuance in order to hold a community meeting to settle outstanding issues. Susan Fontano made a motion to continue the application to March 19, 2008 in order for a community meeting to be held. Danielle Fillis seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

15 Weston Ave: Applicant Sprint Wireless Broadband Company, LLC, and Owner Somerville Housing Authority are requesting a revision to the Special Permit # ZBA 1998-37 to modify existing wireless facility. NB zone. Ward 7.

Susan Fontano opened the case and read a description into the record. Susan Fontano made a motion to grant the Applicant's request for a continuance to March 19, 2008. Danielle Fillis seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

49 Davis Sq.: Applicant Sprint Wireless Broadband Company, LLC, and Owner DBA BF Properties are requesting a revision to the Special Permit # ZBA 2003-07 to modify existing wireless facility. CBD zone. Ward 6.

Susan Fontano opened the case and read it into the record. Susan Fontano made a motion to grant the Applicant's request for a continuance to March 19, 2008. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

Susan Fontano made a motion to adjourn. Richard Rossetti seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting.

The hearing was concluded at 9:25pm.