



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

ZONING BOARD OF APPEALS

Herbert F. Foster, Jr., Chairman
 Orsola Susan Fontano, Clerk

Richard Rossetti
 T.F. Scott Darling, III, Esq.
 Danielle Fillis
 Elaine Severino (Alt.)
 Josh Safdie (Alt.)

AGENDA (REVISED)

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue
Wednesday, May 20, 2009
DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Opened Cases Requesting Continuances

369-371 Beacon Street (Case #ZBA 2008-61)	
Applicant:	Beacon Street Hotel
Property Owner:	George Makrigiannis
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Beacon Street Hotel & Owner George Makrigiannis seek a special permit with Site Plan Review (SZO §7.11.10.5.b) in order to construct and establish a hotel of more than 10,000 gross sq.ft. BA zone. Ward 2.
Date(s) of Hearing(s):	1/21, 2/4, 2/18, 3/4, 3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on April 15, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

56 Webster Avenue/520 Columbia Street (Case #ZBA 2008-65)	
Applicant:	Royal Hospitality Services, Inc. (Royal White)
Property Owner:	Columbia Street Realty, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Royal Hospitality Services, Inc. (Royal White) & Owner Columbia St. Realty, LLC seek a special permit (SZO §4.4.1) for alteration of a nonconforming structure and special permit with site plan review (§7.11.12.1.c) in order to expand the existing laundry processing use. IP zone. Ward 2.
Date(s) of Hearing(s):	1/21, 2/4, 2/18, 3/4, 3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on April 15, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.



100 Fellsway West (ZBA #2009-03)	
Applicant:	Electro Sales, Inc.
Property Owner:	Craig Corporation
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Richard Berg and Owner Craig Corporation seek a Special Permit with Site Plan Review (SZO §7.11.1.c) to convert from a factory/industrial use to a residential use in order to construct a 19 unit residential building. BB zone. Ward 4.
Date(s) of Hearing(s):	3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on April 15, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

9-11 Harvard Place (Case #ZBA 2009-04)	
Applicant:	Elaine Thibault
Property Owner:	Elaine Thibault
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner Elaine Thibault seeks a Special Permit with Site Plan Review approval under SZO §7.2 to construct two principal structures on the same lot and under §7.3 to develop four (4) residential units, where 12.5% are affordable housing. RA zone. Ward 3.
Date(s) of Hearing(s):	4/15, 5/6, 5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on April 15, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

600 Windsor Place (Case #ZBA 2008-66)	
Applicant:	Green Cab, Inc.
Property Owner:	The Windsor Company, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Green Cab, Inc. & Owner The Windsor Co., LLC, seek a special permit with site plan review (SZO §7.11.11.12.1.b) in order to establish a taxi storage and service use of more than 5,000 gross square feet. IP zone. Ward 2.
Date(s) of Hearing(s):	1/21, 2/4, 2/18, 3/4, 3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on May 6, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.



163 Hudson Street (Case #ZBA 2008-53)	
Applicant:	Afarin Bellisario
Property Owner:	Afarin Bellisario
Agent:	N/A
Legal Notice:	Applicant & Owner: Afarin Bellisario seeks Special Permit approval under SZO §4.4.1 for the alteration of a non-conforming structure in order to enlarge the existing structure with an increase of the gross floor area by more than 25 percent. This proposal would create a new unit as-of-right. RB zone. Ward 5.
Date(s) of Hearing(s):	11/5, 11/19, 12/3, 12/17, 1/7, 1/21, 2/4, 2/18, 3/4, 3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	No Planning Board at this time.
ZBA Action:	Voted on May 6, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

28 Billingham Street (Case #ZBA 2009-10)	
Applicant:	Denis Stacke & Denise Bethel-Stacke
Property Owner:	Denis Stacke & Denise Bethel-Stacke
Agent:	Peter Sachs Architect
Legal Notice:	Applicants & Owners Denis Stacke and Denise Bethel-Stacke seeks a special permit under §4.4.1 in order to construct a two story addition within a non-conforming side yard. RA zone. Ward 6.
Date(s) of Hearing(s):	5/6, 5/20
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on May 6, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

377 Summer Street (Case #ZBA 2009-01)	
Applicant:	Christos Poutahidis
Property Owner:	Christos Poutahidis
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner: Christos Poutahidis seeks a Special Permit to establish 6 dwelling units (SZO §7.11.1.c) and for shared parking (§9.13.e). The dwelling units would be part of a mixed use building with office and retail. CBD zone. Ward 6.
Date(s) of Hearing(s):	3/4, 3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	Recommends Conditional Approval.
ZBA Action:	Voted on May 6, 2009 to continue the application to May 20, 2009 in response to a request for a community meeting to be held.
Current Status:	Will be heard on May 20, 2009.



Previously Opened Cases to be Heard this Evening

22 Benedict Street (Case #ZBA 2008-71)	
Applicant:	Oi Chao Ding
Property Owner:	Oi Chao Ding
Agent:	N/A
Legal Notice:	Applicant/Owner Oi Chao Ding seeks a special permit (SZO §4.4.1) to alter a nonconforming dwelling by adding 20' x 14' porch to the rear. RB zone. Ward 1.
Date(s) of Hearing(s):	1/21, 2/4, 2/18, 3/4, 3/18, 4/1, 4/15, 5/6, 5/20
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on May 6, 2009 to grant the Applicant's request for a continuance to May 20, 2009.
Current Status:	Will be heard on May 20, 2009.

New Cases to be Opened that are Requesting Continuances

184 Summer Street (Case #ZBA 2009-11)	
Applicant:	Agassiz Preschool, Inc.
Property Owner:	Jeanne Salvo
Agent:	Tracy Kaplan, Director
Legal Notice:	Applicant Agassiz Preschool, Inc. & Owner: Jeanne Salvo seek a special permit (SZO §4.4.1) to construct a 650± s.f. addition to a structure on a nonconforming lot. RA zone. Ward 3.
Date(s) of Hearing(s):	5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	---
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

126 Orchard Street (Case #ZBA 2009-12)	
Applicant:	Axel Christensen
Property Owner:	Axel Christensen
Agent:	N/A
Legal Notice:	Applicant & Owner Axel Christensen seeks a special permit (SZO §4.4.1) to alter a nonconforming dwelling by constructing a 3700± s.f. addition. RB zone. Ward 6.
Date(s) of Hearing(s):	5/20
Planning Board Action:	Recommends Conditional Approval.
ZBA Action:	---
Current Status:	The Applicant is requesting to continue the application to June 3, 2009 in order to redesign project.



860 Broadway (Case #ZBA 2009-14)	
Applicant:	John Staff
Property Owner:	Charles Kostopoulos
Agent:	N/A
Legal Notice:	Applicant John Staff & Owner Charles Kostopoulos seek a special permit (§4.5.1) to change a non-conforming use in order to open a frozen yogurt parlor (§7.11.10.1.1.a). The applicant also seeks a special permit under §9.13.a for a modification in parking in order to not provide three (3) required spaces. RB zone. Ward 6.
Date(s) of Hearing(s):	5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	--
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

28-30 Newberne Street (Case #ZBA 2009-15)	
Applicant:	128 Willow Avenue, LLC
Property Owner:	128 Willow Avenue, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner 128 Willow Ave, LLC seeks approval to expand and alter an existing building and establish new uses therein: special permit with site plan review (§7.11.1.c) to establish a seven residential units; special permit (§4.4.1) to expand a non-conforming structure by constructing a two-story addition above an existing one-story structure; and special permit (§4.5.1) to change from one non-conforming use (workshop) to another (office) within an existing structure. RC & OS zones. Ward 6.
Date(s) of Hearing(s):	5/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	--
Current Status:	The Applicant is requesting to continue the application to June 3, 2009.

New Cases to be Opened and Heard this Evening

35 Corinthian Road (Case #ZBA 2009-13)	
Applicant:	Brandee & Chris Hall
Property Owner:	Brandee & Chris Hall
Agent:	Al Weisz, aia
Legal Notice:	Applicant & Owner Brandee & Chris Hall seek a special permit (§4.4.1) in order to construct a dormer within a non-conforming side yard and to enclose a front porch within a non-conforming front yard. RA zone. Ward 7.
Date(s) of Hearing(s):	5/20
Planning Board Action:	Recommends Conditional Approval
ZBA Action:	--
Current Status:	Will be heard on May 20, 2009.



191 Highland Avenue (Armory) (Case #ZBA 2005-70-R1-0409)	
Applicant:	Joseph Sater
Property Owner:	Joseph Sater
Agent:	N/A
Legal Notice:	Applicant & Owner Joseph Sater seeks revisions to a special permit (SZO §5.3.8) to revise conditions pertaining to location of trash storage and designation of parking spaces. RA/RC zones. Ward 5.
Date(s) of Hearing(s):	5/20
Planning Board Action:	N/A
ZBA Action:	--
Current Status:	Will be heard on May 20, 2009. Staff recommendation for Conditional Approval enclosed.

191 Highland Avenue (Arts @ the Armory) (Case #ZBA 2005-70-R2-0409)	
Applicant:	Center for the Arts at the Armory
Property Owner:	Joseph Sater
Agent:	N/A
Legal Notice:	Applicant Center for the Arts at the Armory & Owner Joseph Sater seek revisions to a special permit (SZO §5.3.8) to revise a condition to allow overlapping events under certain circumstances. RA/RC zones. Ward 5.
Date(s) of Hearing(s):	5/20
Planning Board Action:	N/A
ZBA Action:	
Current Status:	Will be heard on May 20, 2009. Staff recommendation is pending.

42 Allen Street (Case #ZBA 2008-67-R0409)	
Applicant:	Marc Resnick
Property Owner:	Marc Resnick
Agent:	Alissa Devlin, Esq.
Legal Notice:	Applicant & Owner Marc Resnick seeks a revision to special permit 2008-67 in order to remove a condition of approval that required access to two rear yard parking spaces. RB zone. Ward 2.
Date(s) of Hearing(s):	5/20
Planning Board Action:	N/A
ZBA Action:	--
Current Status:	Will be heard on May 20, 2009. Staff recommendation for conditional approval is enclosed.



16 Butler Drive/100 Temple Street (Case #ZBA 2007-03-R0409)	
Applicant:	Somerville Community Corporation
Property Owner:	St. Polycarp Redevelopment, LLC
Agent:	N/A
Legal Notice:	Applicant Somerville Community Corporation & Owner St. Polycarp Redevelopment, LLC seek a revision to Special Permit ZBA 2007-03 and 2007-03-R0308 (SZO §5.3.8). The revision is to establish a phasing plan that would modify building dimensions, parking layout and landscaped areas. NB zone. Ward 4.
Date(s) of Hearing(s):	5/20
Planning Board Action:	N/A
ZBA Action:	--
Current Status:	Will be heard on May 20, 2009. Staff report with project description is enclosed. No staff recommendation is being forwarded at this time. Staff are requesting the Board to open the hearing and take public comment to aid the applicant in amending the proposal.

Other Business

Rules and Regulations Amendment for fee increase

Rules and Regulations Amendments to remove requirements for Planning Board review of ZBA cases

Voted on May 6, 2009 to continue to May 20, 2009.

