



CITY OF SOMERVILLE, MASSACHUSETTS
 ZONING BOARD OF APPEALS
 JOSEPH A. CURTATONE, MAYOR

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

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

CORRECTED AGENDA—NOTE LOCATION

**Somerville High School Auditorium, 81 Highland Avenue
 Wednesday, June 18, 2008
DECISIONS 6:00 P.M. followed by New HEARINGS**

CASES CONTINUED FROM PREVIOUS HEARINGS

39 Endicott Avenue (Case #ZBA 2007-66)	
Applicant:	Endicott Partners, LLC
Property Owner:	Endicott Partners, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Seek Special Permit with Site Plan Review approval from the Planning Board (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.
Date(s) of Public Hearing(s):	1/9, 1/23, 2/6, 2/20, 3/5, 3/19, 4/2 & 4/16, 5/7, 5/21, 6/4/08
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request for a continuance to June 18, 2008.
Current Status:	Applicant will request a continuance to July 9, 2008.

88 Beacon Street (Case #ZBA 2007-65)	
Applicant:	Nextel Communications of the Mid-Atlantic, Inc.
Property Owner:	88 Beacon Street Realty, Inc.
Agent:	Steven Grill, Esq.
Legal Notice:	Seek a special permit (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 <i>de novo</i> hearing on the request. See, Kramer v. Ercolini et al., Superior Court C.A. No. MICV03-2174.
Date(s) of Hearing(s):	2/6, 2/20, 3/5/, 3/19, 4/2 & 4/16, 5/7, 5/21/, 6/4/08
Planning Board Action:	N/A
ZBA Action:	Voted on June 4, 2008 to grant Applicant's request for a continuance to June 18, 2008.

Current Status:	Board’s peer review consultant will present his qualifications and methodology to the Board and be available for the Board’s questions. No testimony will be received at this hearing from the Applicant or the public; however, questions or comments for the consultant or the Board may be held until the next hearing on July 9, 2008, or submitted in writing.
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308 Beacon Street (Case #ZBA 2008-01)	
Applicant:	Basnight, Buckingham & Partners, Inc.
Property Owner:	Kyle E. Gale
Agent:	Adam Dash, Esq.
Legal Notice:	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.
Date(s) of Public Hearing(s):	2/20, 3/5, 3/19, 4/2 & 4/16, 5/7, 5/21, 6/4/08
Planning Board Action:	Recommends conditional approval
ZBA Action:	Voted on June 4, 2008 to grant the Applicant’s request for a continuance to June 18, 2008.
Current Status:	Revised proposal will be heard on June 18, 2008. Staff recommends conditional approval.

135 Willow Avenue (AKA 131 Willow Avenue) (Case #ZBA 2004-05-R0208)	
Applicant:	131 Willow Avenue, LLC
Property Owner:	131 Willow Avenue, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	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.
Date(s) of Hearing(s):	3/5, 3/19, 4/2 & 4/16, 5/7 & 5/21, 6/4/08
Planning Board Action:	N/A
ZBA Action:	Voted on June 4, 2008 to grant Applicant’s request for a continuance to June 18, 2008.
Current Status:	Applicant has requested a continuance to July 9, 2008.

42 Craigie Street (Case #ZBA 2008-09)	
Applicant:	Felix Consilvio, Jr.
Property Owner:	42 Craigie Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Seek Special Permit with Site Plan Review approval under SZO §7.2 to construct two principal structures on the same lot as an existing principal structure. The applicant seeks Special Permit with Site Plan Review approval under SZO §7.3 to develop eight (8) residential units containing 12.5% affordable in a RB zone. Ward 3.
Date(s) of Hearing(s):	4/2, 4/16 & 5/7 & 5/21, 6/4/08
Planning Board Action:	Recommends conditional approval

ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request for a continuance to June 18, 2008.
Current Status:	Revised proposal will be heard at June 18, 2008. Staff recommends conditional approval.

221 Beacon Street (Case #ZBA 2008-10)	
Applicant:	Dedic Andrade Development, LLC
Property Owner:	Robert Fortini
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Seek Special Permit with Site Plan Review approval under SZO §7.3 to develop eight (8) residential units containing 12.5% affordable. RB zone. Ward 2.
Date(s) of Hearing(s):	4/16, 5/7 & 5/21, 6/4/08
Planning Board Action:	Recommends conditional approval
ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request to continue the application to June 18, 2008.
Current Status:	Will be heard on June 18, 2008. Staff recommends conditional approval.

2 Benton Road (Case #ZBA 2008-20)	
Applicant:	Vin Gately
Property Owner:	Benton Road Realty Trust
Agent:	N/A
Legal Notice:	Applicant: Vin Gately & Owner: Benton Road Realty Trust seek a Special Permit approval under SZO §4.4.1 for the alteration of a non-conforming structure in order to construct a 10 foot by 10 foot first floor deck and a 10 foot by 12 foot second floor deck. RB zone. Ward 3.
Date(s) of Hearing(s):	5/21, 6/4/08
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request for a continuance to June 18, 2008.
Current Status:	Applicant requested continuance to July 9, 2008 to readvertise.

50 Inner Belt Road (Case #ZBA 2008-21)	
Applicant:	Internap Network Services, Inc.
Property Owner:	Penna Realty Trust
Agent:	John McDonald, Consulting
Legal Notice:	Applicant: Internap Network Services, Inc. & Owner: Penna Realty Trust seek a Special Permit with Site Plan Review for the use as a data center over 25,000 square feet (SZO § 7.11.15.c). IA zone. Ward 1.
Date(s) of Hearing(s):	5/21, 6/4/08
Planning Board Action:	Recommends conditional approval pending Design Review Committee meeting of May 22, 2008.
ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request for a continuance to June 18, 2008.
Current Status:	Applicant has requested continuance to July 9, 2008 to redesign the façade.

114 Highland Avenue (Case #ZBA 1998-38-R0408)	
Applicant:	Sprint Wireless Broadband Company, LLC
Property Owner:	Somerville Housing Authority
Agent:	Ricardo M. Sousa, Esq.
Legal Notice:	Applicant Sprint Wireless Broadband Company, LLC, and Owner Somerville Housing Authority are requesting a revision to the Special Permit # ZBA 1998-38 to modify an existing wireless facility. RC zone. Ward 3.
Date(s) of Hearing(s):	5/21, 6/4/08
Planning Board Action:	N/A
ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request for a continuance to June 18, 2008.
Current Status:	Applicant will request continuance to July 9, 2008.

30 College Avenue (Case# ZBA 2007-29)	
Applicant:	D.F. Vallente
Property Owner:	Mouhad Rizkallah
Agent:	N/A
Legal Notice:	The ZBA will reopen proceedings for a special permit (#ZBA2007-29) sought by Owner M.Z. Rizkallah and Applicant D.F. Valente, in order to hold a new hearing on the applicant's request to construct a new front addition, an exterior stairway, and a third floor onto an existing building (SZO §4.4.1). CBD zone. Ward 6.
Date(s) of Hearing(s):	7/11/07 5/21/08, 6/4/08
Planning Board Action:	--
ZBA Action:	Voted on June 4, 2008 to grant the Applicant's request for a continuance to June 18, 2008.
Current Status:	Will be heard on June 18, 2008. Staff recommends conditional approval.

New Cases

25 Kingston Street (Case #ZBA 2008-23)	
Applicant:	Carrie Normand
Property Owner:	Carrie Normand
Agent:	N/A
Legal Notice:	Applicant & Owner Carrie Normand seeks a special permit §4.4.1 to extend a portion of the rear structure. RB zone. Ward 7.
Date(s) of Hearing(s):	--
Planning Board Action:	Recommends conditional approval
ZBA Action:	---
Current Status:	Will be heard on June 18, 2008. Staff recommends conditional approval.

422-424 Highland Avenue (Case #ZBA 2008-25)	
Applicant:	Robert Chen
Property Owner:	Dreyfus Realty, Inc.
Agent:	Edward Johnson
Legal Notice:	Applicant: Robert Chen and Owner: Dreyfus Realty Inc. seek Special Permit approval under SZO§9.13 to reduce the number of required parking spaces in order to expand an existing café. CBD zone. Ward 6.
Date(s) of Hearing(s):	--
Planning Board Action:	Recommends conditional approval
ZBA Action:	--
Current Status:	Will be heard on June 18, 2008. Staff recommends conditional approval.