



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY
DEVELOPMENT
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Josh Safdie (Alt.)
Elaine Severino (Alt.)

AGENDA

Zoning Board of Appeals
Visiting Nurse Association, 259 Lowell Street, 3rd Floor Community Room
Wednesday, September 19, 2012
DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Continued Cases to Future Dates

1 & 2 Village Terrace (Case #ZBA 2011-77)	
Applicant:	Douglas Beaudet
Property Owner:	Douglas Beaudet
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant & Owner Douglas Beaudet seeks a Special Permit to establish 5 dwelling units under SZO §7.11.1.c in two structure with 5 parking spaces and a Special Permit to alter a nonconforming structure under sec 4.4.1. The Applicant also seeks a parking variance for 3 spaces (§5.5 &9.5). RC Zone / Ward 2.
Date(s) of Hearing(s):	3/14, 4/4, 4/18, 5/2, 5/16, 6/6, 6/20, 7/11, 8/1, 8/15
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to October 3, 2012.
Current Status:	Previously continued to October 3, 2012.



32 Hinckley Street (Case #ZBA 2012-58)	
Applicant:	Middlesex Enterprises, LLC
Property Owner:	Middlesex Enterprises, LLC
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant and Owner Middlesex Enterprises, LLC, seeks Special Permits with Site Plan Review under SZO §7.2 and §7.3 to construct a second principal structure on the lot containing three additional dwelling units, resulting in five total dwelling units at the property. RB zone. Ward 5.
Date(s) of Hearing(s):	8/1, 8/15, 9/5
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 5, 2012 to continue the application to October 17, 2012.
Current Status:	Previously continued to October 17, 2012.

Previously Opened Cases that are Requesting a Continuance

106 Orchard Street (Case #ZBA 2012-23)	
Applicant:	Sapna Mehtani
Property Owner:	Sapna Mehtani
Agent:	Faith Baum, Architect
Legal Notice:	Applicant and Owner Sapna Mehtani, seeks a Special Permit to alter a nonconforming structure under SZO §4.4.1 to construct a two story addition in the rear of an existing single-family residence and a Special Permit under SZO §9.13.a for relief from one parking space to add an additional dwelling unit to the property. RB zone. Ward 6.
Date(s) of Hearing(s):	4/18, 5/2, 5/16, 6/6, 6/20, 7/11, 8/1, 8/15, 9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 19, 2012.
Current Status:	The Applicant will submit a written request to continue the application to October 3, 2012.

63 Boston Street (Case #ZBA 2012-37)	
Applicant:	David & Renee Scott
Property Owner:	David & Renee Scott
Agent:	N/A
Legal Notice:	Applicants and Owners, David and Renee Scott, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure and a Variance under SZO §5.5 for relief from the building height requirement under SZO §8.5.F to construct a third story addition on the rear of an existing two-family dwelling. RA zone. Ward 3.
Date(s) of Hearing(s):	6/6, 6/20, 7/11, 8/1, 8/15, 9/5, 9/19
Staff Recommendation:	Special Permit – Recommends conditional approval. Variance – Unable to recommend approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	The Applicant will submit a written request to continue the application to October 17, 2012.



13 Clyde Street (Case #ZBA 2012-49)	
Applicant:	13 Clyde Street, LLC
Property Owner:	13 Clyde Street, LLC
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant and Owner 13 Clyde Street, LLC, seeks a Special Permit under SZO §4.4.1 to construct a 2½ story addition on the rear of an existing nonconforming two-family dwelling as part of an as-of-right conversion of a two-family dwelling to a three-family dwelling. RB zone. Ward 5.
Date(s) of Hearing(s):	7/11, 8/1, 8/15, 9/5, 9/19
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	The Applicant will submit a written request to continue the application to October 3, 2012.

30 Wallace Street (Case #ZBA 2012-56)	
Applicant:	Peter Heller
Property Owner:	Peter Heller
Agent:	N/A
Legal Notice:	Applicant and Owner Peter Heller seeks a Special Permit under SZO §4.4.1 to make façade alterations to the existing nonconforming single-family structure and to convert the existing attached garage into living space. RA zone. Ward 6.
Date(s) of Hearing(s):	8/1, 8/15, 9/5, 9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	The Applicant will submit a written request to continue the application to October 3, 2012.

11 Linden Avenue (Case #ZBA 2012-27)	
Applicant:	Linden Tree Realty Trust
Property Owner:	Linden Tree Realty Trust
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant and Owner Linden Tree Realty Trust, seek a Special Permit with Site Plan Review under SZO §7.2 to construct a second principal structure at the property containing two additional dwelling units. RB zone. Ward 5.
Date(s) of Hearing(s):	5/2, 6/6, 6/20, 7/11, 8/1, 8/15, 9/5, 9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	The Applicant will submit a written request to continue the application to October 3, 2012.



Previously Opened Case to be Heard

5 Hall Avenue (Case #ZBA 2012-62)	
Applicant:	Hall Avenue, LLC
Property Owner:	Hall Avenue, LLC
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant/Owner Hall Avenue, LLC in order to convert an existing structure into a 3-family dwelling seek a variance (SZO §5.5) for lot area per dwelling unit (§8.5.b) and special permit (§5.1) for alteration to a nonconforming structure (§4.4.1) to construct a 241 sf rear deck. RB zone. Ward 6.
Date(s) of Hearing(s):	8/15, 9/5, 9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	Will be heard on September 19, 2012.

129-129R Highland Avenue (Case #ZBA 2012-45)	
Applicant:	Kenneth Lanzilli
Property Owner:	Angellis Realty Trust
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant Kenneth Lanzilli and Owner Angelli Realty Trust, seek a Special Permit with Site Plan Review under SZO §7.11.1.c to establish a seven (7) dwelling unit use, a Variance under SZO §5.5 for relief from the rear yard setback requirement under SZO §8.5.I, and a Special Permit to alter a nonconforming structure under SZO §4.4.1 to construct a rear addition with parking on an existing 2½ story four-family dwelling. RC zone. Ward 3.
Date(s) of Hearing(s):	7/11, 8/1, 8/15, 9/5, 9/19
Staff Recommendation:	Special Permit with Site Plan Review – Recommends conditional approval. Special Permit – Recommends conditional approval. Variance – Unable to recommend approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	Will be heard on September 19, 2012.

191 Highland Avenue (Case #ZBA 2012-63)	
Applicant:	Highland Armory Realty Trust
Property Owner:	Highland Armory Realty Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant/Owner Highland Armory Realty Trust seek special permits establishing the public assembly use (§7.11.6.4.a), altering a nonconforming structure (§4.4.1), and for shared parking (§9.13.e). The special permits are the same as those granted and revised by zoning decisions numbered # ZBA 2004-57, 2005-70, 2004-57a, 2005-70-R0209, 2005-70-R1-0409, & 2005-70-R2-0409, however, several conditions are to be changed related to occupancy, hours of operation, cooking on the premises, outdoor cafe seating and the ability to seek a full liquor license. Applicant/Owner also seek a special permit to establish outdoor seating for the café (SZO §7.11.10.2.a). RC/RA zone. Ward 5.
Date(s) of Hearing(s):	8/15, 9/5, 9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	Will be heard on September 19, 2012.



373 Washington Street (Case #ZBA 2012-70)	
Applicant:	Maren Kravitz & Heidi Brown
Property Owner:	Leroy & Katherine Parece
Agent:	N/A
Legal Notice:	Applicants Maren Kravitz and Heidi Brown and Owners Leroy and Katherine Parece, seek a Special Permit under SZO §4.5.1 to change a nonconforming use (an automotive repair shop) to another nonconforming use in order to open fitness studio with personal and small group training (SZO §7.11.6.3.a). RB zone. Ward 2.
Date(s) of Hearing(s):	9/5, 9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on September 5, 2012 to continue the application to September 19, 2012.
Current Status:	Will be heard on September 19, 2012.

New Cases to be Opened and Heard

99 Dover Street (Case #ZBA 2012-40-R1-8/2012)	
Applicant:	Bright Horizons Family Solutions, Inc.
Property Owner:	99 Dover Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Bright Horizons Family Solutions, Inc. and Owner 99 Dover Street, LLC, seek a Revision to a Special Permit (ZBA 2012-40) under SZO §5.3.8 to add a new condition to the Special Permit which would give Owner the as-of-right option to restore the loading dock door that would be removed as part of the originally awarded Special Permit. The original Special Permit was to make alterations to the façade of a nonconforming structure including removing a loading dock door and replacing it with windows and an emergency egress under SZO §4.4.1. CBD Zone. Ward 6.
Date(s) of Hearing(s):	9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 19, 2012.

70 Concord Avenue (Case #ZBA 2012-59)	
Applicant:	Antonio & Erma Miranda
Property Owner:	Antonio & Erma Miranda
Agent:	N/A
Legal Notice:	Applicants and Owners Antonio and Erma Miranda, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to alter the structure's third floor to create additional living space, including new window openings, and a Special Permit under SZO §9.13.a for relief from one parking space at an existing two-family residence. RB zone. Ward 2.
Date(s) of Hearing(s):	9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 19, 2012.



28-30 Newberne Street (Case #ZBA 2012-67)	
Applicant:	Andrew H. Kim & Jo Eun Choi
Property Owner:	Andrew H. Kim & Jo Eun Choi
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners Andrew H. Kim and Jo Eun Choi, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to enclose private outdoor space on the first floor of the north and south facades of an existing six unit residential building. RC zone. Ward 6.
Date(s) of Hearing(s):	9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 19, 2012.

453 Somerville Avenue (Case #ZBA 2012-71)	
Applicant:	Akimenko Meats
Property Owner:	Samylee, LLC
Agent:	N/A
Legal Notice:	Applicant Akimenko Meats and Owner Samylee LLC, seek a Special Permit under SZO §4.5.1 to change a nonconforming use (an automotive repair shop) to another nonconforming use in order to open a butcher shop (SZO §7.11.9.3.a). The Applicant and Owner are also seeking a Special Permit under SZO §4.4.1 to make alterations to the façade of the existing nonconforming structure including new door openings. BA/RB zone. Ward 2.
Date(s) of Hearing(s):	9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 19, 2012.

48 Temple Street (Case #ZBA 2012-72)	
Applicant:	Miao Chang Fang
Property Owner:	White Cliffs, LLC
Agent:	Excel Signs
Legal Notice:	Applicant, Miao Chang Fang, and Owner, White Cliffs LLC, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to relocate entry doors and windows on the front façade. RB zone. Ward 4.
Date(s) of Hearing(s):	9/19
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 19, 2012.



13 Elmwood Street (Case #ZBA 2012-73)	
Applicant:	Franziska Amacher
Property Owner:	Chunga Cha
Agent:	N/A
Legal Notice:	Applicant, Franziska Amacher, and Owner, Chunga Cha, seek a Variance (SZO §5.5) in order to build a 1.5 foot extension of the first story of a porch into the front yard setback. RB zone. Ward 7.
Date(s) of Hearing(s):	9/19
Staff Recommendation:	Unable to recommend approval.
ZBA Action:	---
Current Status:	Will be heard on September 19, 2012.

Other Business

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



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