



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

PLANNING DIVISION

Herbert F. Foster, Jr.
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 Richard Rossetti

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

AGENDA

Zoning Board of Appeals
Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue
Wednesday, September 5, 2012
DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Continued Cases to Future Dates

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:	Previously continued to September 19, 2012.



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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, 10/3
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.

Previously Opened Cases that are Requesting a Continuance

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
Staff Recommendation:	Special Permit – Recommends conditional approval. Variance – Unable to recommend approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	The Applicant will submit a written request to continue the application to September 19, 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
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	The Applicant will submit a written request to continue the application to September 19, 2012.



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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 August 15, 2012 to continue the application to September 5, 2012.
Current Status:	The Applicant will submit a written request to continue the application to October 17, 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
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	The Applicant will submit a written request to continue the application to September 19, 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
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	The Applicant will submit a written request to continue the application to September 19, 2012.



Previously Opened Case to be Heard

193 School Street (Case #ZBA 2012-55)	
Applicant:	Micah Silver
Property Owner:	Micah Silver
Agent:	N/A
Legal Notice:	Applicant and Owner, Micah Silver, seeks a Special Permit under SZO § 4.4.1 to convert an existing garage into living space. RA zone. Ward 4.
Date(s) of Hearing(s):	8/15, 9/5
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	Will be heard on September 5, 2012.

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
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	Will be heard on September 5, 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
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 August 15, 2012 to continue the application to September 5, 2012.
Current Status:	Will be heard on September 5, 2012.



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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
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on August 15, 2012 to continue the application to September 5, 2012.
Current Status:	Will be heard on September 5, 2012.

New Cases to be Opened and Heard

7 Westminster Street (Case #ZBA 2012-65)	
Applicant:	Kevin Kelleher
Property Owner:	Christopher Cacioppo
Agent:	N/A
Legal Notice:	Applicant Kevin Kelleher and Owner Christopher Cacioppo, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to add a third floor rear porch and to expand the rear porches deeper into the lot at an existing three-family residence. RA zone. Ward 7.
Date(s) of Hearing(s):	9/5
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 5, 2012.

31 Franklin Avenue (Case #ZBA 2012-66)	
Applicant:	Ocean City Development, LLC
Property Owner:	Ocean City Development, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner Ocean City Development, LLC seeks a Special Permit under SZO §4.4.1 to expand a dormer on the left side of the existing nonconforming two-family structure. RB zone. Ward 1.
Date(s) of Hearing(s):	9/5
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 5, 2012.



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256 Elm Street a/k/a 260 Elm Street #103 (Case #ZBA 2012-69)	
Applicant:	OL Davis Square, LLC
Property Owner:	Urban Equity Development Company
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant OL Davis Square, LLC, and Owner Urban Equity Development Company, seek a Special Permit with Design Review under SZO §7.11.10.2.2.a to establish a fast order food establishment (frozen yogurt parlor). CBD zone. Ward 6.
Date(s) of Hearing(s):	9/5
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 5, 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
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on September 5, 2012.

Other Business

278 Cedar Street (ZBA 2012-53) – Request for Reconsideration

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



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