



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**ZONING BOARD OF APPEALS AGENDA**

Aldermanic Chambers, 2<sup>nd</sup> Floor, City Hall, 93 Highland Avenue  
Wednesday, January 21, 2015  
DECISIONS 6:00 P.M. followed by New HEARINGS

**Previously Opened Cases that are Requesting a Continuance**

<b>73 Concord Avenue: (Case #ZBA 2013-83)</b>	
Applicant:	Ze'ev Mehler & Nathalie Horowicz
Property Owner:	Ze'ev Mehler & Nathalie Horowicz
Agent:	Richard DiGirolamo
Legal Notice:	Applicants and Owners, Ze'ev Mehler & Nathalie Horowicz, seek a Special Permit with Site Plan Review under SZO §7.2.a to construct a second principle structure composed of two dwelling units; a Special Permit under SZO §4.4.1 to rehabilitate the nonconforming accessory structure, which includes alterations to window and door openings, and Variances under SZO §9.5.1.a for two spaces of parking relief under SZO §9.11.a to modify the dimensions of the maneuvering aisle. RB zone. Ward 2.
Date(s) of Hearing(s):	7/16, 8/6, 8/20, 9/3, 9/17, 10/1, 10/15, 11/5, 11/19, 12/10/14, 1/7, 1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on January 7, 2015 to continue the application to January 21, 2015.
Current Status:	The Applicant has submitted a written request to continue the application to February 4, 2015.

<b>44 Park St: (Case #ZBA 2014-03)</b>	
Applicant:	Claudia Murrow
Property Owner:	Belam, II LLC
Agent:	N/A
Legal Notice:	Applicant, Claudia Murrow, seeks an Administrative Appeal per SZO §3.1.9, 3.2, and 3.2.3 from a decision from the Inspectional Services Division that issued a temporary certificate of occupancy for a School for Instruction in Arts at 44 Park Street, Owner, Belam II LLC . RC Zone. Ward 2.
Date(s) of Hearing(s):	5/7, 6/18, 10/15 , 12/10/14, 1/7, 1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on December 10, 2014 to continue the application to January 21, 2015.
Current Status:	The Applicant has submitted a written request to continue the application to February 18, 2015.

<b>240 Elm Street (Case #ZBA 2014-06)</b>	
Applicant:	Fitness Holdings Somerville, LLC d/b/a Crunch Fitness
Property Owner:	Davis Square Realty Ventures
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Fitness Holdings Somerville, LLC, d/b/a Crunch Fitness, seek a Special Permit under SZO §7.11.6.3.b to establish a exercise facility over 10,000 sf and a Special Permit or Variance under SZO §9.5 or 9.13.a to modify parking space requirements. The proposal also includes the alteration to a nonconforming structure under §4.4.1 to alter the façade and floor area ratio. Zone CBD. Ward 6.
Date(s) of Hearing(s):	10/1, 10/15, 11/5, 11/19, 12/10/14, 1/7, 1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on January 7, 2015 to be heard on January 21, 2015.
Current Status:	The Applicant will submit a written request to continue the application to February 4, 2015.

### **New Cases to be Opened that are Requesting a Continuance**

<b>54, 56, 56A Elm St: (Case #ZBA 2014-83)</b>	
Applicant:	54 Elm, LLC
Property Owner:	54 Elm, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 54 Elm, LLC, seeks a Special Permit to alter and expand a nonconforming structure by rebuilding the existing storefront with a second floor to add an additional dwelling unit on site. One space of parking relief is also required. RB Zone. Ward 5.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	The Applicant has submitted a written request to continue the application to February 4, 2015.

## Previously Opened Cases that Will be Heard

<b>457 Medford Street (Case #ZBA 2014-09)</b>	
Applicant:	Henry Donaldson
Property Owner:	Henry Donaldson
Agent:	N/A
Legal Notice:	Applicant and Owner, Henry Donaldson, seek a Special Permit per SZO §4.4.1 to alter a nonconforming structure by changing the building type from a side gable to 3-story flat roof structure and expanding rear additions. RB Zone. Ward 5.
Date(s) of Hearing(s):	3/19, 4/2, 4/16, 5/7, 5/21, 6/4, 6/18, 7/16, 8/6, 8/20, 9/3, 9/17, 10/1, 10/15, 11/5, 11/19/14, 1/21
Staff Recommendation:	Unable to recommend.
ZBA Action:	Voted on November 19, 2014 to continue the application to January 21, 2015.
Current Status:	Will be heard on January 21, 2015.

<b>1108 Broadway (Case #ZBA 2014-78) (re-advertised)</b>	
Applicant:	JSS Realty Corporation
Property Owner:	JSS Realty Corporation
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, JSS Realty Corp., seeks a Special Permit under SZO §9.13.c for an access easement to be able to provide on-site parking at an existing two-family dwelling. Ward 7. BA zone.
Date(s) of Hearing(s):	12/10/14, 1/7, 1/21
Staff Recommendation:	Recommends Denial.
ZBA Action:	Voted on January 7, 2015 to continue the application to January 21, 2015.
Current Status:	Will be heard on January 21, 2015.

<b>23 Ames St: (Case #ZBA 2014-114)</b>	
Applicant:	Cattello Battinelli, II
Property Owner:	Cattello Battinelli, II
Agent:	N/A
Legal Notice:	Applicant and Owner, Cattello Battinelli II, seeks a Variance under SZO §8.6.17 to construct a pool less than 6' from the side property line. RA Zone. Ward 5.
Date(s) of Hearing(s):	1/7, 1/21
Staff Recommendation:	Unable to recommend conditional approval.
ZBA Action:	Voted on January 7, 2015 to continue the application to January 21, 2015.
Current Status:	Will be heard on January 21, 2015.

## New Cases to be Opened and Heard

<b>139 Summer St: (Case #ZBA 2014-90)</b>	
Applicant:	139 Summer Street LLC
Property Owner:	139 Summer Street LLC
Agent:	
Legal Notice:	Applicant and Owner, 139 Summer Street LLC, seeks Special Permits under SZO §4.4.1 to alter a non-conforming structure to add a third dwelling unit and under SZO §9.13.a for parking relief. RB/RA zone. Ward 3.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Unable to recommend.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>23-25 Calvin St: (Case #ZBA 2013-64 R1- 12/2014)</b>	
Applicant:	Philip Weiss
Property Owner:	Philip Weiss
Agent:	--
Legal Notice:	Applicant and Owner, Philip Weiss, seek a revision to a special permit to change the approved exterior material, roof height behind the parapet wall, and window alterations. RB Zone. Ward 2.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>7 Holts Ave: (Case #ZBA 2014-122)</b>	
Applicant:	Michelle Hewitt
Property Owner:	Michelle Hewitt and Andre Weinstock
Agent:	--
Legal Notice:	Applicant, Michelle Hewitt, and Owners, Michelle Hewitt and Andre Weinstock, seek a Special Permit to build an approx. 160 sf two-story rear addition on a nonconforming single-family house. RB zone. Ward 2.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>9-11 Aberdeen Rd: (Case #ZBA 2014-123)</b>	
Applicant:	Paul Lavelle
Property Owner:	ULS Aberdeen Realty Trust
Agent:	--
Legal Notice:	Applicant, Paul Lavelle, and Owner, ULS Aberdeen Realty Trust, seeks a Special Permit under SZO §4.4.1 to alter a non-conforming, three-family dwelling to create a three-story rear deck with egress. RB zone. Ward 5.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>200 Highland Ave: (Case #ZBA 2014-124)</b>	
Applicant:	SBN, LLC
Property Owner:	SBN, LLC
Agent:	Sarah Like Rhatigan, Esq.
Legal Notice:	Applicant and Owner, SBN, LLC, seek a Special Permit to make alterations to a nonconforming 4-family structure including changing fenestration, adding balconies and decks, and adding a garage door to interior parking on Spring Hill Terrace. RC zone. Ward 3.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>654 Mystic Ave: (Case #ZBA 2014-125)</b>	
Applicant:	FMS Auto Sales LLC
Property Owner:	Fieldcom Realty Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant, FMS Auto Sales LLC, and Owner, Fieldcom Realty Trust, seek a Special Permit with Site Plan Review under SZO §7.11.11.7.b to establish a used motor vehicle sales and service business. BB zone. Ward 4.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>505 Medford St: (Case #ZBA 2014-126)</b>	
Applicant:	Sophiya Thakali
Property Owner:	Broadway Investments Inc.
Agent:	--
Legal Notice:	Applicant, Sophiya Thakali, and Owner, Broadway Investments Inc., seek a Special Permit for a fast food use and a Special Permit for parking relief. NB Zone. Ward 4.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

<b>30 Hancock St: (Case #ZBA 2014-127)</b>	
Applicant:	Paul Shannon
Property Owner:	Paul Shannon, Diane Adler, & Mary Dyouis
Agent:	--
Legal Notice:	Applicant, Paul Shannon, and Owner, Paul Shannon, Diane Adler, & Mary Dyouis, seek a Special Permit to lengthen an existing dormer. RB Zone. Ward 6.
Date(s) of Hearing(s):	1/21
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	--
Current Status:	Will be heard on January 21, 2015.

### **Other Business**

ZBA Meeting Minutes from 2012 and 2013 are being presented for adoption.