



**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, October 17, 2012**  
**DECISIONS 6:00 P.M. followed by New HEARINGS**

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

<b>1 &amp; 2 Village Terrace (Case # ZBA 2011-77)</b>	
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, 10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on October 3, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to continue the application to November 7, 2012.



<b>106 Orchard Street (Case # ZBA 2012-23)</b>	
Applicant:	Sapna Mehtani
Property Owner:	Sapna Mehtani
Agent:	Richard G. Di Girolamo, Esq.
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, 10/3, 10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on October 3, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to continue the application to November 7, 2012.

<b>11 Linden Avenue (Case # ZBA 2012-27)</b>	
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 and a Special permit under SZO §9.13.b to modify parking design standards. 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, 10/3, 10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on October 3, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to continue the application to November 7, 2012.

<b>63 Boston Street (Case # ZBA 2012-37)</b>	
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, 10/17
Staff Recommendation:	Special Permit – Recommends conditional approval. Variance – Unable to recommend approval.
ZBA Action:	Voted on September 19, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to continue the application to November 28, 2012.

<b>13 Clyde Street (Case # ZBA 2012-49)</b>	
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, 10/3, 10/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on October 3, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to Withdraw the Application Without Prejudice.

<b>30 Wallace Street (Case # ZBA 2012-56)</b>	
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, 10/3, 10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on October 3, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to continue the application to November 7, 2012.

<b>32 Hinckley Street (Case # ZBA 2012-58)</b>	
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, 10/17
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 5, 2012 to continue the application to October 17, 2012.
Current Status:	The Applicant has submitted a written request to continue the application to November 7, 2012.

**Previously Opened Cases to be Heard**

<b>191 Highland Avenue (Case # ZBA 2012-63)</b>	
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, 10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on September 19, 2012 to continue the application to October 17, 2012.
Current Status:	Will be heard on October 17, 2012.

<b>129-129R Highland Avenue (Case # ZBA 2012-45)</b>	
Applicant:	Kenneth Lanzilli
Property Owner:	Angellis Realty Trust
Agent:	Richard G. Di Girolamo, Esq.
Legal Notice:	Applicant Kenneth Lanzilli and Owner Angellis 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, 10/3, 10/17
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 October 3, 2012 to continue the application to October 17, 2012.
Current Status:	Will be heard on October 17, 2012.

<b>5 Hall Avenue (Case # ZBA 2012-62)</b>	
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, 10/3, 10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	Voted on October 3, 2012 to continue the application to October 17, 2012.
Current Status:	Will be heard on October 17, 2012.

**New Cases to be Opened and Heard**

<b>94 Beacon Street (Case # ZBA 2012-75)</b>	
Applicant:	Sprint Spectrum
Property Owner:	Beacon Place Condominium Trust
Agent:	Adam Braillard, Esq.
Legal Notice:	Applicant, Sprint Spectrum, and Owner, Beacon Place Condominium Trust, seek a Special Permit under SZO §7.11.15.3 and SZO §14 for the installation of wireless communications equipment consisting of the replacement of three existing antennas and related equipment and cables including one GPS antenna and two equipment cabinets. RC zone. Ward 2.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	The application was continued to October 17, 2012 in order to re-advertise to notify the Cambridge abutters.
Current Status:	Will be heard on October 17, 2012.

<b>146 Hudson Street (Case # ZBA 2012-76)</b>	
Applicant:	Hudson Street, LLC
Property Owner:	Hudson Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, Hudson Street, LLC, seek a Special Permit under SZO §4.4.1 to alter a structure on a nonconforming lot to construct 3 dwelling units in an approx 5,200 sf building and 6 parking spaces. RB/RC zone. Ward 5.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

<b>29 Elmwood Street (Case # ZBA 2012-77)</b>	
Applicant:	Charles Casassa
Property Owner:	Casassa Realty Trust
Agent:	N/A
Legal Notice:	Applicant Charles Casassa and Owner Casassa Realty Trust, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure, including adding a dormer on the left side of an existing single-family dwelling, and a Special Permit under SZO §9.13.a to modify parking requirements for relief from two parking spaces to convert the structure into a two-family dwelling. RB zone. Ward 7.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

<b>263 Elm Street, a/k/a 5 Davis Square (Case # ZBA 2012-78)</b>	
Applicant:	NE Frog Pond, LLC
Property Owner:	The 5 Davis Square, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Owner, The 5 Davis Square, LLC, and Applicant, NE Frog Pond LLC, seek a Special Permit with Design Review under SZO §7.11.10.2.1.a to establish a fast order food establishment (frozen yogurt parlor), a Special Permit under SZO §4.4.1 to modify the existing storefront, including window openings, and a Special Permit under SZO §9.13.a for relief from parking requirements. CBD Zone. Ward 6.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

<b>252 Summer Street (Case # ZBA 2012-79)</b>	
Applicant:	Manuel Perez
Property Owner:	Manuel Perez
Agent:	
Legal Notice:	Applicant and Owner, Manuel Perez, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming two-family dwelling by modifying an existing second-story deck on the rear façade, which includes a staircase and railings. RB zone. Ward 5.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

<b>23-25-27 Village Street (Case # ZBA 2012-80)</b>	
Applicant:	Adele Naude Santos
Property Owner:	Adele Naude Santos
Agent:	
Legal Notice:	Applicant and Owner Adele Naude Santos, seeks a Special Permit under SZO §4.4.1 to alter an existing nonconforming structure, including adding a second story to an existing building, as part of adding a second dwelling unit to the property. RC zone. Ward 2.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

<b>221 Willow Avenue, Unit #1 (Case # ZBA 2012-82)</b>	
Applicant:	Paula Dowd
Property Owner:	Frank & Barbara Pisano
Agent:	
Legal Notice:	Applicant Paula Dowd and Owners Frank and Barbara Pisano, seek a Special Permit under SZO §4.4.1 for relief from the provisions of SZO §8.5.E to finish a portion of the basement to add additional living space to an existing two-family residence. RA zone. Ward 6.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

<b>219-221 Elm St., a/k/a 387-391 Summer St. and 217 Elm St., a/k/a 376 Summer St. (Case # ZBA 2012-83)</b>	
Applicant:	Painted Burro, Inc.
Property Owner:	Laverty Family Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant Painted Burro, Inc. and Owner Laverty Family Trust, seek a Special Permit with Design Review under SZO 7.11.10.1.1.c to establish a restaurant use between 5,000 and 9,999 gross square feet and a Special Permit under SZO §4.4.1 to modify the storefront, including window openings, of the existing nonconforming structure. CBD zone. Ward 6.
Date(s) of Hearing(s):	10/17
Staff Recommendation:	Recommends conditional approval.
ZBA Action:	---
Current Status:	Will be heard on October 17, 2012.

## Other Business

*Plans and reports are available at the City of Somerville website at the following link:*  
[www.somervillema.gov/planningandzoning/reports](http://www.somervillema.gov/planningandzoning/reports)

