



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

PLANNING DIVISION

Board Members Present:

Herbert F. Foster, Jr., Chairman
 Orsola Susan Fontano, Clerk
 Richard Rossetti
 T.F. Scott Darling, III, Esq.
 Elaine Severino (Alt.)
 Josh Safdie (Alt.)

Staff Members Present

George Proakis, Director of Planning
 Chris DiIorio, Senior Planner

MINUTES

Zoning Board of Appeals

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue
 Wednesday, January 20, 2010
 DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Opened Cases to be Heard

369-371 Beacon Street (Case #ZBA 2008-61)	
Applicant:	Beacon Street Hotel
Property Owner:	George Makrigiannis
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Beacon Street Hotel & Owner George Makrigiannis seek a special permit with Site Plan Review (SZO §7.11.10.5.b) in order to construct and establish a hotel of more than 10,000 gross sq.ft. BA zone. Ward 2.
Date(s) of Hearing(s):	1/21, 2/4, 2/18, 3/4, 3/18, 4/1, 4/15, 5/6, 5/20, 6/3, 6/24, 7/15, 8/5, 8/19, 9/2, 9/16, 10/7, 10/21, 11/4, 11/18, 12/2, 12/16, 1/6/10, 1/20
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on January 20, 2010 to approve the Applicant's request for a Special Permit with Site Plan Review.



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Susan Fontano made a motion to approve the Special Permit with Site Plan Review. Richard Rossetti seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie and Elaine Severino voting with Danielle Evans absent and Scott Darling recused.

73 Highland Road (Case #ZBA 2009-55)	
Applicant:	Christian MacDonald
Property Owner:	Christian MacDonald
Agent:	
Legal Notice:	Applicant & Owner, Christian Macdonald, seeks a Special Permit under SZO §4.4.1 in order to construct a dormer within the non-conforming side yard (§8.5.H). The applicant also seeks a Variance under SZO §5.5 in order to construct a dormer that exceeds fifty (50) percent of the length of the sloping roof to which it is attached creating a non-conforming third floor. RA zone. Ward 5.
Date(s) of Hearing(s):	12/16, 1/6/10, 1/20
Planning Board Action:	Recommends conditional approval on the special permit but was unable to approve the Variance.
ZBA Action:	Voted on January 20, 2010 to continue the application to February 3, 2010.
Susan Fontano made a motion to continue the application to February 3, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting and Danielle Evans absent.	

88 Beacon Street	
Applicant:	Nextel Communications of the Mid-Atlantic, Inc.
Property Owner:	88 Beacon Street Realty, Inc.
Agent:	
Legal Notice:	Applicant Nextel Communications of the Mid-Atlantic, Inc. & Owner 88 Beacon Street Realty, Inc. seek a special permit under SZO §7.11.15.3 to install a wireless communications facility on the roof of 88 Beacon Street, Somerville. The Board shall address an Order of the United States District Court for the District of MA, dated Dec 1, 2009, ordering the Zoning Board of Appeals to issue the special permit without conditions to maintain the wireless telecommunications facility at 88 Beacon St in accordance with the applications submitted on Jun 7, 2001 and Jan 15, 2008. RC zone. Ward 2.
Date(s) of Hearing(s):	1/6, 1/20
Planning Board Action:	--
ZBA Action:	Voted on January 20, 2010 to continue the item to February 3, 2010.
Susan Fontano made a motion to continue the application to February 3, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting and Danielle Evans absent.	



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255 Elm Street (Case #ZBA 2009-57)	
Applicant:	Rockwell Restaurant Group, LLC
Property Owner:	Gorin Realty Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Rockwell Restaurant Group, LLC & Owner Gorin Realty Trust seek a Special Permit with Design Review to establish a 4,900± s.f. lounge (SZO §7.11.10.6.B), a Special Permit to alter the façade of the nonconforming structure under §4.4.1, and a Variance in order to not provide thirty-one (31) required parking spaces (§9.5) and one (1) loading dock for the lounge and by-right 4,400± s.f. restaurant. CBD zone. Ward 6.
Date(s) of Hearing(s):	1/6, 1/20
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on January 20, 2010 to continue the application to February 3, 2010.
Attorney Richard G. DiGirolamo appeared and stated his client's proposal. The Board discussed issues concerning trash collection, traffic from loading and parking. There was no testimony taken from any abutters. Susan Fontano made a motion to continue the application to February 3, 2010 in order to get more information regarding loading/delivery and traffic questions and concerns. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Josh Safdie voting with Danielle Evans absent.	

New Cases Requesting a Continuance

30 Washington Street (Case #ZBA 2009-59)	
Applicant:	James Harvey
Property Owner:	Northeast Hotel Associates
Agent:	
Legal Notice:	Applicant, James Harvey, & Owner, Northeast Hotel Associates, seek a Variance from SZO §12.4.1 to install a 385 square foot exterior commercial sign at a height of approximately 75 feet. BB zone. Ward 1.
Date(s) of Hearing(s):	1/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on January 20, 2010 to continue the application to February 3, 2010.
Susan Fontano made a motion continue the application to February 3, 2010. Scott Darling seconded it. Upon a vote, the motion passed 5-0 with Elaine Severino voting and Danielle Evans absent.	

12 Prospect Hill Avenue (Case # ZBA 2009-62)	
Applicant:	Eric Fellingner
Property Owner:	Eric Fellingner
Agent:	
Legal Notice:	Applicant & Owner, Eric Fellingner, seeks a Special Permit under SZO §4.4.1 in order to construct 200 sf of living space in the structure that is non-conforming in terms of Floor Area Ratio (§8.5.E). RA zone. Ward 3.
Date(s) of Hearing(s):	1/20
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on January 20, 2010 to continue the application to February 3, 2010.



Susan Fontano made a motion continue the application to February 3, 2010. Scott Darling seconded it. Upon a vote, the motion passed 5-0 with Josh Safdie voting and Danielle Evans absent.

New Cases to be Opened and Heard

28 Josephine Avenue (Case #ZBA 2009-60)	
Applicant:	Cindy Siyuan He
Property Owner:	Cindy Siyuan He
Agent:	
Legal Notice:	Applicant & Owner, Cindy Siyuan He, seeks a Special Permit under SZO §4.4.1 to construct a dormer within the required side yard setback (8.5.H) and to expand the non-conforming floor area ratio from approximately .78 to 1.1 (8.5.H) by finishing the existing basement space into living area. RA zone. Ward 6.
Date(s) of Hearing(s):	1/20
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on January 20, 2010 to continue the application to February 3, 2010.
Susan Fontano made a motion continue the application to February 3, 2010. Scott Darling seconded it. Upon a vote, the motion passed 5-0 with Elaine Severino voting and Danielle Evans absent.	

864 Broadway (Case #ZBA 2009-63)	
Applicant:	Herberson Dosantos
Property Owner:	Charles Kostopoulous
Agent:	
Legal Notice:	Applicant, Herberson Dosantos, & Owner, Charles Kostopoulos seek a Special Permit under SZO §4.5.1 to change the use from an approximately 500sf real estate office to a used furniture store (§7.11.9.7). RB zone. Ward 6.
Date(s) of Hearing(s):	1/20
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on January 20, 2010 to approve the Applicant's request for a special permit.
The Applicant appeared and stated his proposal. There was no testimony of abutters in support or against the project. The Board discussed issues of furniture on the sidewalk. Susan Fontano made a motion to approve the Applicant's request for a special permit. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Josh Safdie voting and Danielle Evans absent.	

Other Business

Executive Session

88 Beacon Street



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