



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

*PLANNING DIVISION*

**MEMEBERS PRESENT**

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

**STAFF PRESENT**

Chris DiIorio, *Senior Planner*

**MINUTES**

**Zoning Board of Appeals**  
**Aldermanic Chambers, 2<sup>nd</sup> Floor, City Hall, 93 Highland Avenue**  
**Wednesday, January 6, 2010**  
**DECISIONS 6:00 P.M. followed by New HEARINGS**

**Previously Opened Cases to be Heard**

<b>369-371 Beacon Street (Case #ZBA 2008-61)</b>	
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
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on January 6, 2010 to continue the application to January 20, 2010.
Susan Fontano made a motion to continue the application to the next meeting. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	



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<b>9-11 Harvard Place (Case #ZBA 2009-04)</b>	
Applicant:	Elaine Thibault
Property Owner:	Elaine Thibault
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner Elaine Thibault seeks a Special Permit with Site Plan Review approval under SZO §7.2 to construct two principal structures on the same lot and under §7.3 to develop four (4) residential units, where 12.5% are affordable housing. RA zone. Ward 3.
Date(s) of Hearing(s):	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
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on January 6, 2010 to approve the application for a special permit.
Susan Fontano made a motion to approve the application with site plan review. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

<b>73 Highland Road (Case #ZBA 2009-55)</b>	
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
Planning Board Action:	Recommends conditional approval of the special permit but was unable to approve the Variance.
ZBA Action:	Voted on January 6, 2010 to continue the application to January 20, 2010.
Board voted to continue the application to January 20, 2010.	

### New Cases to be Heard

<b>88 Beacon Street</b>	
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 December 1, 2009, ordering the Zoning Board of Appeals to issue the special permit without conditions to maintain the wireless telecommunications facility at 88 Beacon Street in accordance with the applications submitted on June 7, 2001 and January 15, 2008. RC zone. Ward 2.
Date(s) of Hearing(s):	1/6/10



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Planning Board Action:	--
ZBA Action:	Voted to continue the application to January 20, 2010.
The Board voted to continue the application to January 20, 2010.	

<b>255 Elm Street (Case #ZBA 2009-57)</b>	
Applicant:	Rockwell Restaurant Group, LLC
Property Owner:	Gorin Realty Trust
Agent:	
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):	1/6/10
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted to continue the application to January 20, 2010.
Susan Fontano made a motion to continue the application to January 20, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

<b>62B Summer Street (Case #ZBA 2009-58)</b>	
Applicant:	Paul Denis
Property Owner:	Gurmail Banwait
Agent:	N/A
Legal Notice:	Applicant, Paul Denis, & Owner, Gurmail Banwait seek a Special Permit under SZO §4.5.1 to change the use from a 390± s.f. real estate office to an Artist Studio Space (audio/video editing and recording service)(§7.11.6.8). RB zone. Ward 2.
Date(s) of Hearing(s):	1/6/10
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted to approve the application for a special permit.
Susan Fontano made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

## Other Business

### **Election of Chair and Clerk**

Herbert Foster nominated Chairperson. Scott Darling made a motion to nominate Herbert Foster as Chairperson. Richard Rossetti seconded the motion. Upon a vote, the motion passed 5-0.

Scott Darling made a motion to nominate Orsola Susan Fontano as Clerk. Richard Rossetti seconded the motion. Upon a vote, the motion passed 5-0.

### **Executive Session**

88 Beacon Street



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