



CITY OF SOMERVILLE, MASSACHUSETTS
 ZONING BOARD OF APPEALS
 JOSEPH A. CURTATONE, MAYOR

Herbert F. Foster, Jr., Chairman
 Orsola Susan Fontano, Clerk

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

AGENDA RESULTS

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue,
 Wednesday, October 15, 2008
DECISIONS 6:00 P.M. followed by New HEARINGS

CASES REQUESTING CONTINUANCES

30 College Avenue (Case# ZBA 2007-29)	
Applicant:	D.F. Valente
Property Owner:	Mouhab Rizkallah
Agent:	N/A
Legal Notice:	The ZBA will reopen proceedings for a special permit (#ZBA2007-29) sought by Owner M.Z. Rizkallah and Applicant D.F. Valente, in order to hold a new hearing on the applicant's request to construct a new front addition, an exterior stairway, and a third floor onto an existing building (SZO §4.4.1). CBD zone. Ward 6.
Date(s) of Hearing(s):	7/11/07 5/21/08, 6/4, 6/18, 7/9 & 7/23, 8/6, 8/20
Planning Board Action:	N/A (reopened proceedings)
ZBA Action:	Voted on October 15, 2008 to grant the Applicant's request for a continuance to November 5, 2008.

135 Willow Avenue (AKA 131 Willow Avenue) (Case #ZBA 2004-05-R0208)	
Applicant:	131 Willow Avenue, LLC
Property Owner:	131 Willow Avenue, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Seeks a revision to Special Permit 2004-05 to allow for the continued existence of the porch roof, doors and windows. RC zone. Ward 6.
Date(s) of Hearing(s):	3/5, 3/19, 4/2 & 4/16, 5/7 & 5/21, 6/4, 6/18, 7/9 & 7/23, 8/6,
Planning Board Action:	N/A (revision)
ZBA Action:	Voted on October 15, 2008 to grant the Applicant's request for a continuance to November 5, 2008.

ALREADY OPENED CASES TO BE HEARD THIS EVENING

23 Whitman Street (ZBA #2008-44)	
Applicant:	Kevin Roy
Property Owner:	Michael Bavaro
Agent:	Peter Sandone
Legal Notice:	Applicant: Kevin Roy & Owner: Michael Bavaro seek a variance for number of stories §8.5.f and a special permit §4.4.1 to add a third story to the dwelling. RA zone. Ward 7. (The Applicant changed the plans and withdrew the variance request.)
Date(s) of Hearing(s):	10/16/08
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant's request for a special permit.

44 Park Street (Case #ZBA 2008-24)	
Applicant:	44 Park Street, LLC
Property Owner:	MALDEMER, LLC
Agent:	Nick Iannuzzi, Esq.
Legal Notice:	Applicant: 44 Park Street, LLC & Owner: MALDEMER, LLC seek a Special Permit with Site Plan Review for 89 dwelling units, and variances for parking, minimum lot area per dwelling unit, and number of stories (4 proposed). RC zone. Ward 2.
Date(s) of Hearing(s):	7/9, 7/23, 8/20, 9/3, 10/15/08
Planning Board Action:	Recommends conditional approval of the SPSR but was unable to recommend approval of the variances.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant's request to withdraw the application without prejudice.

NEW CASES TO BE HEARD THIS EVENING

11 Glendale Avenue (Case #ZBA 2008-46)	
Applicant:	Brian Hickey
Property Owner:	Brian Hickey
Agent:	
Legal Notice:	Applicant & Owner: Brian Hickey seeks a Special Permit §4.4.1 to alter a non-conforming structure in order to construct a dormer on the side of the dwelling. RB zone. Ward 7.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	Unable to approve.
ZBA Action:	Voted on October 15, 2008 to deny the Applicant's request for a special permit.

40 Montrose Street (Case #ZBA 2008-48)	
Applicant:	Brad Stearns
Property Owner:	Darrell Morrow
Agent:	
Legal Notice:	Applicant: Brad Stearns & Owner: Darrell Morrow seek a special permit §4.4.1 to construct a 1-story addition in the rear of the structure. RA zone. Ward 5.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant's request for a special permit.

844 McGrath Highway (Case #ZBA 2008-49)	
Applicant:	FibreTower
Property Owner:	GTP Acquisition Partners, LLC
Agent:	Michael Johnson
Legal Notice:	Applicant: FiberTower & Owner: GTP Acquisition Partners LLC seeks Special Permit Approval under SZO §7.11.15.3 for the installation of a wireless communications facility. ASMD PUD-A zone. Ward 1.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant's request for a special permit.

252 Medford Street (Case #ZBA 2008-50)	
Applicant:	FibreTower
Property Owner:	Somerville Housing Authority
Agent:	Michael Johnson
Legal Notice:	Applicant: FiberTower & Owner: Somerville Housing Authority seeks Special Permit Approval under SZO §7.11.15.3 for the installation of a wireless communications facility. RB zone. Ward 3.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant's request for a special permit.

230 Highland Avenue (Case #ZBA 2008-52)	
Applicant:	FibreTower
Property Owner:	Cambridge Health Alliance
Agent:	Michael Johnson
Legal Notice:	Applicant: FiberTower & Owner: Cambridge Health Alliance seeks Special Permit Approval under SZO §7.11.15.3 for the installation of a wireless communications facility. RA zone. Ward 3.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant's request for a special permit.

27 College Avenue (Case #ZBA 2008-51)	
Applicant:	FibreTower
Property Owner:	Somerville Housing Authority
Agent:	Michael Johnson
Legal Notice:	Applicant: FiberTower & Owner: Somerville Housing Authority seeks Special Permit Approval under SZO §7.11.15.3 for the installation of a wireless communications facility. CBD zone. Ward 6.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on October 15, 2008 to approve the Applicant’s request for a special permit.

161-163 Elm Street (Case #ZBA 2007-45-R0908)	
Applicant:	161-163 Elm Street, LLC
Property Owner:	161-163 Elm Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner: 161-163 Elm St, LLC seeks a revision to Special Permit ZBA 2007-45 to alter the proposed parking layout and the materials used for paving. RB zone. Ward 6.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	N/A
ZBA Action:	Voted on October 15, 2008 to approve the Applicant’s request for a revision to Special permit ZBA#2007-45.

1-4 Hayden Terrace (Case #ZBA 2007-56-R0908)	
Applicant:	One Hayden Terrace Trust
Property Owner:	One Hayden Terrace Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner: One Hayden Terrace Trust seeks a revision to Special Permit ZBA 2007-56 to eliminate a single parking space, alter the proposed parking layout and relocate the dumpster area. RB zone. Ward 5.
Date(s) of Hearing(s):	10/15/08
Planning Board Action:	N/A
ZBA Action:	Voted on October 15, 2008 to approve the Applicant’s request for a revision to Special Permit ZBA #2007-56.

OTHER BUSINESS