



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

PLANNING DIVISION

MEMBERS 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

Lori Massa, *Planning/Zoning Administrator*

AGENDA

Zoning Board of Appeals

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue

Wednesday, December 16, 2009

DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Opened Cases Requesting a Continuance

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
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on December 16, 2009 to grant the Applicant's request for a continuance to January 6, 2010.
Susan Fontano made a motion to continue the application to January 6, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	



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9-11 Harvard Place (Case #ZBA 2009-04)	
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
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on December 16, 2009 to grant the Applicant's request for a continuance to January 6, 2010.
Susan Fontano made a motion to continue the application to January 6, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

Previously Opened Cases to be Heard

38 Gorham Street (Case #ZBA 2009-49)	
Applicant:	Daniel O'Rourke
Property Owner:	Daniel O'Rourke
Agent:	N/A
Legal Notice:	Applicant & Owner Daniel O'Rourke proposes to convert a two-family into a three-family dwelling and seeks a variance (SZO §5.5) for lot area per dwelling unit. The Applicant also seeks a special permit (§4.4.1 & 5.1) for the alteration of a non-conforming structure in order to construct a dormer and deck within the required side yard. RB zone. Ward 7.
Date(s) of Hearing(s):	12/2, 12/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on December 16, 2009 to recommend conditional approval.
Susan Fontano made a motion to recommend conditional approval. Scott Darling seconded the motion. Upon a vote the motion passed 5-0.	

New Cases to be Heard

61 Rogers Avenue (Case #ZBA 2009-51)	
Applicant:	David Crockett
Property Owner:	Robert Chihade
Agent:	
Legal Notice:	Applicant, David Crockett & Owner, Robert Chihade seek a Special Permit under SZO §4.4.1 in order to construct a dormer within the non-conforming side yard (§8.5.H). RA zone. Ward 5.
Date(s) of Hearing(s):	12/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on December 16, 2009 to recommend conditional approval.
Susan Fontano made a motion to recommend conditional approval. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	



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212 Elm Street (Case #ZBA 2009-54)	
Applicant:	Davis Square Real Estate, LLC
Property Owner:	Davis Square Real Estate, LLC
Agent:	
Legal Notice:	Applicant & Owner, Davis Square Real Estate LLC, seeks a Special Permit under SZO §4.4.1 to alter the exterior of the ground floor office space in order to create two by-right retail storefronts of a combined approximately 4,350 square feet. CBD zone. Ward 6.
Date(s) of Hearing(s):	12/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on December 16, 2009 to recommend conditional approval.
Susan Fontano made a motion to recommend conditional approval. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

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
Planning Board Action:	Recommends conditional approval on the special permit but was unable to approve the Variance.
ZBA Action:	Voted on December 16, 2009 to continue the application to January 20, 2009.
Susan Fontano made a motion to continue the application to January 20, 2009. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

3-5 Vinal Avenue (Case #ZBA 2009-56)	
Applicant:	3-5 Vinal Avenue, LLC
Property Owner:	3-5 Vinal Avenue, LLC
Agent:	
Legal Notice:	Applicant & Owner, 3-5 Vinal Avenue LLC, seeks a Special Permit under SZO §4.4.1 to expand a nonconforming three-family residential structure by constructing a shed dormer on a gable roof. RB zone. Ward 3.
Date(s) of Hearing(s):	12/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on December 16, 2009 to recommend conditional approval.
Susan Fontano made a motion to recommend conditional approval. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	



Other Business

Correspondence from Paulette Renault-Caragianes
Somerville Health Department

Susan Fontano made a motion to continue the application to January 6, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.

Executive Session

88 Beacon Street

Susan Fontano made a motion to close the executive session. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.



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