



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

*PLANNING DIVISION*

**Board Members Present:**

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

**Staff Members Present:**

Adam Duchesneau

**MINUTES**

**Zoning Board of Appeals**

Aldermanic Chambers, 2<sup>nd</sup> Floor, City Hall, 93 Highland Avenue  
 Wednesday, February 16, 2011  
 DECISIONS 6:00 P.M. followed by New HEARINGS

**Previously Continued Cases to a Future Date**

<b>1 Benton Road (Case #ZBA 2010-60)</b>	
Applicant:	MLM Realty Trust
Property Owner:	MLM Realty Trust
Agent:	Thomas Reilly, Esq./Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner MLM Realty Trust is seeking an administrative appeal (SZO Section 3.3.2.a and 3.2.4) of the denial of a Planning Board decision for Site Plan Review (SZO 5.4) and Subdivision (SZO 8.8). This is an appeal of the Planning Board action on August 24, 2010 to deny the petition of the Applicant to subdivide the lot into (2) lots consisting of one lot of 11,917 square feet and one lot of 9,622 square feet. RB Zone. Ward 2.
Date(s) of Hearing(s):	11/17, 12/1, 12/15/10, 1/5/11, 1/19, 2/2, 2/16
Planning Board Action:	N/A
ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011.
Richard Rossetti made a motion to continue the application to March 2, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	



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**Previously Opened Cases Requesting to Withdraw without Prejudice**

<b>15 Park Place (Case #ZBA 2009-42)</b>	
Applicant:	Keith Glover & Lenore Hill
Property Owner:	Thomas Costagliola
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Keith Glover and Lenore Hill & Owner Thomas Costagliola seek a Special Permit under SZO §4.4.1 in order to enlarge a non-conforming garage into an approximately 4,000sf two-family dwelling. RB zone. Ward 2.
Date(s) of Hearing(s):	12/1, 12/15/10, 1/5/11, 1/19, 2/2, 2/16
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted to withdraw the application without prejudice.
Current Status:	Richard Rossetti made a motion to withdraw the application without prejudice. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.

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

<b>35R Lexington Avenue (Case #ZBA 2009-45)</b>	
Applicant:	Christos Poutahidis
Property Owner:	Christos Poutahidis
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner Christos Poutahidis is seeking a Special Permit with Site Plan Review (SZO §5.2) to have two principle structures (two single-family dwellings) on a lot (§7.2) and a Special Permit to alter a nonconforming structure (§5.1 & §4.4.1). RA zone. Ward 5.
Date(s) of Hearing(s):	11/3, 11/17, 12/1, 12/15/10, 1/5/11, 1/19, 2/2, 2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011.
Richard Rossetti made a motion to continue the application to March 2, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	

<b>71 Linwood Street (Case #ZBA 2010-70)</b>	
Applicant:	Herb Chambers Motorcars
Property Owner:	NSTAR Electric Company
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant Herb Chambers Motorcars and Owner NSTAR Electric Company, seeks a Special Permit with Site Plan Review under SZO §5.2.1 to use the existing structure for an automobile repair facility (SZO §7.11.5.b and/or §7.11.6.b). IA zone. Ward 2.
Date(s) of Hearing(s):	12/15/10, 1/5/11, 1/19, 2/2, 2/16
Planning Board Action:	No Planning Board report at this time.



ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011.
Richard Rossetti made a motion to continue the application to March 2, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	

<b>15 Warren Avenue (Case #ZBA 2010-69)</b>	
Applicant:	Clear Wireless, LLC
Property Owner:	Somerville Housing Authority
Agent:	Jason Ellis, Prince Lobel
Legal Notice:	Applicant Clear Wireless, LLC, and Owner, Somerville Housing Authority Seek a Special Permit under SZO §4.4.1 & §14; and seeks a Variance under §7.11.15.3 to install three (3) panel antennas, façade mount four (4) two-foot wireless backhaul dish antennas, and add one GPS antenna on the roof of the structure along with associated equipment and cabling. RA zone. Ward 3.
Date(s) of Hearing(s):	12/1, 12/15/10, 1/5/11, 2/2, 2/16
Planning Board Action:	Recommends peer review.
ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011.
Richard Rossetti made a motion to continue the application to March 2, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	

<b>6-8 Beacon Street (Case #ZBA 2010-65)</b>	
Applicant:	Inman Square Lofts, LLC
Property Owner:	Inman Square Lofts, LLC
Agent:	Robert Moriarty
Legal Notice:	Applicant and Owner, Inman Square Lofts, LLC, and Agent, Robert Moriarty, Marsh Moriarty Ontell Golder, seek a special permit (SZO §5.1) to construct six dwelling units (§7.11.1.c), a special permit to allow the expansion of an existing nonconforming commercial structure (§4.4.1), and a variance (§5.5) from two required parking spaces (§9.5). RC zone. Ward 2.
Date(s) of Hearing(s):	2/2, 2/16
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011.
Richard Rossetti made a motion to continue the application to March 2, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	



**Previously Opened Cases to be Heard**

<b>14 James Street (Case #ZBA 2010-79)</b>	
Applicant:	Ekaterina Smirnova and Aleksandar Lekic
Property Owner:	Ekaterina Smirnova and Aleksandar Lekic
Agent:	Rasko Oydrovic
Legal Notice:	Applicants and Owners, Ekaterina Smirnova and Aleksandar Lekic, seek a special permit to alter a non-conforming structure under SZO §4.4.1 to add a half story to the front facade of the existing structure to construct a two-story addition on top of the first floor in the rear of an existing single-family residence to create a two-family residence. RB zone. Ward 4.
Date(s) of Hearing(s):	1/19, 2/2, 2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011.
Aleksander Lekic gave a description of the project. Susan Fontano questioned if the property was going to remain a single-family or if it will be converted to a two-family, to which Aleksander Lekic responded that it will remain a single-family. Susan Fontano stated that she would like to see date stamps on the plan. Josh Safdie stated that he is comfortable with the condition if the staff is signing off. There were no abutters present to speak in opposition or support. Scott Darling made a motion to continue the application to March 2, 2011. Richard Rossetti seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	

<b>12 Skehan Street (Case #ZBA 2010-81)</b>	
Applicant:	Mark Falvey
Property Owner:	Mark Falvey
Agent:	Jean-Yves Nayl
Legal Notice:	Applicant and Owner, Mark Falvey, seeks a special permit to alter a non-conforming structure under SZO §4.4.1 to construct an addition to first floor in the rear of an existing single-family residence. RB zone. Ward 2.
Date(s) of Hearing(s):	2/2, 2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to approve the application for a special permit.
The Applicant gave a description of the project. Susan Fontano questioned the siding to which the Applicant responded that the siding on the addition will be the same as the existing. Susan Fontano then questioned the landscaping to which the Applicant responded that the backyard was clean and there was not much in the way of vegetative landscaping. There were no abutters present to speak in support or opposition. Richard Rossetti made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	

<b>9 Porter Avenue (Case #ZBA 2010-83)</b>	
Applicant:	Susan Evans
Property Owner:	Susan Evans & Joseph X. Sullivan
Agent:	N/A



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Legal Notice:	Applicant Susan Evans and Owners Susan Evans & Joseph X. Sullivan seek a special permit to alter a non-conforming structure under SZO §4.4.1 to construct a second story addition and adjust window locations in the side and rear yards of an existing single-family residence. RA zone. Ward 5.
Date(s) of Hearing(s):	2/2, 2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to approve the application for a special permit.
The Applicant and Architect gave a description of the project and the Architect described a new interior layout. There were no abutters present to speak in opposition or support. Richard Rossetti made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting.	

### New Cases to be Opened and Requesting a Continuance

<b>425 Broadway (Case #ZBA 2011-07)</b>	
Applicant:	New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility
Property Owner:	Summit Holding, Inc c/o Chatham Management
Agent:	Matt McQuaid
Legal Notice:	Applicant New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility & Owner Summit Holding, Inc. c/o Chatham Management seek Special Permit Approval under SZO §7.11.15.3 and SZO §14 for the installation of a wireless communications facility consisting of three panel antennas and related equipment and cables. RC zone. Ward 5.
Date(s) of Hearing(s):	2/16
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on February 16, 2011 to continue the application to March 2, 2011
Richard Rossetti made a motion to continue the application to March 2, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.	

### New Cases to be Opened and Heard

<b>58 Liberty Avenue (Case #ZBA 2011-04)</b>	
Applicant:	David Franzel
Property Owner:	David Franzel
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant & Owner David Franzel seeks a Special Permit under SZO §4.4.1 to create living space in the basement of a nonconforming structure (§8.5.E). RA zone. Ward 6.
Date(s) of Hearing(s):	2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to approve the application for a special permit.



The Agent gave a description of the project. Richard Rossetti stated that he applauds the project and current work being done. Susan Fontano questioned if the property is owner occupied, to which the Agent responded that the Owner will be living there and will be renting the 2<sup>nd</sup> floor unit. There were no abutters present to speak in support or opposition. Richard Rossetti made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.

<b>27 College Avenue (Case #ZBA 2011-03)</b>	
Applicant:	New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility
Property Owner:	Somerville Housing Authority
Agent:	Matt McQuaid
Legal Notice:	Applicant New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility & Owner Somerville Housing Authority seek Special Permit Approval under SZO §7.11.15.3 and SZO §14 for the installation of a wireless communications facility consisting of three panel antennas and related equipment and cables. CBD zone. Ward 6.
Date(s) of Hearing(s):	2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to approve the application for a special permit with a revision to condition number 2.
<p>The Applicant gave a description of the project. Susan Fontano questioned if the color of the antennas can be altered to which the Applicant replied that it can be and that it can match the color of the structure. The only condition revision was that condition #2 should read that "All Cingular antennas shall be painted to match the color of the penthouse/equipment shelters to which they are attached." Richard Rossetti made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting.</p>	

<b>252 Medford Street (Case #ZBA 2011-08)</b>	
Applicant:	New Cingular Wireless, PCS, LLC by its manager, AT&T Mobility, Inc.
Property Owner:	Somerville Housing Authority
Agent:	Matt McQuaid
Legal Notice:	Applicant New Cingular Wireless, PCS, LLC by its manager, AT&T Mobility, Inc and Owner Somerville Housing Authority seek a special permit (SZO §7.11.15.3 and SZO §14) to install wireless communications equipment, consisting of 3 additional antennas to be added to an existing wireless facility on the roof. BB zone. Ward 3.
Date(s) of Hearing(s):	2/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 16, 2011 to approve the application for a special permit with revisions to the conditions.
<p>The only condition revision was that condition #2 should read that "All Cingular antennas shall be painted to match the color of the penthouse/equipment shelters to which they are attached." Richard Rossetti made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting.</p>	

## Other Business

Review of Comprehensive Plan Process



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