



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.
Elaine Severino (Alt.)
Josh Safdie (Alt.)

STAFF PRESENT

George Proakis, *Director of Planning*
Lori Massa, *Planning/Zoning Administrator*

MINUTES

Zoning Board of Appeals

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue
Wednesday, February 3, 2010
DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Opened Cases to be Heard

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, 2/3
Planning Board Action:	Recommends conditional approval of the special permit but was unable to approve the Variance.
ZBA Action:	Voted on February 3, 2010 to continue the application to February 17, 2010.



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The owner stated that he was not able to get the structural plans in time for the meeting. Susan Fontano made a motion to continue the application to February 17, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting.

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, 2/3
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted to recommend conditional approval.
The Agent explained the updates since the last meeting and explained how trash and deliveries were handled on the site. Furthermore, he stated that the Applicant was working with an area valet service and a nearby parking lot to try to get additional parking. Condition revisions included a revision to Condition #12 and the additions of Conditions #14 & #15. Susan Fontano made a motion to recommend conditional approval of the special permit and the variance. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting.	

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, 2/3
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted to approve the application.
The Applicant explained the project to which Susan Fontano stated that she liked the new logo and there is support from the Chamber of Commerce and Board of Aldermen. Herbert Foster stated that the hotel has been an asset to the community. Two abutters spoke in support, none in opposition. Susan Fontano made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0, with Josh Safdie voting.	



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, 2/3
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 3, 2010 to continue the application to February 17, 2010.
<p>The Applicant explained the project. Herbert Foster stated that the Board received correspondence from neighbors in support of the project. Elaine Severino stated that she would like to see the interior of the building to see what would be converted. The Applicant stated the changes to the ductwork and its relationship to the light bulbs and stated that he has hired a general contractor. Herbert Foster stated it is customary to take 2 weeks to do a site visit. After a discussion, the Board decided that they would like to do a site visit. Susan Fontano made a motion to continue the application to February 17, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0, with Elaine Severino voting.</p>	

28 Josephine Avenue (Case #ZBA 2009-60)	
Applicant:	Cindy Siyuan He
Property Owner:	Cindy Siyuan He
Agent:	
Legal Notice:	Applicant & Owner, Cindy Siyuan He, seek 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, 2/3
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted to recommend conditional approval.
<p>Herbert Foster stated that he did a site visit and the builder answered the Board's questions. Susan Fontano made a motion to recommend conditional approval. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0, with Elaine Severino voting.</p>	

New Cases to be Opened that are requesting Continuances

15 Weston Avenue (Case #ZBA 2009-52)	
Applicant:	Clearwire
Property Owner:	Somerville Housing Authority
Agent:	
Legal Notice:	Applicant, Clearwire and Owner, Somerville Housing Authority, seeks a Special Permit under SZO §7.11.15.3 in order to replace, relocate and install wireless communications equipment. RB/NB zone. Ward 7.
Date(s) of Hearing(s):	2/3
Planning Board Action:	No Planning Board report at this time.



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ZBA Action:	Voted to continue the application to February 17, 2010.
Susan Fontano made a motion to continue the application to February 17, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting.	

119 College Avenue (Case #ZBA 2009-66)	
Applicant:	Clearwire
Property Owner:	Powder House Realty
Agent:	
Legal Notice:	Applicant, Clearwire and Owner, Powder House Realty, seek a Special Permit under SZO §7.11.15.3 in order to install wireless communications equipment. RB zone. Ward 6.
Date(s) of Hearing(s):	2/3
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted to continue the application to February 17, 2010.
Susan Fontano made a motion to continue the application to February 17, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0, with Josh Safdie voting .	

New Cases to be Opened and Heard

230 Highland Avenue (Case #ZBA 2009-61)	
Applicant:	T-Mobile Northeast, LLC
Property Owner:	Cambridge Health Alliance
Agent:	
Legal Notice:	Applicant, T-Mobile Northeast LLC and Owner, Cambridge Health Alliance, seeks Special Permit Approval under SZO §7.11.15.3 in order to install wireless communications equipment. RA zone. Ward 3.
Date(s) of Hearing(s):	2/3
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted to approve the application for a special permit on February 3, 2010.
The Applicant explained the project and stated that it would have gone on the roof if there was room. Condition #9 was added which addresses the screening of the equipment. Susan Fontano made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0, with Josh Safdie voting.	

Other Business



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