



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

PLANNING DIVISION

Board Members Present:

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

Staff Members Present:

Lori Massa

AGENDA MEETINGS

Zoning Board of Appeals

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue
 Wednesday, March 16, 2011

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

Previously Opened Cases that are Requesting a Continuance

35R Lexington Avenue (Case #ZBA 2009-45)	
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, 3/2, 3/16
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on March 2, 2011 to continue the application to March 16, 2011.
The Board voted to grant a continuance to 4/20/11.	



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71 Linwood Street (Case #ZBA 2010-70)	
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, 3/2, 3/16
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on March 2, 2011 to continue the application to March 16, 2011.
The Board voted to grant a continuance to April 20, 2011.	

15 Warren Avenue (Case #ZBA 2010-69)	
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, 3/2, 3/16
Planning Board Action:	Recommends peer review.
ZBA Action:	Voted on March 2, 2011 to continue the application to March 16, 2011.
The Board voted to grant a continuance to April 6, 2011.	

Previously Opened Cases to be Heard

140 Central Street (Case #ZBA 2011-02)	
Applicant:	Anne Pierre
Property Owner:	Anne Pierre
Agent:	Barnett Berliner
Legal Notice:	Applicant and owner Anne Pierre, seeks a special permit under SZO §4.4.1 for relief under the provisions of SZO §8.5 to legalize a finished basement, lower the basement floor, and install an emergency egress. RB zone. Ward 5.
Date(s) of Hearing(s):	3/2, 3/16
Planning Board Action:	Recommends conditional approval.
Current Status:	Will be heard on March 16, 2011.



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Herbert Foster questioned if there was a gas stove in the basement. The contractor stated that there is currently an electric stove, but it will be removed. At a prior meeting, Josh Safdie asked about if the number of bedrooms would require more parking spaces, which triggered looking at a parking spot in front yard. A new site plan was submitted prior to this meeting with landscaping prevent parking in the front yard. No abutters spoke in support or opposition. Susan Fontano made a motion to approve the application. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.

11 Williams Court (Case #ZBA 2010-82)	
Applicant:	Garrison & Emi Fewell
Property Owner:	Garrison & Emi Fewell
Agent:	Shane Lois
Legal Notice:	Applicants and owners, Garrison and Emi Fewell, seek a special permit to alter a nonconforming structure under SZO §4.4.1 to raise the roof approximately two feet and construct a dormer on an existing two-family residence. RB zone. Ward 5.
Date(s) of Hearing(s):	3/2, 3/16
PB Action:	Recommends conditional approval.
ZBA Action:	Voted on March 2, 2011 to continue the application to March 16, 2011.
The Applicant explained the proposal. Herbert Foster questioned if the plans were accepted to the neighbor to which the Applicant responded yes. Josh Safdie stated that the architect updated drawings to match the intentions of what would be built. There were no abutters who spoke in support or opposition. Susan Fontano made a motion to approve the application with conditions. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.	

New Cases to be Opened and Heard

16 Butler Driver/100 Temple Street (Case #ZBA 2007-03-R4-2/2011 & Case #ZBA 2011-17)	
Applicant:	Somerville Community Corporation
Property Owner:	St. Polycarp Redevelopment, LLC
Agent:	
Legal Notice:	Applicant, Somerville Community Corporation, & Owner, St. Polycarp Redevelopment, LLC, seek a revision to Special Permit ZBA 2007-03 (SZO §5.3.8). The revision is to modify the site and building design for Phase 3 of the development consisting of 31 residential units. The Applicant & Owner also seek a variance from approx 15 required parking spaces. NB zone. Ward 4.
Date(s) of Hearing(s):	3/16
PB Action:	Recommends conditional approval.
Current Status:	Will be heard on March 16, 2011.



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Richard Rossetti questioned if the decrease in parking spaces was related to the number of units. The Applicant stated that there was no change to the number of units. Susan Fontano questioned what would happen in the future if parking is needed. Lori Massa explained recommended conditions regarding monitoring parking. Susan Fontano explained design details. Josh Safdie stated that he appreciated the developers learning from current data and their willingness to monitor the situation in the future. The Board decided to revise the conditions to add section defining TDM Plan from memo dated 3/16/11. There were no abutters present to speak in support or opposition. Susan Fontano made a motion to approve the special permit revision with conditions. Scott Darling seconded the motion. Upon a vote, the motion passed 4-0 with Herbert Foster absent. Susan Fontano made a motion to approve the variance and incorporate and adopt the findings in the staff report for the rationale for granting the variance. Scott Darling seconded the motion. Upon a vote, the motion passed 4-0 with Herbert Foster absent.

6-8 Beacon Street (Case #ZBA 2010-65)	
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 three required parking spaces (§9.5). RC zone. Ward 2.
Date(s) of Hearing(s):	2/2, 2/16, 3/2, 3/16
PB Action:	Recommends conditional approval.
Current Status:	Will be heard on March 16, 2011.
<p>The Agent explained the project. Scott Darling asked about the environmental conditions to which the owner said that there was 2-4 feet of contamination above the clay and he expects an RAO to be complete by June or July. Scott Darling suggested a condition to submit an RAO. Susan Fontano questioned if the building were in Cambridge, to which the owner replied that the it is not in the Cambridge, only the landscaping is in Cambridge. Richard Rossetti stated he is strict with variances but believes it makes sense in this case. Susan Fontano stated that she thinks that location is important in this case and asked if the owner could add a zip car location. Herbert Foster responded that there are zip cars in the neighborhood and that he likes the design. Susan Fontano questioned if it should be Beacon Garage Lofts or Inman Square Lofts, to which the owner answered that he thinks it will be Beacon Garage Lofts. Josh Safdie stated that the only question he has is if the architect is ok with condition six to which the architect responded by explaining how they are going to reuse materials and that they are comfortable with the condition. One Abutter spoke in support but also questioned what would be on top of the roof, because although there will be some beams, it will be mostly open. The Board also chose to revise the conditions to add condition #8. Susan Fontano made a motion to approve the variance and incorporate and adopt the findings in the staff report for the rationale for granting the variance. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0. Susan Fontano made a motion to approve the special permit with conditions. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.</p>	

289 Highland Avenue (Case #ZBA 2010-75)	
Applicant:	T-Mobile Northeast, LLC
Property Owner:	289 Highland Avenue Realty, Inc.
Agent:	



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Legal Notice:	Applicant T-Mobile Northeast LLC and Owner 289 Highland Ave Realty Inc. seek a special permit (SZO §7.11.15.3 and SZO §14) to establish a wireless communications facility, consisting of 6 antennas on the roof inside a stealth chimney enclosure and associated equipment in the underground parking garage. RC zone. Ward 6.
Date(s) of Hearing(s):	3/16
PB Action:	Recommends conditional approval.
The Agent explained the original proposal and redesign proposal. Herbert Foster questioned if there would be cooling equipment to which the applicant responded that there would be none and it would be self-monitored. Herbert Foster then stated that they took care of issues before the meeting. There were no abutters present to speak in support or opposition. Susan Fontano made a motion to approve the application with conditions. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.	

11 Belmont Place (Case #ZBA 2011-13)	
Applicant:	Andrea Shapiro & Christopher Cassel
Property Owner:	Andrea Shapiro
Agent:	N/A
Legal Notice:	Applicants Andrea Shapiro and Christopher Cassel, seek a special permit to alter a nonconforming structure under SZO §4.4.1 to construct a two story addition and deck in the rear of an existing single-family residence. RB zone. Ward 3.
Date(s) of Hearing(s):	3/16
Current Status:	Will be heard on March 16, 2011.
The owner explained the proposal. Josh Safdie stated that there were no cover boards on drawings, just fascia boards. No abutters spoke in support or opposition. Condition revisions included an addition of condition 8 to design the details of the house to match restored conditions at the front elevations of the building that need to alter front restored. Susan Fontano made a motion to approve the application with conditions. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.	

26 Hamilton Road (Case #ZBA 2011-15)	
Applicant:	Matthew Barnes
Property Owner:	Matthew Barnes
Agent:	N/A
Legal Notice:	Applicant and Owner, Matthew Barnes, seeks a special permit to alter a nonconforming structure under SZO §4.4.1 to construct a dormer on an existing two-family residence. RA zone. Ward 7.
Date(s) of Hearing(s):	3/16
PB Action:	Recommends conditional approval.
The Applicant did not appear so the Board granted a continuance to 4/6/11 and requested more detailed drawings.	



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75 Wallace Street (Case #ZBA 2011-16)	
Applicant:	Daniel & Jenny Stodolsky
Property Owner:	Daniel & Jenny Stodolsky
Agent:	N/A
Legal Notice:	Applicants and Owners Daniel and Jenny Stodolsky, seek a special permit to alter a nonconforming structure under SZO §4.4.1 to revise window openings on the north, east, and south elevations and to alter the roof line and add a roof deck at the second level in the rear of an existing single-family residence. Included in this project is a by right, two story addition in the southern corner of the home. RA zone. Ward 6.
Date(s) of Hearing(s):	3/16
PB Action:	Recommends conditional approval.
<p>The architect explained the project. Josh Safdie questioned the intentions of the queen anne windows. The architect stated that he didn't want to obliterate details and window openings and that the windows would be appropriate historically. Herbert Foster questioned if there would be two new parking spaces to which the applicant responded that they are currently there and will be repaved. Josh Safdie asked about the existing roof to which the applicant responded that the existing roof is old and that they are currently insulating and cleaning it up and putting in brackets. There was one letter of support and no abutters who spoke in opposition. Susan Fontano made a motion to approve with conditions and Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.</p>	

65 Beacon Street (Case #ZBA 2011-06)	
Applicant:	Beacon Court Realty Trust
Property Owner:	Beacon Court Realty Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner Beacon Court Realty Trust seeks a Special Permit with Site Plan Review under §7.11.1.(c) and §13.5 for density bonus for affordable housing to convert an office building into 15 units of two-bedroom housing with two commercial units on the first floor. The Applicant & Owner also seek a special permit under §4.4.1 to alter a nonconforming structure. RC zone. Ward 2.
Date(s) of Hearing(s):	3/16
Current Status:	Will be heard on March 16, 2011.
<p>The Applicant stated that the property would have office or retail, not a restaurant that would generate more parking demand. He also stated that there would be fewer trips to the site as residential compared with its commercial use, and that they are providing 3 visitor parking spaces. Susan Fontano questioned if Buckingham Street was 2-way to which a neighbor responded that it is and there is a lot of traffic from Dimick Street. Josh Safdie questioned if they were going to "gut" rehab and how the plans would relate to the Fair Housing Act, to which the Applicant responded that there is an elevator in the building and that the bathrooms could be accommodated with 32" clear doors. Josh Safdie stated that they may not be exempt, but it is a great opportunity to add accessible features. One Abutter spoke in support stating that they think it is a good use of site and it will fit in with pedestrian oriented area. One Abutter spoke in opposition stating concerns with parking and visitor parking and that since the building is dated and aesthetically challenged it will work against the owner in selling units Furthermore, they stated that the look may have committed the use as a commercial or residential structure. The Board discussed adding a condition stating that the renovations should be constructed to comply with the accessibility requirements of the Fair Housing Act to the greatest extent possible. Susan Fontano made a motion to continue on 4/6/11, which Richard Rossetti seconded. Upon a vote, the motion passed unanimously 5-0.</p>	



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Other Business

Approvals of Amended Rules & Regulations for Special Permit Granting Authorities

Susan Fontano made a motion to approve the amended Rules & Regulations and Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.

Plans and reports are available at the City of Somerville website at the following link:

www.somervillema.gov/planningandzoning/reports



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