



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

*PLANNING DIVISION*

**Board Members Present**

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

**Staff Members Present**

Adam Duchesneau

**MINUTES**

**Zoning Board of Appeals**

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

**Previously Continued Cases Continued to a Future Date**

<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, 3/2, 3/16, 4/1
Planning Board Action:	No Planning Board Report at this time.
ZBA Action:	Voted on March 16, 2011 to continue the application to April 20, 2011.
Current Status:	Previously continued to April 20, 2011.



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<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, 3/2, 3/16, 4/1
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on March 16, 2011 to continue the application to April 20, 2011.
Current Status:	Previously continued to April 20, 2011.

### Previously Opened Cases that are Requesting a Continuance

<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, 3/2, 3/16, 4/1
Planning Board Action:	Recommends peer review.
ZBA Action:	Voted on April 6, 2011 to continue the application to April 20, 2011.
Richard Rossetti made a motion to continue the case to April 20, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	

### Previously Opened Cases to be Heard

<b>26 Hamilton Road (Case #ZBA 2011-15)</b>	
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, 4/1
PB Action:	Recommends conditional approval.
ZBA Action:	Voted on April 6, 2011 to continue the application to April 20, 2011.
Richard Rossetti made a motion to continue the case to April 20, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.	



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<b>65 Beacon Street (Case #ZBA 2011-06)</b>	
Applicant:	Beacon Court Realty Trust
Property Owner:	Beacon Court Realty Trust
Agent:	
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, 4/1
PB Action:	Recommends conditional approval.
ZBA Action:	Voted on April 20, 2011 to approve the application for a special permit.
<p>The Applicant stated that since the last meeting, they have engaged the services of Deborah Ryan, in which she concluded that there is no requirement to comply with FHA, only with ADA, which the plan already does. Furthermore, he stated that MZO feels that the units do comply according to their analysis and that efforts have already been made to make the building more accessible. Scott Darling questioned if the existing conditions would require them to get a variance from the ADA or State Building Code if they cannot comply with the van accessible height requirement, to which the Applicant stated that they already comply with the height requirements for van accessibility in the parking garage. The Applicant then went on to explain their van space allocation. The condition revisions included a revised front entryway plan and an additional condition that stated that prior to the erection of any signage, the Applicant shall work with the Planning Staff to design signage that meets Planning Staff approval to ensure coordination of sign placement and design for the two storefronts. 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.</p>	

### New Cases to be Opened and Heard

<b>230 Highland Avenue (Case #ZBA 2011-14)</b>	
Applicant:	New Cingular Wireless, PCS, LLC
Property Owner:	Somerville Hospital
Agent:	
Legal Notice:	Applicant, New Cingular Wireless, PCS, LLC, by its manager, AT&T Mobility, Inc., and Owner, Somerville Hospital, seek a special permit under SZO §4.4, §4.5, §5.1, §7.11.15.3, & §14, to install three antennas and associated equipment and cables to the existing nonconforming wireless installation. RA zone. Ward 3.
Date(s) of Hearing(s):	4/1
PB Action:	Recommends conditional approval.
ZBA Action:	Voted on April 6, 2011 to approve the application for a special permit.
<p>The Applicant stated that he realized the Board members have had concerns about the visual impacts of the existing and proposed antennas; therefore they will be enclosed in the stealth casing. 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>	



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<b>25 Farragut Avenue (Case #ZBA 2011-12)</b>	
Applicant:	Reinaldo & Donna Luna
Property Owner:	Reinaldo & Donna Luna
Agent:	
Legal Notice:	Applicants/Owners Reinaldo & Donna Luna seek a Special Permit to replace an existing 1 ½ story structure with a 2 ½ story single-family dwelling in an existing nonconforming side yard under SZO §4.4.1. RB zone. Ward 7.
Date(s) of Hearing(s):	4/1
PB Action:	Recommends conditional approval.
ZBA Action:	Voted on April 6, 2011 to continue the application to April 20, 2011.
<p>The Agent stated that the home is in a state of disrepair and that the home owners are looking to upgrade the dwelling to something that is more modern. Elaine Severino stated that the plans show vegetation remaining and then questioned if there was ever a tree there, to which the Agent stated that it was his error and that they would be willing to have a condition put in place to add vegetation. Danielle Evans then stated that she would like to see as many of the historical elements preserved as possible. Susan Fontano questioned why they chose vinyl to which the Agent stated that using another material was too cost prohibitive and that they have made a commitment to the Planning Staff to utilize modern materials but in a way that attempts to recreate the past. Danielle Evans questioned if they made any attempt to see if the building could be renovated to which the agent stated that this was an opportunity to expand the structure and maximize the space. In response, Danielle Evans stated that she would not like to see such a historic building be torn down. The Board then discussed and stated that they would like to get information about what happens at the HPC meeting on April 19, 2011. Richard Rossetti made a motion to continue the application to April 20, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.</p>	

<b>50 Brastow Avenue (Case #ZBA 2011-18)</b>	
Applicant:	Mark & Randi Soltysiak
Property Owner:	Mark & Randi Soltysiak
Agent:	
Legal Notice:	Applicants/Owners Mark & Randi Soltysiak seek a Special Permit under SZO §4.4.1 to alter the single-family dwelling by constructing stairs in the nonconforming side and rear yard. RA zone. Ward 3.
Date(s) of Hearing(s):	4/1
PB Action:	Recommends conditional approval.
ZBA Action:	Voted on April 6, 2011 to continue the application to April 20, 2011.
<p>The Applicant stated that they would like to create more space in the backyard. Susan Fontano questioned the nature of the materials being used to which the Applicant stated that they would be using steel or rod-iron and that they have not specifically discussed the materials of the stairwell. Josh Safdie questioned if there was a way to create a design that is outside of the 3 foot setback from the property line so that the stairs do not have to be constructed of metal. After a discussion, the Board decided that the drawings of the plan were inaccurate because they are not showing the materials of the stairs or what they will look like. Upon a vote, Richard Rossetti made a motion to continue the application to April 20, 2011. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Josh Safdie voting.</p>	



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<b>7-9 Bowers Avenue (Case #ZBA 2008-689-E1-3/2011)</b>	
Applicant:	Christina Yanhui
Property Owner:	Christina Yanhui
Agent:	
Legal Notice:	Applicant & Owner Christina Yanhui Li seeks a time extension (SZO §5.3.10) to Special Permit #2008-68 for a tourist home (SZO §7.11.4.a) in an owner occupied dwelling. RB zone. Ward 6.
Date(s) of Hearing(s):	4/1
Staff Recommendation:	Recommends approval.
ZBA Action:	Voted to approve the extension on April 6, 2011.
<p>The Applicant stated that after they were awarded the special permit, they contacted several sprinkler companies and realized they did not have the money to do the work. However, after saving, they finally hired a company, but the street cannot be opened because of the weather. After a discussion, the Board decided that they should also contact the City Solicitor to find out if an extension can be granted after the expiration date of the permit. 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

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

[www.somervillema.gov/planningandzoning/reports](http://www.somervillema.gov/planningandzoning/reports)



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