



**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  
Danielle Evans  
T.F. Scott Darling, III, Esq.  
Elaine Severino (Alt.)  
Josh Safdie (Alt.)

**Staff Members Present:**

Lori Massa

**MINUTES**

**Zoning Board of Appeals**

Aldermanic Chambers, 2<sup>nd</sup> Floor, City Hall, 93 Highland Avenue

Wednesday, May 19, 2010

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

**Cases Continued to Future Date at Previous Hearing**

| <b>438 Somerville Avenue (Case #ZBA 2010-11)</b> |  |
|--|--|
| Applicant:                                       | Demoulas Super Markets, Inc.   |
| Property Owner:                                  | RILO, LLC  |
| Agent:   | Michael Kettenbach, Retail Management & Development  |
| Legal Notice:                                    | Applicant, Demoulas Super Markets, Inc, owner of property at 400 Somerville Avenue, seek an appeal (pursuant to SZO section 3.1.9) from a decision the Superintendent of Inspection Services, to deny an enforcement action requested under SZO Section 3.1.8 regarding the issuance of a permit for the renovation and use of the property at 438 Somerville Ave owned by RILO, LLC. IA zone/Arts Overlay District. Ward 2. |
| Date(s) of Hearing(s):                           | 3/31, 4/14, 5/5, 5/19  |
| Planning Board Action:                           | N/A  |
| ZBA Action:                                      | Voted on May 5, 2010 to continue the application to June 2, 2010.  |
| Current Status:                                  | Continued at previous hearing to June 2, 2010.   |



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**Previously Opened Cases to be Heard**

|   |  |
|---|--|
| <b>15 Weston Avenue (Case #ZBA 2009-52)</b>   |  |
| Applicant:  | Clearwire  |
| Property Owner:   | Somerville Housing Authority   |
| Agent:  | Chris Swiniarski   |
| 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, 2/17, 3/3, 3/17, 3/31, 4/14, 5/5, 5/19  |
| Planning Board Action:  | Recommends conditional approval.   |
| ZBA Action:   | Voted on May 19, 2010 to approve the application for a special permit.   |
| Richaed Rossetti made a motion to approve the application for a special permit. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0 with Elaine Severino voting and Herbert Foster recused. |  |

**New Cases to be Opened that are Requesting a Continuance**

|  |   |
|--|---|
| <b>104-106A Concord Avenue (Case #ZBA 2010-17)</b>   |   |
| Applicant:   | Brian E. Doody  |
| Property Owner:  | Brian E. Doody  |
| Agent:   | N/A   |
| Legal Notice:  | Applicant & Owner, Brian E. Doody, seek a Special Permit (SZO §5.1) under §4.4.1 in order to construct a second story deck within the non-conforming rear yard (§8.5.I). RB zone. Ward 2. |
| Date(s) of Hearing(s):   | 5/19  |
| Planning Board Action:   | No Planning Board report at this time.  |
| ZBA Action:  | Voted on May 19,2010 to continue the application to June 2, 2010  |
| Elaine Severino made a motion to grant continuance to June 2, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0. |   |

**New Cases to be Opened and Heard**

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| <b>308 Beacon Street (Case #ZBA 2008-01-R0410A)</b> |  |
| Applicant:  | Harris-Beacon, LLC   |
| Property Owner:                                     | Harris-Beacon, LLC   |
| Agent:  | Adam Dash, Esq.  |
| Legal Notice:                                       | Applicant and Owner, Harris-Beacon LLC seek a time extension (SZO §5.3.10) to Special Permit #2008-01 for a multi-unit residential development. RC zone. Ward 2. |
| Date(s) of Hearing(s):                              | 5/19   |
| Planning Board Action:                              | N/A  |
| ZBA Action:   | Voted on May 19, 2010 to approve the revision to the special permit.   |
| Current Status:                                     | Will be heard on May 19, 2010.   |



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| Susan Fontano made a motion to approve the application for a special permit. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0. |
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| <b>30 Garrison Ave (Case #ZBA 2010-15)</b>  |   |
| Applicant:  | Jeremy Seeger   |
| Property Owner:   | Jeremy Seeger   |
| Agent:  | N/A   |
| Legal Notice:   | Applicant & Owner, Jeremy Seeger, seek a Special Permit (SZO §5.1) under §4.4.1 in order to enclose a first story rear porch within the non-conforming side yard (§8.5.H). RB Zone. Ward 7. |
| Date(s) of Hearing(s):  | 5/19  |
| Planning Board Action:  | Recommends conditional approval.  |
| ZBA Action:   | Voted on May 19, 2010 to approve the application for a special permit.  |
| Orosola Susan Fontano made a motion to approve the application for a special permit. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0. |   |

|   |  |
|---|--|
| <b>46 Spring Street (Case #ZBA 2010-18)</b>   |  |
| Applicant:  | Michelle Apigian & John Dimodica   |
| Property Owner:   | Michelle Apigian & John Dimodica   |
| Agent:  | N/A  |
| Legal Notice:   | Applicant and Owner, Michelle Apigian and John Dimodica, seek a Special Permit under SZO §4.4.1 to increase the height and slope of the roof and construct a 22 foot dormer within the required right side yard and to install three windows within the required left side yard. |
| Date(s) of Hearing(s):  | 5/19   |
| Planning Board Action:  | Recommends conditional approval.   |
| ZBA Action:   | Voted on May 19, 2010 to approve the application for a special permit with conditions.   |
| Orosola Susan Fontano made a motion to approve the application for a special permit with conditions. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0. |  |

### Other Business

New Application Review

*Orsola Susan Fontano made a motion to approve the revised application form. Scott Darling seconded the motion. Upon a vote, the motion passed 5-0.*



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