

ZONING BOARD OF APPEALS

2019 APR 25 PM 2:37

MEETING MINUTES

JANUARY 7, 2019

Present: Chairman, Nick Iannuzzi; Vice Chair, Jim Zarkadas; Casey Williams; Andrew Plunkett; Phil Ruggiero; Craig White

Absent: Blake Currier

Staff: Ara Yogurtian, Liaison to the Office of Community Development

**1. CALL TO ORDER 7:00 PM**

Mr. Iannuzzi called the meeting to order and introduced the Board members. He noted the order of the meeting and asked the audience members to please sign-in if they were planning to make a statement.

**2. PUBLIC HEARINGS:**

- a. AP CAMBRIDGE PARTNERS II, LLC – Review and approval of Condition 14 (Shuttle service and locations) to the Comprehensive Permit granted to AP Cambridge Partners dated February 16, 2007.

Jim Ward, Nutter, McClennan and Fish Law Firm, Representing AP CAMBRIDGE PARTNERS II, LLC, noted that shuttle service was required as part of the condition along with a shuttle schedule including times and destinations. If ridership showed that any changes needed to be made, they could come back to the Zoning Board to update the permit. He noted that they were at 90% and they would like to change the schedule based on historical data. They have found that the ridership to Belmont Center was nonexistent and they needed more shuttles to Alewife. Mr. Ward requested to increase the number of trips from four to seven and get rid of the shuttle going to the Belmont Center.

Kevin Kyle, AP Cambridge Partners II, LLC, stated that there was more frequency from shuttle service out of the station. He noted that he wanted to discontinue service to Belmont Center and increase the frequency into Alewife Station.

Anthony DeDonat, AP Cambridge Partners II, LLC, said that this shuttle program was 100% resident driven and requested by the residents. He said that residents can still make a request to get a ride to the Belmont Center if they ask at the leasing office through the App.

Condition 14 states that they need to come back annually and they were proposing that they come back after a year.

Mr. Yogurtian noted that the Board will need to approve conditions of the new shuttle stops.

William Durette, 132 Mill Street, stated that he was concerned that the information about the availability of the service may get lost in the shuffle and he wants to make sure that the residents know that they can get into the Belmont Center and request this ride.

Mr. Iannuzzi closed the public portion of the meeting.

**MOTION** to approve with a condition was made by Mr. Zarkadas and seconded by Mr. White. Motion passed, vote 5-0.

Condition: Review again in one year.

b. CASE NO. 19-01 – ONE (1) VARIANCE  
214 Waverly Street (GR) – Liyang Diao

Mr. Iannuzzi read the public notice.

The Applicant was not present.

**MOTION** to continue to February 4, 2018 was made by Mr. Iannuzzi and seconded by Mr. White. Motion Passed, vote 5-0.

c. CASE NO. 19-02 – ONE (1) SPECIAL PERMIT  
5 Regent Road (SRC) – Stephen Umans

Mr. Iannuzzi read the public notice.

Mr. Umans, Applicant and Owner, came before the Board to ask permission for open lot parking of a motor home. He did not have anything additional to add to his case. The permit he was seeking was for parking a motor home in his driveway. He used the motor home four or five times a year and he would sell it if it did not get a special permit.

Mr. Yogurtian noted that a warning would normally be sent after two weeks if a trailer, camper or boat was not moved.

Mr. Iannuzzi was concerned about allowing this because it could open a “can of worms” where the Board would need to approve more of these in the future. He noted that this case was no different and fundamentally it was very difficult to do.

Mr. Durette, 132 Mill Street, noted that he can look across and see his property, he had no objections to him parking his motor home in his driveway. It was not an issue for him and he supported this as an abutter.

Kristen Donovan, 6 Regent Road, noted that she was very much in support of this special permit application.

Nancy Yonge, 154 Mill Street, noted that she lives directly across the street and she knew it was against the rules, it is an eyesore and it doesn’t belong there. She stated that the neighbor two homes away had to get rid of a much smaller mobile home. Christopher Yonge also signed in opposition.

Board members suggested that the mobile home could be screened.

**MOTION** to approve was made by Mr. White and seconded by Mr. Zarkadas.  
Motion Denied, Vote, 3 – 2.

d. CASE NO. 19-03 – ONE (1) SPECIAL PERMIT  
208 White Street (GR) – Michael and Maryellen Grant

Mr. Iannuzzi read the public notice.

Diane Miller, Miller Design, representing Mr. Grant, came before the Board and noted that the existing home had a gable roof and a shed dormer on the back. The Applicant was proposing to make the shed dormer wider and connect it to a cross gable. The new dormer length would be less than what was allowed. Ms. Miller reviewed the measurements of the dormer, the ridge and the gable. There were 26 signatures in support of the project. She noted that the proposed project would not have a detrimental effect on the neighborhood and it should fit in nicely. The view of the dormer was obstructed by the cross dormer.

Michael Grant, Applicant and Owner, came before the Board and noted that the space would be used for extra space to build a bathroom for his family.

Steve DePanohilis, 177-179 White Street, raised his hand in support. He noted that he was the homeowner of 177-179 White Street but he did not live there.

No one spoke in opposition.

**MOTION** to approve was made by Mr. Zarkadas and seconded by Mr. Iannuzzi.  
Motion Passed, vote 5-0.

e. CASE NO. 19-04 – ONE (1) SPECIAL PERMIT  
628 Trapelo Road (GR) – Maria Jones

Mr. Iannuzzi read the public notice.

Ms. Jones, 628 Trapelo Road, came before the Board to request a special permit to change the ownership of the existing fast food restaurant to the applicant at 628 Trapelo Road.

Roberto Sabino Gorolvo, 73 Spring Street, came before the Board to note that he was planning to open a diner to serve breakfast and lunch. Eventually, he was going to be open for dinner as well. He noted that he understood to reapply for a liquor license after the special permit was issued. He had been in the restaurant business for over ten years.

Logistics of the business were confirmed as follows:

- Hours of operation: 7am – 3 pm.
- Then diner hours would be open from 7 am until 10 pm when they begin to serve dinner.
- There are 44 seats.
- Parking was street parking and the parking was existing conforming.
- Delivery times would be in the morning, the bread company delivery was between 6 AM to 7 AM.
- Trash pick up policy was going to be the same service that was used before, the pickup will be between 9:30 AM -3:30 PM, twice per week.

**MOTION** to approve the change of owner-operator with conditions (same as the Sweet Peach restaurant) was made by Mr. Iannuzzi and seconded by Mr. Ruggiero.  
Motion Passed, vote 5-0.

Conditions: The Zoning Board would need a copy of the signed lease, copy of the trash pick up information, hours of operation and a seating chart (floor plan). Once received, the decision would be filed. If anything was different, the case would be continued.

3. **Adjourn 8:32 PM**