



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**ZONING BOARD OF APPEALS**  
**JOSEPH A. CURTATONE**  
**MAYOR**

**MEMBERS**

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

**Case #: ZBA 2006-38-MR-1207**  
**Site: 119 College Avenue**  
**Date of Decision: December 12, 2007**  
**Decision: *Minor Revision Approved with Conditions***  
**Date Filed with City Clerk: December 26, 2007**

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**ZBA DECISION**

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<b>Applicant Name:</b>	Bell Atlantic Mobile of Massachusetts Corp., LTD D/B/A Verizon Wireless
<b>Applicant Address:</b>	400 Friberg Parkway, Westborough, MA 01581
<b>Property Owner Name:</b>	Powder House Realty Corporation
<b>Property Owner Address:</b>	29 Second Brook Street, Kingston, MA 02364
<b>Agent Name:</b>	Daniel Klasnick, Esq.
<b>Agent Address:</b>	10 Cedar Street, Suite 17, Woburn, MA 01801
<u>Legal Notice:</u>	N/A (Minor Revision)
<u>Zoning District/Ward:</u>	Residence B (RB) zone/Ward 6
<u>Zoning Approval Sought:</u>	Revision to Special Permit #2006-38
<u>Date of Application:</u>	December 5, 2007
<u>Date(s) of Public Hearing:</u>	December 12, 2007
<u>Date of Decision:</u>	December 12, 2007
<u>Vote:</u>	5-0

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Appeal #ZBA 2006-38-MR-1207 was opened before the Zoning Board of Appeals at Somerville City Hall on December 12, 2007. After one (1) hearing(s) of deliberation, the Zoning Board of Appeals took a vote.

**DESCRIPTION:**

The present application seeks to:

- 1) Relocate Sector A and B antenna arrays mounted inside false chimneys that were approved as part of the Special Permit #2006-38.

**FINDINGS FOR SPECIAL PERMIT MINOR REVISION**

Based on the preceding, the Board recommends approval of the above-listed changes as modified by the following conditions:

- 1) Approval is based on plans prepared by "Dewberry-Goodkind, Inc" dated 10/25/07 and stamped into the OSPCD on December 5, 2007.

- 2) The false chimneys must be setback at least 10 feet from all edges of the roof.
- 3) The Applicant will work with the Planning Staff to ensure that the sheathing material is in harmony with the exterior brick of the building before final approval.

**DECISION:**

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Elaine Severino and Scott Darling. Upon making the above findings, Susan Fontano made a motion to approve the request for a special permit. Elaine Severino seconded the motion. Wherefore the Zoning Board of Appeals voted 5-0 to **APPROVE** the request.

Attest, by the Zoning Board of Appeals:

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

Attest, by the Zoning Board of Appeals Administrative Assistant:

\_\_\_\_\_  
Dawn M. Pereira

Copies of this decision are filed in the Somerville City Clerk's office.  
Copies of all plans referred to in this decision and a detailed record of the  
ZBA proceedings are filed in the Somerville Planning Dept

**CLERK'S CERTIFICATE**

Any appeal of this decision must be filed within twenty (20) days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the city clerk that twenty days have elapsed after the decision has been filed in the office of the city clerk and no appeal has been filed or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services is required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on \_\_\_\_\_ in the Office of the City Clerk, and twenty days have elapsed, and either  
\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ any appeals that were filed have been finally dismissed or denied.

Signed \_\_\_\_\_ City Clerk Date \_\_\_\_\_