



City of Somerville

# ZONING BOARD OF APPEALS

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

## MARCH 31, 2021 MEETING MINUTES

This meeting was conducted via remote participation on GoToWebinar.

NAME	TITLE	STATUS	ARRIVED
Susan Fontano	Chair	<i>Present</i>	
Danielle Evans	Clerk	<i>Present</i>	
Josh Safdie	Member	<i>Present</i>	
Anne Brockelman	Member	<i>Present</i>	
Elaine Severino	Member	<i>Present</i>	
Katherine Garavaglia	Alternate	<i>Present</i>	

City staff present: Charlotte Leis (Planning & Zoning), Daniel Bartman (Planning & Zoning)

The meeting was called to order at 6:07pm and adjourned at 7:14pm.

### PUBLIC HEARING: 0 Fremont Street

Applicant Joe Salamone gave an overview of the proposal which required a steep slope Special Permit. The lot has been vacant for many years. The primary access is from East Albion Street, secondary entrance from Fremont Street, and the house is oriented towards East Albion St. The house will occupy less than 1/3 of lot area and much of the Western portion will remain untouched.

The design of the grading was very similar to the existing homes on East Albion Street. The Green Score was 0.58, rather than the required 0.35 and the existing Norway Maples on the site will remain. Most of the proposed plantings are native species and the hardscapes will all be permeable.

The applicant reviewed the storm water management plan and calculations. The report modeled pre- vs. post-construction conditions. The report found that runoff will be reduced in the post-construction situation. The plan has oversized infiltrators, so it will more than satisfy the requirements.

Chair Fontano opened public comment.

Roberta Buschant (88 Fremont St) is the only abutter and had questions based on the last Neighborhood Meeting. Ms. Buschant asked about the height of the roof compared to her building. Mr. Salamone showed a drawing of the proposed building height compared to the neighboring buildings.

Chair Fontano asked how many Neighborhood Meetings there were. Mr. Salamone answered that there was one.

Ms. Buschant asked about the timeline of construction regarding number of hours/days. Staff said that construction hours are purview the of the Inspectional Services Department. The Board and Staff discussed the possibility of implementing conditions on construction hours and City regulations regarding construction hours.

City Councilor Jesse Clingan noted that he had no issue with the Board limiting construction hours, but wanted to make it clear that the proposal was for the steep slope Special Permit and not the height of the building as discussed by the neighbor.

Staff reviewed the zoning requirements for specific projects that would trigger Neighborhood Meetings, Public Hearings, etc., based on the district the project is in.

Ms. Buschant asked if there was a way to have an inspection of her property prior to the start of the construction to make sure that if any damage occurs to her property, it can be proven.

Staff noted that the applicant could provide a performance bond as part of their application, although it's not required, or they could deal with a pre-construction inspection as private property owners. Mr. Salamone said that he would work with his neighbors regarding this, and that pre- and post-construction surveys are required by the building code.

Councilor Clingan gave an overview of the past process for this project. The applicant had a community meeting that worked out parking and other issues. He also noted that the applicant had gone above and beyond to reach out to the one abutter. Councilor Clingan offered his support of the project as long as the abutter's concerns were addressed.

Chair Fontano closed public comment.

Member Severino asked about on-street parking and whether the street is wide enough for parking on both sides of the driving lane. Mr. Salamone said the parking is on East Albion Street and it will be widened to 40' to accommodate the additional parking spaces; as this portion of East Albion St is private, only abutters to the street would be permitted to park there.

Chair Fontano asked the Board if there were any concerns or questions regarding the recommendations and findings in the Staff Report.

Clerk Evans asked if the City Engineer found that the retaining wall at the front of the property was strong enough to protect the street if vegetation isn't in place.

Mr. Bartman noted that the applicant had made a good faith effort to deal with all issues and had satisfied the concerns of staff.

Clerk Evans asked what happens if the City Engineering Department requires additional things? Mr. Bartman said that the steep slope Special Permit was created prior to the Site Construction Permit by the City Council and Engineering. For the Site Construction Permit, the scale of the project determines the scale of the stormwater management interventions required for the project. The City Engineer felt that the first finding of the steep slope Special Permit will be dealt with because of the Site Construction Permit requirements. Regarding the 2<sup>nd</sup> point, the appearance of the property, half of the property will be basically untouched. Regarding the 3<sup>rd</sup> point, the drainage, the applicant has made best efforts.

The City Engineer had recommended conditions to deal with any concerns; Mr. Bartman read those conditions into the record.

Member Brockleman said that it conceptually sounded like a fine plan, but they are not Engineers and are not looking at the stormwater calculations. She will rely on the City Engineer and the Site Construction Permit to do a detailed review. Clerk Evans agreed and wondered why this application was in zoning review, if it really was an engineering concern.

Mr. Bartman noted that it might be the case now that the Site Construction permit has been adopted.

Chair Fontano agreed that the responsibility to follow-up and confirm that the conditions are being met needs to lie with the City's Engineering Department.

Chair Fontano said that the three conditions recommended by Brian Postlewaite (City Engineering Department) would be added and agreed with the findings from the Staff Memo.

Following a motion by Clerk Evans, seconded by Member Severino, the Board voted unanimously (6-0), to approve the steep slope Special Permit and adopt the conditions provided by the City Engineer and read into the record at the meeting tonight. Chair Fontano noted that the abutter's concerns will be addressed by private parties.

**RESULT:**

**APPROVED**

*NOTICE: These minutes constitute a summary of the votes and key discussions at this meeting. To review a full recording, please contact the Planning & Zoning Division at [planning@somervillema.gov](mailto:planning@somervillema.gov).*