



City of Somerville

# ZONING BOARD OF APPEALS

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

## OCTOBER 20, 2021 MEETING MINUTES

This meeting was conducted via remote participation on GoToWebinar.

NAME	TITLE	STATUS	ARRIVED
Susan Fontano	Chair	<i>Present</i>	
Josh Safdie	Clerk	<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, Preservation & Zoning)

The meeting was called to order at 6:03pm and adjourned at 6:44pm.

### **PUBLIC HEARING: 27 Loring Street – Administrative Appeal**

*(continued from October 06, 2021)*

Chair Fontano began by introducing the project and reminding all in attendance that the item before the Board was only for an administrative appeal.

Staff provided an update on the request made by the ZBA at the October 6<sup>th</sup> meeting requesting opinions from the Inspectional Services Department (ISD) and the City Solicitor's Office. Staff provided a summary of the responses. Nick Antanavica, Director of ISD, confirmed how the building type was originally determined and how mistakes of building type determination can be rectified. David Shapiro from the City Solicitor's Office stated that the ZBA must vote only on the matter in front of them and cannot take into consideration future plans for the site and that the ZBA cannot add conditions to their vote.

The applicant team gave a presentation on the request and plans for the site. Staff and Chair Fontano reminded the applicant team that they were to stay only on the administrative appeal and the existing conditions of the site and not future plans for the site.

Ward Councilor J.T. Scott spoke in favor of the applicant's request.

Chair Fontano opened public comment. No one indicated that they wished to speak. Chair Fontano closed public comment.

The Board discussed the dimensions of the site versus the dimensions for a cottage and a detached house, the responses from ISD and the City Solicitor, and the proper wording of the motion.

Following a motion by Clerk Safdie, seconded by Member Brockelman, the Board voted (4-1), with Member Garavaglia dissenting, to approve the administrative appeal to determine the building type for 27 Loring Street to be a detached house. Their findings were that the width of 27 Loring Street was wider than that of a cottage, but within the dimensions for a detached house, and the depth of 27 Loring Street was not compliant for a cottage, but within the dimensions for a detached house. Furthermore, the two stories of the current structure at 27 Loring Street do not exceed the maximum number of floors for a detached house, nor is it below the minimum of a detached house.

**RESULT:**

**Approved**

**PUBLIC HEARING: 27 Loring Street – Hardship Variance**

Staff noted that the Legal Ad for this item stated it was a cottage and not a detached house, and because the house is now classified as a detached house this item would need to be continued while Staff determines if the item could proceed as advertised or the applicant would need to withdraw to re-apply or apply by-right.

Applicants, Jovie and Kyle Conroy, requested a withdrawal, stating that they will apply by-right.

Following a motion by Clerk Safdie, seconded by Member Severino, the Board voted unanimously (5-0) to approve without prejudice, the withdrawal of the Hardship Variance for 27 Loring Street.

**RESULT:**

**WITHDRAWN**

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