



City of Somerville  
**ZONING BOARD OF APPEALS**  
City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

**30 APRIL 2025 MEETING MINUTES**

This meeting was conducted via remote participation on Zoom.

NAME	TITLE	STATUS	ARRIVED
Susan Fontano	Chair	<i>Present</i>	
Anne Brockelman	Vice Chair	<i>Present</i>	
Ann Fullerton	Member	<i>Present</i>	
Zachary Zarembo	Member	<i>Absent</i>	
Brian Cook	Alt. Member	<i>Present</i>	
Sisia Daglian	Alt. Member	<i>Present</i>	

City staff present: Emily Hutchings (Planning, Preservation, & Zoning); Kit Luster (Planning, Preservation, & Zoning); Lexie Payne (Planning, Preservation, & Zoning)

The meeting was called to order at 6:01pm and adjourned at 6:38pm.

*Member Cook sat as the Acting Clerk. Members Cook and Daglian sat as voting members for this evening.*

**PUBLIC HEARING: 22 McGrath Highway**

The applicant team explained that the proposal is to open a Tropical Smoothie Café franchise at the Twin City Plaza. Per the Somerville Zoning Ordinance (SZO), a Formula Business requires a Special Permit. This will be a local franchise owned by a local company. They noted that everything else about the business is zoning compliant. The space is approximately 2,000 s.f. There will be no changes to the building exterior, other than swapping out the Supercut signage with the Tropical Smoothie Café signage. The Neighborhood Meeting was very positive. Since the proposed business meets the goals of the zoning district and SomerVision 2040, is located in an appropriate place to provide the product, and prevents a commercial space from becoming vacant, the applicant requests that the Special Permit be granted.

Chair Fontano opened public testimony. Seeing no public comments at this time, Chair Fontano closed public testimony.

Following a motion by Member Cook, seconded by Vice Chair Brockelman, the Board voted unanimously (5-0) to approve the Special Permit to establish a Formula Business principal use in the Commercial Business District based on the Special Permit considerations and findings in the Staff Memo and the conditions as enumerated in the Staff Memo, dated 24 April 2025.

**RESULT:**

**APPROVED**

**PUBLIC HEARING: 238 Summer Street**

*Vice Chair Brockelman recused herself from this item and exited the meeting.*

The applicant team explained that the request is for a Hardship Variance to relocate a non-code compliant stair and second egress door. The current egress door has approximately 25" clear for the opening. The new code

compliant stair and door do not work in the existing location due to the house bump out not being able to fit the larger door on the staircase. The combined total of the side setback is not met, with 2.9' of relief needed for the stairs. The changes are proposed in order to allow for ageing in place. The current doorway and stairs do not protect the owners' health, safety, and general welfare for two reasons. One, the configuration lacks an external landing, thus requiring good balance and stability for entry, something that will decrease as the owners age. Secondly, the configuration includes a 27" doorway, which reduces accessible entry.

Chair Fontano opened public testimony. Seeing no public comments at this time, Chair Fontano allowed the public comment period to remain open at this time.

The Board expressed support for the proposal. The house is located on the property line, and it would be impossible to improve the conditions without a request for relief.

The Board asked about the financial hardship for this project, listed by the applicant team as dealing with moving A/C condensers. It is unclear where those are currently located, or why they would have to be moved if a different location was chosen for this project. The applicant team explained that there is no other place to install the egress except at the back of the house, which would have to go through a bedroom, and this is not typically allowed for a second means of egress.

The applicant team explained that they spoke to the abutting neighbor regarding this proposal and no concerns were expressed.

Staff noted that a letter of support was submitted but was received after the deadline. The letter from the owners of 240 Summer Street was read into the record.

Seeing no additional public comments at this time, Chair Fontano closed public testimony.

Following a motion by Member Cook, seconded by Member Daglian, the Board voted unanimously (4-0) to approve a Hardship Variance for relief from SZO Section 3.1.7.B, regarding the minimum sum of side setbacks to construct a stoop on an existing residential home, based on the findings as follows:

1. Special circumstances include that the left side setback of 0.1' creating an existing special circumstance, and relief would allow a code compliant egress for the owners and their guests.
2. Literal enforcement creates a substantial hardship, financial or otherwise, because moving the egress to the rear of the structure is not possible due to the layout of the house and the financial hardship regarding the cost of moving existing AC condensers.
3. Desirable relief can be granted without causing substantial detriment to the public good because the minor stoop building component would not be detrimental to the neighborhood. The staircase would be visible from the public way but there is an existing fence around the side and rear property lines, so that the stoop would not be visible by direct neighbors.

Upon incorporating those findings, and the conditions as enumerated in the Staff Memo dated 24 April 2025, the motion is to approve the Hardship Variance.

**RESULT:**

**APPROVED**

### **PUBLIC HEARING: 56 Webster Avenue**

Following a motion by Member Cook, seconded by Member Daglian, the Board voted unanimously (4-0) to continue the hearing for 56 Webster Avenue to 14 May 2025.

**RESULT:**

**CONTINUED**

*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 [ZoningBoard@somervillema.gov](mailto:ZoningBoard@somervillema.gov)*