



City of Somerville
ZONING BOARD OF APPEALS
City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

16 JULY 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 Zaremba	Member	<i>Present</i>	
Brian Cook	Alt. Member	<i>Present</i>	
Sisia Daglian	Alt. Member	<i>Present</i>	

City staff present: Stephen Cary (Planning, Preservation, & Zoning); Kit Luster (Planning, Preservation, & Zoning); Madison Anthony (Planning, Preservation, & Zoning)

The meeting was called to order at 6:01pm and adjourned at 8:15pm.

Member Fullerton sat as the Acting Clerk. Members Cook and Daglian sat as voting members on various cases.

PUBLIC HEARING: 379 Somerville Ave (ZP25-000058) (ZP25-000059) (ZP25-000060)

Following a motion by Acting Clerk Fullerton, seconded by Member Zaremba, the Board voted unanimously (6-0) to continue all three 379 Somerville Ave cases to 6 August 2025.

RESULT:

CONTINUED

PUBLIC HEARING: 14 McGrath Hwy (ZP25-000044) (ZP25-000063)

It was noted that these cases would be readvertised.

GENERAL BUSINESS: Meeting Minutes

Following a motion by Acting Clerk Fullerton, seconded by Vice Chair Brockelman, the Board voted unanimously (6-0) to approve the 4 June 2025 and 18 June 2025 meeting minutes, as presented.

OTHER BUISNESS: Clarendon Hill (40B2020-001-R3) – 40B Change Request

Member Daglian sat as a voting member for this case.

The applicant team explained this redevelopment replaces existing, obsolete State public housing at Clarendon Hill in West Somerville, with newly constructed, permanently affordable housing, and adds new, affordable and unrestricted apartments to create a mixed-income community. The first phase is almost complete, and residents should move into the new homes in the fall. Originally this 40B project had contemplated a first phase including a primarily market-rate building, but this building has been delayed, due to market conditions. The updated phasing

proposes the two Preservation of Affordable Housing (POAH) -led phases to be advanced first, and the market-rate building to be a part of the third phase. This is intended to make sure that residents can receive their housing as quickly as possible, and that momentum is continued. Other requested modifications have come out of detailed conversations regarding the thoroughfare permit for the first phase. Detailed feedback and improvements on the design from City Staff have been incorporated.

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

Following a motion by Acting Clerk Fullerton, seconded by Vice Chair Brockelman, the Board voted unanimously (5-0) that the changes for Clarendon Hill (40B2020-001-R3) are insubstantial based upon the findings, conditions, and waivers in the 10 July 2025 Staff Memo.

RESULT:

INSUBSTANTIAL CHANGES

PUBLIC HEARING: 56 Webster Avenue (ZP25-000025)

(continued from 14 May 2025)

Member Cook sat as a voting member for this case.

The applicant team stated that all parties are in agreement on the updated Staff Memo, which would extend the Special Permit as requested, to recognize two years coming from the State Permit Extension Act, plus the exercise now of the first extension, and a further amendment, as set forth in the recommendation, providing for the possibility of two additional one-year extensions, upon the conditions set forth in the recommendation. Reporting requirements at six-month intervals beginning in March 2026 are requested as part of the agreement.

Following a motion by Acting Clerk Fullerton, seconded by Vice Chair Brockelman, the Board voted unanimously (5-0) to approve the extension of the Special Permit timeline and modifications to the conditions as noted in the Staff Memo dated 9 July 2025, including the timeline as submitted, and the findings as noted in the Staff Memo.

RESULT:

APPROVED

PUBLIC HEARING: 103 Gilman Street (ZP25-000043)

Member Daglian sat as a voting member for this case.

The applicant team explained that this is a three-family unit with existing egress stairs and rear porches. They were interested in repairing the stairs, but it was discovered that the porches should also be repaired due to safety concerns. In order to reconstruct the stairs to code compliance, the width of the porch needs to be moved 8" closer to the rear property setback. There are no other design alternatives due to the configuration of the building.

Chair Fontano opened public testimony.

Staff explained that the required setback is 20'. The building is currently preexisting nonconforming. The proposed rear setback will range from 2.9'-3.1'; this is likely due to the slanted angle of the site. The Board discussed that the proposal seems to include a margin of error for the project in case any changes need to be made in the field. There was concern expressed regarding what to attach the relief to. The Board discussed attaching the relief to the applicant team's drawings on the framing plan. If the porches conform to the framing plan, this should be reasonable.

The applicant team stated that they were hoping to have an allowance of 8" versus the 5.5" shown on the plan. They will work to ensure that the dimensions provided are achieved.

The Board discussed the three hardship criteria. For the first criteria, regarding the special circumstances attached to the soil, condition, shape, topography, or unusual character; this is an existing nonconforming structure. The structure already violates the setback, and the existing porches already violate the setback. The issue at hand is conforming to current life safety building codes. For the second criteria, regarding that literal enforcement of the provision would create a hardship; violating life safety is a hardship. For the third criteria, desirable relief could be granted without causing substantial detriment to the public good; this change will be minor in terms of rebuilding an egress condition and will not affect the public.

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

Following a motion by Acting Clerk Fullerton, seconded by Vice Chair Brockelman, the Board voted unanimously (5-0) to approve the Hardship Variance for 103 Gilman Street (ZP25-000043), based on the previously discussed findings and circumstances, and with the special condition that the Hardship Variance is being granted associated with the architectural drawings, dated 15 February 2025, prepared by Architect Robert Therrien, specifically plan A-1 where the porch depth is noted.

RESULT:

APPROVED

PUBLIC HEARING: 8-8a Melvin Street (ZP25-000046) (ZP25-000048) (ZP25-000049)

Member Cook sat as a voting member for this case.

The applicant team explained that they purchased the property in 2019 and planned to convert it from a two-family to a three-family unit. The third floor was only allowed as an affordable unit. There have been several inspections of the space. It was recently determined that a dormer was not compliant. Unit 2 has no issues, but a Certificate of Occupancy has not yet been issued for it. He stated that he can no longer get ahold of contractors to fix the work, and he was unaware of the issues with the work until recently.

The Board noted that it is unfair to the City that this work has been done incorrectly.

Chair Fontano opened public testimony.

The Board asked if anyone is living in the units. The applicant team stated that the first floor unit has been sold, and someone is living in the unit. The minimum dormer separation is meant to be 8' and, as built, is 2'. Visually, this 6' difference was likely noticeable to the owner. The applicant team explained that this was a painful learning experience, and it was not easy to oversee all of the work.

The Board noted that whoever did the drawings of the dormers did not adhere to the zoning requirements. It is important to know if this was an architect or contractor. It is concerning if this was done by a professional. The applicant team explained that a designer was hired for the original drawings. An architect was hired for the framing plans for the dormers. It is unclear if these were ever submitted to the City. Staff stated that only the original set of plans were submitted to the City, and the compliance issues were discovered after a site visit.

The Board expressed concern that the owner did not know that these changes were being made to the dormers. The total detriment may not have been understood, but there would have been planning completed around the changes. There does not seem to be cause to support many of the requested Hardship Variances.

The Board asked the minimum change needed to bring this closer to compliance. The applicant team stated that they would go back to the originally approved dormer design. This would require ripping a portion of the kitchen out and reframing. The Board suggested that the applicant look into various options to present to the Board.

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

Following a motion by Acting Clerk Fullerton, seconded by Vice Chair Brockelman, the Board voted unanimously (5-0) to continue the hearing for 8-8a Melvin Street (ZP25-000046), (ZP25-000048), and (ZP25-000049) to 20 August 2025.

RESULT:

CONTINUED

Following a motion by Acting Clerk Fullerton, seconded by Member Cook, the Board voted unanimously (5-0) to take a brief recess.

PUBLIC HEARING: 181 Pearl Street (ZP25-000057)

Member Daglian sat as a voting member for this case.

The applicant team explained that they have received three Hardship Variances so far and are now requesting a fourth regarding the landscape buffers. Surface parking is not allowed within a landscape buffer. Part of the neighbor's driveway at 4 Dana Street is within this property's landscape buffer. There are 10' setbacks from the two side lot lines abutting the neighbors at 185 Pearl Street and 4 Dana Street. The driveway of 4 Dana Street is encroaching on the 181 Pearl Street property by approximately 3'6". An intentional buffer was created between the two properties. The proposal includes planters along Pearl Street and Dana Street with native species. A bench along the Pearl Street side will tie into the City's stoop culture. Permeable pavers and materials are included for the side yards.

The applicant team reviewed the three Hardship Variance criteria. In terms of special circumstances relating to the parcel, the neighboring driveway at 4 Dana Street is using part of the property at 181 Pearl Street as a driveway. The driveway encroachment is 3'6" wide along the entire northern lot line. Additionally, 181 Pearl Street is a small corner MR3 parcel. It is abutted on each side by NR parcels. A 10' side setback is required per the SZO for any building in the MR3 district when it abuts an NR district. A 12' curb setback is required at the primary and secondary fronts of the building, and these proportionally large setbacks on all four sides leave a very small developable area. Regarding the criteria that desirable relief could be granted without causing substantial detriment to the public good, and without nullifying or substantially derogating from the intent and purpose of a specific district in this ordinance, granting relief on the landscape buffers does not cause detriment to the public good. The proposed landscape design, including plantings and the perimeter brick wall which runs along the west and north lot lines, has been thoughtfully designed to provide screening, be a visual amenity, meet the requirements of the Green Score, and to provide a buffer between the site and the abutting neighbors. In terms of the criteria that literal enforcement of the provision of this ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, the proposed project allows the neighbor to keep their driveway as a gesture of goodwill. SZO Section 10.3.6 b.8 prohibits surface parking within the landscape buffer. Literal enforcement of the ordinance would require taking the neighboring property's driveway back into the possession of 181 Pearl Street. This would likely create a legal battle, which would be a financial hardship, and would also create a contentious relationship with the neighbor.

Chair Fontano opened public testimony.

Dinesh Tharmaratnam (4 Dana Street) – spoke in favor of the proposal and the generosity of the applicant team. This driveway has been in use for approximately 31 years. Removing the ability to use it would cause a great financial burden.

The Board noted that the renderings show a good view of what the proposal will look like. The proposal seems to include a pleasant divider and the neighbor in question is pleased with it. The findings for the three criteria are satisfactory.

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

Following a motion by Acting Clerk Fullerton, seconded by Vice Chair Brockelman, the Board voted unanimously (5-0) to approve the Hardship Variance for 181 Pearl Street (ZP25-000057), considering the findings as discussed, and as shared in the application materials and the Staff Memo dated 10 July 2025.

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, Preservation & Zoning Division at ZoningBoard@somervillema.gov