



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

6 AUGUST 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>Absent</i>	
Sisia Daglian	Alt. Member	<i>Present</i>	

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

The meeting was called to order at 6:03pm and adjourned at 8:37pm.

Vice Chair Brockelman sat as the Acting Clerk. Member Daglian sat as a voting member.

PUBLIC HEARING: 7 Louisburg Place (ZP25-000056)

The applicant team explained that this house is the only property on Louisburg Place. The house is oriented sideways. The proposal is for a small addition to the front of the house, but the existing house already sits within all of the setbacks due to the irregular lot shape. There was a neighborhood meeting on 3 June 2025, and support was voiced for the project. The proposal would be for an additional 7'1" on the main massing of the structure. The building is currently a two-story structure, and the proposal would add a third story and a unit on the top floor. The additional space would allow for the creation of family-sized unit on the top floor.

Chair Fontano opened public testimony.

Penn Chou (8 Autumn Street) – expressed support for the proposed project.

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

The Board had no questions or comments at this time.

Following a motion by Vice Chair Brockelman, seconded by Member Zaremba, the Board voted unanimously (5-0) to approve a Special Permit for 7 Louisburg Place, incorporating the facts and findings of the Staff Memo dated 29 July 2025, including the conditions therein.

RESULT:

APPROVED

**PUBLIC HEARING: 379 Somerville Ave
(ZP25-000058) (ZP25-000059) (ZP25-000060) (ZP25-000074)**
(continued from 16 July 2025)

These cases were discussed concurrently.

The applicant team explained that the building was previously approved in July 2021 and built to contain 11 units, one of which is commercial. There is a temporary Certificate of Occupancy for the building. All of the residential units are currently filled, except for the two units designated as affordable. The transformer was originally proposed to be vaulted on the sidewalk in front of the building, partially on the property and partially on public land. Eversource was accepting this, but approval was needed from the City's Engineering Division. It was determined that there was a large sewer main which would prohibit this location for the vault. Other options were explored, such as sharing the transformer location with 65 Bow Street, but this was not approved by Eversource. The issue with a vault at surface level within the building was that the clearance requirements from Eversource could not be met. Thus, a small pad mounted transformer was explored, but Eversource was unwilling to accept anything other than their exact dimensional requirements for clearances around the transformer. This was originally planned to be a Net Zero building, which would require a transformer. The current plan shows a transformer with an alcove and enclosure in front of it. The result is a much narrower commercial presence along the street. The transformer was originally proposed to be wrapped in a historic photo of Union Square, but this was not acceptable to the City and there is now a steel gate structure to enclose it. It is telling that the commercial space is not yet completely rented out.

Chair Fontano opened public testimony.

The applicant team noted that there were neighborhood meetings for the originally proposed projects, and there seemed to be support. People have since moved into the building. Due to the location of the transformer, this leads to an issue with the shape of the lot.

Staff read a comment into the record from Nathan Anderson (367 Somerville Avenue) expressing concern regarding the variance being requested at this time. He stated that the hardship seems to be one of the applicant's own making and stated that he would not support a variance at this time. The developer did not get proper prior approval.

The Board asked why the proposed placement of the transformer and the location of the sewer main were only discovered after the fact. The applicant team explained that this was discovered during the Building Permit process. The civil site plans were submitted as part of the Special Permit process and reviewed by City Staff. A Building Permit was issued by the Inspectional Services Department (ISD), along with a temporary Certificate of Occupancy.

The Board expressed frustration that changes were made in the field and permits were issued, and now forgiveness is being sought for the only option left for the site. There seem to be no other options available than a screening option. There was disagreement regarding the uniqueness of the site, as expressed by the applicant. There is nothing unique about the topography or size of the site.

The Board discussed that this option resembles a trash enclosure and there may be other, more aesthetically appropriate choices. Pushing the transformer back a few feet could have also allowed the screening to be more in line with the existing storefront in order to better integrate it. The applicant team explained that the units are very small, and the circulation space is tight. Moving the transformer would have a domino effect on the whole building.

The Board disagreed with the Planning Board's assessment that this is not a detriment to the public; this is a detriment to the public enjoyment of this public way.

Some Board members noted that Eversource not being willing to budge on this item has created a hardship for the applicant. The building is an improvement to the area. Staff and the applicant worked hand-in-hand, but the utility company did not approve the proposed alternative options. Staff explained that they are having conversations with Eversource regarding potential future neighborhood transformers.

The Board asked what will be addressed in front of the Planning Board tomorrow night regarding this applicant. Staff stated that a Major Plan Revision will be presented to the Planning Board tomorrow night. The ZBA could add a condition that Hardship Variance approval would be dependent on design mitigation applied by the Planning Board as part of the Major Amendment. The Planning Board will likely want to revisit any design issues.

The Board discussed removing the screening on the transformer. The transformer appears to comply with Eversource's requirements as it is. The applicant team explained that there has to be some sort of barrier to discourage people from going behind the transformer.

The Board expressed concern and frustration with seeing this case many years after it was approved under a request for forgiveness.

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

Regarding **ZP25-000058**, the first criteria is regarding special circumstances that exist relating to the existing shape or topography of a parcel of land conditions. The sidewalk in front of the building where the vault was planned to go was discovered to be too congested. This was an unforeseen existing condition. Regarding criteria #2, that literal enforcement of this provision would involve a substantial hardship. The developer team has already experienced a hardship in subtracting from their commercial space and pushing this transformer pad back could lead to a loss of the commercial space entirely. This would be a substantial hardship, financial or otherwise. In terms of criteria #3, that desirable relief could be granted without causing substantial detriment, there is no substantial detriment to pedestrians, as this is not in the public way.

Following a motion by Vice Chair Brockelman, seconded by Member Zaremba, the Board voted unanimously (5-0) to approve the Hardship Variance for the ground story commercial space (ZP25-000058), with the conditions listed in the Staff Memo dated 1 August 2025, and with a condition that the impact on the public way should be considered by the Planning Board from a design perspective in terms of the screening element currently installed.

RESULT:

APPROVED

Regarding **ZP25-000059**, the first criteria is regarding special circumstances that exist relating to the existing shape or topography of a parcel of land conditions. There were too many utilities within the sidewalk to allow for the transformer. This was an unforeseen existing condition. Regarding criteria #2, that literal enforcement of this provision would involve a substantial hardship. There is no better place to install the transformer than in the proposed location, due to the zero lot line. In terms of criteria #3, that desirable relief could be granted without causing substantial detriment, the transformer is not within the public way and does not impede on public circulation.

Following a motion by Vice Chair Brockelman, seconded by Member Zaremba, the Board voted unanimously (5-0) to approve the Hardship Variance for the location of the mechanical unit in the frontage area (ZP25-000059), with the conditions listed in the Staff Memo dated 1 August 2025, and with a condition that the impact on the public way should be considered by the Planning Board from a design perspective in terms of the screening element currently installed.

RESULT:

APPROVED

Regarding **ZP25-000060**, the first criteria is regarding special circumstances that exist relating to the existing shape or topography of a parcel of land conditions are that the sidewalk in front of the building where the vault was planned to go was discovered to be too congested. This was an unforeseen existing condition. The façade had to be a three-hour rated wall, due to Eversource requirements. Regarding criteria #2, that literal enforcement of this provision would involve a substantial hardship. The three-hour wall requirement would make the fenestration cost

prohibitive. In terms of criteria #3, that desirable relief could be granted without causing substantial detriment, the façade is pushed back from the public way and the transformer is not installed within the public way.

Following a motion by Vice Chair Brockelman, seconded by Member Daglian, the Board voted unanimously (5-0) to approve the Hardship Variance for relief from the ground story fenestration requirements (ZP25-000060), with the conditions listed in the Staff Memo dated 1 August 2025, and with a condition that the impact on the public way should be considered by the Planning Board from a design perspective in terms of the screening element currently installed.

RESULT:

APPROVED

Regarding **ZP25-000074**, the first criteria is regarding special circumstances that exist relating to the existing shape or topography of a parcel of land conditions. The sidewalk in front of the building where the vault was planned to go was discovered to be too congested. This was an unforeseen existing condition. The transformer thus had to be placed on the ground story creating an alcove situation. Regarding criteria #2, that literal enforcement of this provision would involve a substantial hardship. The transformer could not have been located elsewhere. The development team created the minimum alcove possible without losing commercial space. Doing so could have made the project not financially viable. In terms of criteria #3, that desirable relief could be granted without causing substantial detriment, there is no substantial detriment to pedestrians, as this is not in the public way.

Following a motion by Vice Chair Brockelman, seconded by Member Zaremba, the Board voted unanimously (5-0) to approve the Hardship Variance for relief from the maximum front ground story setback (ZP25-000074), with the conditions listed in the Staff Memo dated 1 August 2025, and with a condition that the impact on the public way should be considered by the Planning Board from a design perspective in terms of the screening element currently installed.

RESULT:

APPROVED

The Board took a ten minute recess. The Board reconvened at 8:10pm.

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

These cases were discussed concurrently.

The applicant team explained that the proposal is for the existing liquor store to expand into a space next door. A recent neighborhood meeting was well attended, and the proposal was mostly well supported. The team noted that the liquor store has not had any liquor violations in ten years of operations of over six million transactions. The building which the store is proposing to expand into is 3,282 s.f. The total square footage will then be 11,300 s.f. This will enable the store to carry more craft beers and create a better shopping experience. The floor plan for the proposed store was reviewed. The Staff Memo noted support for the project as it supports the goals laid out in SomerVision 2040, including investing in the growth of a resilient economic base centered around transit, generating a wide variety of job opportunities, creating an active daytime population, supporting independent local businesses, and securing fiscal self-sufficiency.

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

The Board had no questions or comments at this time.

Following a motion by Vice Chair Brockelman, seconded by Member Daglian, the Board voted unanimously (5-0) to grant the Special Permit with conditions to establish an alcohol sales retail use for this site (ZP25-000044), incorporating the facts and findings of the Staff Memo dated 31 July 2025.

RESULT:

APPROVED

Following a motion by Vice Chair Brockelman, seconded by Member Zarembo, the Board voted unanimously (5-0) to grant the Special Permit to increase the leasable floor area to more than 10,000 s.f. (ZP25-000063), incorporating the facts and findings of the Staff Memo dated 31 July 2025.

RESULT:

APPROVED

OTHER BUSINESS: Rules of Procedure & Policy

Staff explained that the Planning Board recently updated the Rules of Procedure & Policy to change the number of ground story commercial spaces from two units to one unit within an existing structure for the expansion of an existing use and any increase in the number of ground floor commercial spaces within an existing structure. These changes were suggested due to cases that had come before the Planning Board. The update also addressed a small scrivener's error in the Minor Site Plan Approval document.

Following a motion by Vice Chair Brockelman, seconded by Member Zarembo, the Board voted unanimously (5-0) to adopt the updates to the Rules of Procedure & Policy, as presented.

RESULT:

ADOPTED

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