



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

DECISION

PROPERTY ADDRESS: 36 Beacon Street
CASE NUMBER: ZP25-000084
OWNER: 36 Beacon Street LLC / David Cameron
OWNER ADDRESS: 831 Beacon St #425, Newton, MA 02459
APPLICANT: 36 Beacon Street LLC / David Cameron
APPLICANT ADDRESS: 831 Beacon St #425, Newton, MA 02459
DECISION: Approved with Conditions (Hardship Variance)
DATE OF VOTE: November 5, 2025
DECISION ISSUED: November 18, 2025

2025 NOV 18 A 10:00

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Zoning Board of Appeals (the "Board") regarding the hardship variance application submitted for 36 Beacon Street.

LEGAL NOTICE

36 Beacon LLC seeks relief from SZO 14.1.7.b.ii to further reduce nonconforming landscape and permeable area in the Urban Residence (UR) district, which requires a hardship variance.

RECORD OF PROCEEDINGS

On October 15, 2025, the Zoning Board of Appeals held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting at the public hearing were Board Members Chair Susan Fontano, Vice-Chair Anne Brockelman, Ann Fullerton, Alternate Brian Cook, and Alternate Sisia Daglian. David Cameron, the Applicant, gave a brief presentation on the proposal. The Chair opened public comment and one neighbor gave public testimony. The Chair closed public comment.

Following the public comment portion of the hearing, the Board discussed the project with the applicant. The Board asked for clarification on the relief needed for the hardship variance related to reducing lot permeability, requested an additional condition, and for the first hardship variance finding to be amended in an updated staff memo. The Board continued the public hearing.

On November 5, 2025, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Susan Fontano, Vice-Chair Anne Brockelman, Ann Fullerton, Zac Zaremba, Olivia Mobayed, Alternate Brian Cook, and Alternate Sisia Daglian. Members Zac Zaremba and Olivia Mobayed were absent from the hearing on October 15, 2025, but submitted an affidavit confirming review of the evidence, and were able to participate in the decision.

The Applicant gave a brief presentation on the updates since the last hearing. The Board discussed the amount of relief needed and determined that the lot coverage will be increasing by 6.8%. The Chair opened public comment and no members of the public spoke. The Chair closed public comment. Following the discussion of the requested Hardship Variances, the Board moved to approve the Hardship Variance for further reducing nonconforming landscape area and permeable area in the Urban Residence (UR) district.

PLANS & DOCUMENTS

Application plans, documents, and supporting materials submitted and incorporated are identified below.

Document	Pages	Prepared By	Date	Revision Date
BeaconSt36_ZP25-000084_Narrative.pdf	4	36 Beacon LLC 831 Beacon St #425, Newton, MA 02459	September 3, 2025	n/a
BeaconSt36_ZP25-000084_Plans.pdf	6	36 Beacon LLC 831 Beacon St #425, Newton, MA 02459	July 7, 2025	n/a
BeaconSt36_ZP25-000084_PlotPlan.pdf	1	Norde-East Survey 27 Congress St Suite 205-8 Salem, MA 01970	January 12, 2025	n/a
BeaconSt36_ZP25-000084_UpdatedNarrative.pdf	1	36 Beacon LLC 831 Beacon St #425, Newton, MA 02459	October 29, 2025	n/a

HARDSHIP VARIANCE FINDINGS

In accordance with M.G.L. 40A and the Somerville Zoning Ordinance, the Board may grant a hardship variance only upon finding all of the following for each hardship variance:

1. *Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the Urban Residence zoning district in which the land or structure is located.*

The Board finds that special circumstances exist relating to the narrowness of the lot and the uniqueness of the existing structure's prior additions and renovations.

2. *Literal enforcement of the provision of the Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant.*

The Board finds that literal enforcement of the ordinance regarding the rear setback and lot permeability requirements would create financial hardship for the applicant as well as the inability to conform to building code standards.

3. *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 the Urban Residence district in this Ordinance or the Ordinance in general.*

The Board finds that desirable relief can be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Urban Residence zoning district and the Ordinance in general.

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Sisia Daglian moved to approve the Hardship Variance to further reduce nonconforming landscape and permeable area in the Urban Residence (UR) district, which requires a hardship variance with the conditions discussed at the hearing. Anne Brockleman seconded. The Board voted **5-0** to approve the permit, subject to the following conditions:

General

1. This Decision must be recorded with the Middlesex South Registry of Deeds.

Prior to Building Permit

2. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

Attest, by the Zoning Board of Appeals:

Orsola Susan Fontano, *Chair*
Anne Brockelman, *Vice-Chair*
Olivia Mobayed
Zachary Zaremba
Brian Cook, *Alternate*
Sisia Daglian, *Alternate*

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 15.5.3.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

FOR SITE PLAN APPROVAL(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____