



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

18 DECEMBER 2024 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: Andrew Graminski (Planning, Preservation, & Zoning); Emily Hutchings (Planning, Preservation, & Zoning)

The meeting was called to order at 6:00pm and adjourned at 7:01pm.

Member Cook sat as the Acting Clerk.

GENERAL BUSINESS: Meeting Minutes

Following a motion by Acting Clerk Cook, seconded by Member Zaremba, the Board voted unanimously (6-0) to approve the 20 November 2024 meeting minutes, as presented.

PUBLIC HEARING: 200 Inner Belt Road (ZP24-000094)

(continued from 4 December 2024)

Member Daglian sat as a voting member for this item.

The applicant team explained that the proposal is for a monument sign to identify the tenant, Form Energy, at 200 Inner Belt Road. The proposed sign will be located at the entrance to the property. Monument signs are not specifically included in the list of approved signs, leading to this application. The front door of the site is not easily visible from the road. The applicant team stated that a monument sign is believed to be appropriate for visibility. There are approximately 20 other monument signs along Inner Belt Road for other businesses.

Regarding the three variance criteria, the applicant explained that the first criteria is that there are special circumstances related to the shape or topography of the parcel of land, or unusual characteristics of an existing structure that do not generally affect the zoning district in which the land or structure is located. The location of the front door, the location of the street, and where the entrance is located, are unusual and unique characteristics of the building and the land. The second variance requirement is that a literal enforcement of the Zoning Ordinance would result in a substantial hardship. Without the proposed monument sign, it will be difficult for people to find Form Energy and the business owner has a legitimate onus in being visible at the site. The third hardship requirement is that the variance, if granted, would neither cause substantial detriment to the public nor nullify or substantially derogate from the intent and purpose of the Commercial Industry District. The proposed variance has no adverse public impact whatsoever. The monument sign will appear at the end of a dead-end road in the Commercial Industry district, where there are other monument signs. The monument sign, as proposed will fit in, and actually better the appearance of the area. Part of the purpose of the Sign Ordinance is to provide

property owners and tenants reasonable and effective means of identification, which this would. The proposed sign does not contain any of the features that are prohibited under Section 10.8.6.b. The proposed monument sign is respectful of the intent and purpose of the Sign Ordinance, and of the Zoning Ordinance in general.

Chair Fontano opened public testimony. There was none at this time, but the public comment portion remained open.

The Board asked what percentage of the building Form Energy holds the lease for. The applicant team stated that Form Energy is the anchor tenant, and the building is approximately 100,000 s.f. The Board asked if the three other tenants of this building will also seek monument signs. The applicant team explained that Form Energy is a new tenant, and this is their request. There have been no other requests from existing tenants of the building at this time.

The Board asked about the other monument signs along this road. Staff explained that signs are vested once they exist and can be replaced in kind if the existing business remains. A new business would need to have a sign that meets current zoning regulations.

The Board asked about illumination for the proposed sign. The applicant team explained that there is an existing lamppost immediately adjacent to the proposed monument sign location that will help to illuminate it.

Chair Fontano closed public testimony.

The Board reviewed the following Hardship Variance criteria:

- Criterion #1: The existing structure, in relation to the shape of the land, is set back from a dead-end street and its main entrance is located in such a way that makes it impossible, as a practical matter, to install a permitted sign that will sufficiently identify for the public Form Energy's presence at this location and would not, as the section of the Zoning Ordinance states, otherwise provide property owners and tenants reasonable and effective means for identifying street address, business names, etc.
- Criterion #2: Substantial hardship exists with respect to the inability to have a sign that appropriately reflects Form Energy's presence, which would reflect poorly on Form Energy, diminishing Form Energy's perception of the attractiveness of the value of the property, and thereby necessarily harm the owner.
- Criterion #3: There is no detriment to the public nor substantial derogation from the intent and purpose of the Commercial Industry district, or the Zoning Ordinance in general, because the surrounding area already includes several similar signs, the visual impact of the sign will not diminish the view of the dead-end of the street, and will enable the applicant to better meet the aims of the applicable section of the Zoning Ordinance.

Following a motion by Acting Clerk Cook, seconded by Member Brockelman, in the matter of 200 Inner Belt Road (ZP24-000094), the Board voted unanimously (5-0) to approve the Hardship Variance for zoning relief for NRL WSC 200 Inner Belt Property LLC, to install a noncompliant sign in the Commercial Industry zoning district based on the findings as previously discussed, in accordance with the criteria specified in MGL Chapter 40A Section 10.

RESULT:	APPROVED
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Other Business: 299 Broadway (P&Z 22-092-R3)

Member Fullerton recused herself from this item. Member Cook sat in for Member Fullerton.

The applicant team reviewed the proposed changes, including eliminating a 1,600 s.f. area that was previously proposed for retail space, increasing the size of the space, and installing a campus fitness center in that space. This will allow for better integration of the two properties and achieve more of a campus-setting. Tenants from both

buildings would have access to the fitness center space. Increasing the size of this space will lead to a net impact of four additional units, one of which is proposed to be affordable. Another proposed change is to remove a co-working area, as Beacon will provide for this within their building. This will be swapped for a club room area. This is also part of the campus integration between the two buildings. Both areas will help with activation of the plaza. The proposed color and material changes were also presented.

Following a motion by Acting Clerk Cook, seconded by Member Brockelman, in the matter of 299 Broadway (P&Z 22-092-R3), the Board voted unanimously (5-0) to determine that the proposed changes are insubstantial and to approve the revised waiver list, as enumerated in the Staff Memo dated 13 December 2024.

RESULT:**CHANGES DETERMINED TO BE INSUBSTANTIAL**

Following a motion by Acting Clerk Cook, seconded by Member Brockelman, in the matter of 299 Broadway (P&Z 22-092-R3), the Board voted unanimously (5-0) to amend the Comprehensive Permit decision to revise the conditions of approval to add new condition 52A and modify other conditions as enumerated in the Staff Memo dated 13 December 2024.

RESULT:**APPROVED AMENDED DECISION**

In the matter of 200 Inner Belt Road (ZP24-000094), Staff noted that Member Cook made the motion for approval as Acting Clerk but was not empowered to vote on that item. The Board agreed to retake the vote with an empowered member making the motion.

Following a motion by Member Brockelman, seconded by Member Zaremba, in the matter of 200 Inner Belt Road (ZP24-000094), the Board voted unanimously (5-0) to approve the Hardship Variance for zoning relief for NRL WSC 200 Inner Belt Property LLC, to install a noncompliant sign in the Commercial Industry zoning district based on the findings as previously discussed, in accordance with the criteria specified in MGL Chapter 40A Section 10.

- Criterion #1: The existing structure, in relation to the shape of the land, is set back from a dead-end street and its main entrance is located in such a way that makes it impossible, as a practical matter, to install a permitted sign that will sufficiently identify for the public Form Energy's presence at this location and would not, as the section of the Zoning Ordinance states, otherwise provide property owners and tenants reasonable and effective means for identifying street address, business names, etc.
- Criterion #2: Substantial hardship exists with respect to the inability to have a sign that appropriately reflects Form Energy's presence, which would reflect poorly on Form Energy, diminishing Form Energy's perception of the attractiveness of the value of the property, and thereby necessarily harm the owner.
- Criterion #3: There is no detriment to the public nor substantial derogation from the intent and purpose of the Commercial Industry district, or the Zoning Ordinance in general, because the surrounding area already includes several similar signs, the visual impact of the sign will not diminish the view of the dead-end of the street, and will enable the applicant to better meet the aims of the applicable section of the Zoning Ordinance.

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