



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

**1 OCTOBER 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>Present</i>	
Brian Cook	Alt. Member	<i>Present</i>	
Sisia Daglian	Alt. Member	<i>Present</i>	

City staff present: Kit Luster (Planning, Preservation, & Zoning); Steve Cary (Planning, Preservation, & Zoning)

The meeting was called to order at 6:00pm and adjourned at 7:40pm.

*Member Cook sat as the Acting Clerk.*

**PUBLIC HEARING: 872 Broadway (ZP25-000064) (ZP25-000065)**  
*(continued from 17 September 2025)*

*Member Daglian sat as a voting member for this item.*

The applicant team explained that they were previously before the Planning Board and were granted a Special Permit and Site Plan Approval to construct a three-story, net-zero ready building. The building is 12 units, with 20% being affordable. During construction, issues arose with Eversource regarding the location of the transformer; it could no longer be where it was originally approved, and it is now proposed to be located in the front of the building.

The applicant team explained that, originally, the transformer was designed to be located in the back of the property. There is an existing transformer on the adjacent property. There was a negotiation with the direct abutter to use the existing driveway as an access easement for the proposed transformer. During the design process, no agreement could be reached with the abutter. The applicant then pivoted to having a manhole transformer located in the front that would be flush with the grade. The manhole transformer location was approved by Eversource, but no timeline was given. The applicant team stated that they worked with Eversource to come up with a solution, which was a pad-mounted transformer in the same location. The requirements for pad-mounted transformers are that there cannot be any fenestration, and that everything within 5' must be 3-hour rated, non-combustible construction. A clear sky requirement was also worked out with Eversource. The original façade and building were changed due to these requirements.

Chair Fontano opened public testimony.

The Board noted that a letter was received from Meredith Porter on 25 September 2025.

Board members noted that the Somerville Zoning Ordinance (SZO) clearly states that transformers are not allowed in the frontage. Whether or not this solution has been acceptable in other communities is not a concern for Somerville. There seems to be a trend of transformers being installed within frontages after construction is complete. The Board stated that approvals should not become assumed.

In response to a question from the Board, the applicant team explained that when a new service is requested, a transformer can be shared between customers. This was considered in this case, but there was not enough power available to share the transformer with the abutter. The Board noted that this is different than not being able to reach an agreement with the abutter.

There was discussion regarding the need for there to be 10' of access to the back of the transformer but the building footprint being proposed does not allow for that. The applicant team explained that there is 10' between the buildings to allow for Eversource to access the transformer in the rear yard, but an agreement could not be reached with the abutter to allow a transformer in the back. Eversource then pushed for a vaulted transformer in the front, which was planned for. It wasn't until Eversource could not obtain the necessary equipment that this became an issue.

Some members of the Board noted that it is not viable to essentially continue to ignore the Zoning Board and the SZO.

Other members of the Board pointed to the Staff Memo regarding how the requested variance would affect people and the public good. The transformer barely encroaches into the sidewalk and does not affect the pedestrians walking through the area. While it is important not to set a precedent that developers can continue to put transformers in the front of buildings, in this case the applicant team was not able to obtain an easement, not able to work with the utility company for alternate placement of the transformer, and not able to share the existing transformer in the back. The applicant team is looking to provide a new building which provides additional housing and also green housing. This outweighs the detriment of the Zoning Board's need to enforce the SZO.

The applicant team explained that the building contains 2.4 affordable units, residents are waiting to move into the building, and this is a case in which people could be displaced.

Some Board members stated that there is an issue of hardship in this case, particularly as the underground vault could not be sourced in a timely manner. Other avenues were explored but did not come to fruition.

Staff explained that the applicant team has also been in touch with the Inspectional Services Department (ISD) regarding an encroachment on the left side of the building. This is still being worked though. The applicant team explained that the final as-built plan is 2" onto the neighbor's property line on the left side of the building. They will either need to remove the siding on the left side and shave the building down 2" at a cost of approximately \$25,000 or obtain an agreement with the abutter. If an agreement cannot be reached, the side will be shaved down. The applicant team does not intend to come back before the Board for this. Staff explained that a continuance for the item before the Board this evening is recommended, to make sure that the other item can also be resolved.

Daniel Dinjian (882 Broadway) – stated that he heard a difference in opinion between the zoning measurement on his property and the zoning at 872 Broadway. He has also had issues with 872 Broadway over the years.

The applicant team stated that they are not encroaching onto the 882 Broadway property. This has been determined by their legal team.

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

The applicant team explained that there is a temporary Certificate of Occupancy which has been issued for this building. If the Board votes to deny the request, ISD could revoke this, and the tenants of the affordable units would have to move out. It is unclear if there is another solution, as the transformer likely cannot be moved. Board members noted that the transformer could be moved, though this would be very expensive. It does not appear that the applicant has a Plan B. The applicant team stated that the Plan B would be catastrophic.

The Board asked the purpose of this hearing, as it appears that this has already been “rubber stamp approved” and there is no backup plan. Staff explained that this is the only process it has to determine if there is another solution to the issue.

Some Board members stated that they would like to see ISD’s history of comments on this project. Other Board members suggested voting on the case so that it can be moved along to the Planning Board for the other items of consideration.

The Board discussed the criteria for decision. The shape of the lot made alternative decisions for the location of the transformer require negotiations with abutters, which were unsuccessful. Due to imperatives from the utility company, with respect to the availability of equipment, the applicant was forced to locate it in violation of the Zoning Ordinance provision regarding mechanical equipment. The Board affirmed that it would require a financial hardship on the applicant if relief was not provided.

Following a motion by Acting Clerk Cook, seconded by Member Zaremba, the Board voted unanimously (5-0) in the matter of 872 Broadway (ZP25-000064), to approve the Hardship Variance for relief from Somerville Zoning Ordinance Section 2.4.3.d.5 to allow mechanical equipment in the frontage area of a lot, incorporating the findings of the required criteria as discussed, and the conditions as enumerated in the Staff Memo dated 15 August 2025.

Following a motion by Acting Clerk Cook, seconded by Member Zaremba, the Board voted unanimously (5-0) in the matter of 872 Broadway (ZP25-000065), to approve the Hardship Variance for relief from the ground story primary façade fenestration requirement, Somerville Zoning Ordinance Section 4.1.8.d, for a General Building in the Mid-Rise 3 (MR3) zoning district, incorporating the findings of the required criteria as discussed, and the conditions as enumerated in the Staff Memo dated 15 August 15 2025.

<b>RESULT:</b>
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<b>APPROVED</b>
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*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)*