



City of Somerville

ZONING BOARD OF APPEALS

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

DECISION

2026 JAN 20 AM 10:27

PROPERTY ADDRESS: 66 Union Square Plaza
CASE NUMBER: ZP25-000100
OWNER: Don Warner
OWNER ADDRESS: 45 Willow Cres, Brookline MA, 02445
APPLICANT: Sign Design Inc.
APPLICANT ADDRESS: 170 Liberty St. Brockton, MA 02301
DECISION: Denied
DATE OF VOTE: January 14, 2026
DECISION ISSUED: January 20, 2026

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 66 Union Square.

LEGAL NOTICE

Sign Design, Inc. seeks to install a noncompliant sign in the Commercial Core (CC) district which requires a Hardship Variance.

RECORD OF PROCEEDINGS

On January 14, 2026, 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, Olivia Mobayed, Zachary Zaremba, Alternate Brian Cook, and Alternate Sisia Daglian.

The Applicant, Bryan Michener from Sign Design, Inc. gave a brief description of the proposed sign.

Chair Fontano opened the public comment portion of the hearing. There were no public comments.

Member Zaremba asked the applicant to detail how this proposal meets the three statutory criteria for a Hardship Variance. The Board asked clarifying questions about the design of the proposed sign and existing building. The Board discussed the proposal and other signage in the area. Member Mobayed asked the Applicant to expand on the need for the Hardship Variance and increased signage for the business.

Following the discussion of the requested Hardship Variance, the Board moved to approve the requested Hardship Variance for a second sign in the Commercial Core District. The motion failed 0-5 and the application was denied.

PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
UnionSquare66_ZP25-000100_Narrative	1	Sign Design Inc. 170 Liberty Street Brockton, MA 02301	November 7, 2025	n/a
UnionSquare66_ZP25-000100_SignPlans	4	Sign Design Inc. 170 Liberty Street Brockton, MA 02301	January 20, 2025	November 7, 2025

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 character of the existing structure but not affecting generally the zoning district in which the land or structure is located.

The Board finds that this project does not meet the criteria relating to special circumstances relating to the parcel of land or character of the existing structure. The Board found that no special circumstances exist to grant relief for this additional sign.

2. 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, to the petitioner or appellant due to said special circumstances.

The Board finds that the enforcement of the provision of the ordinance did not result in substantial hardship.

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 a specific district in this Ordinance or the Ordinance in general.

The Board found that the desired relief would substantially derogate from the intent of the ordinance by not applying the sign ordinances equally to all businesses.

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Anne Brockelman moved to approve the Hardship Variance to install a noncompliant sign in the Commercial Core (CC) district with the conditions included in the staff memo. Ann Fullerton seconded. The Board voted **0-5** on the motion. The motion failed and the Hardship Variance was subsequently **denied**.

Attest, by the Zoning Board of Appeals:

Orsola Susan Fontano, *Chair*
Anne Brockelman, *Vice-Chair*
Ann Fullerton
Olivia Mobayed
Zachary Zaremba

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 _____