



City of Somerville

ZONING BOARD OF APPEALS

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

TO: Zoning Board of Appeals
FROM: OSPCD Staff
SUBJECT: 56 Franklin Street, Plan Revision (Major Amendment)
POSTED: April 8, 2026

RECOMMENDATION: None

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from Planning, Preservation, & Zoning Staff to the Review Board members.

This memo summarizes the plan revision of a previously approved special permit submitted for 56 Franklin Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on March 30, 2026, and is scheduled for a public hearing on April 15, 2026. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

The Law Office of Richard G. DiGirolamo on behalf of Victor Moreira proposes a Major Amendment to a previously issued Special Permit (ZBA 2018-46) in the Neighborhood Residence (NR) zoning district, previously the Residence B (RB) zoning district.

SUMMARY OF PROPOSAL

Victor Moreira is proposing to revise a previously issued special permit. The proposed revision will produce one additional covered parking space, extend the porch roof, and install condenser mechanical equipment on the porch roof.

BACKGROUND

Notes:

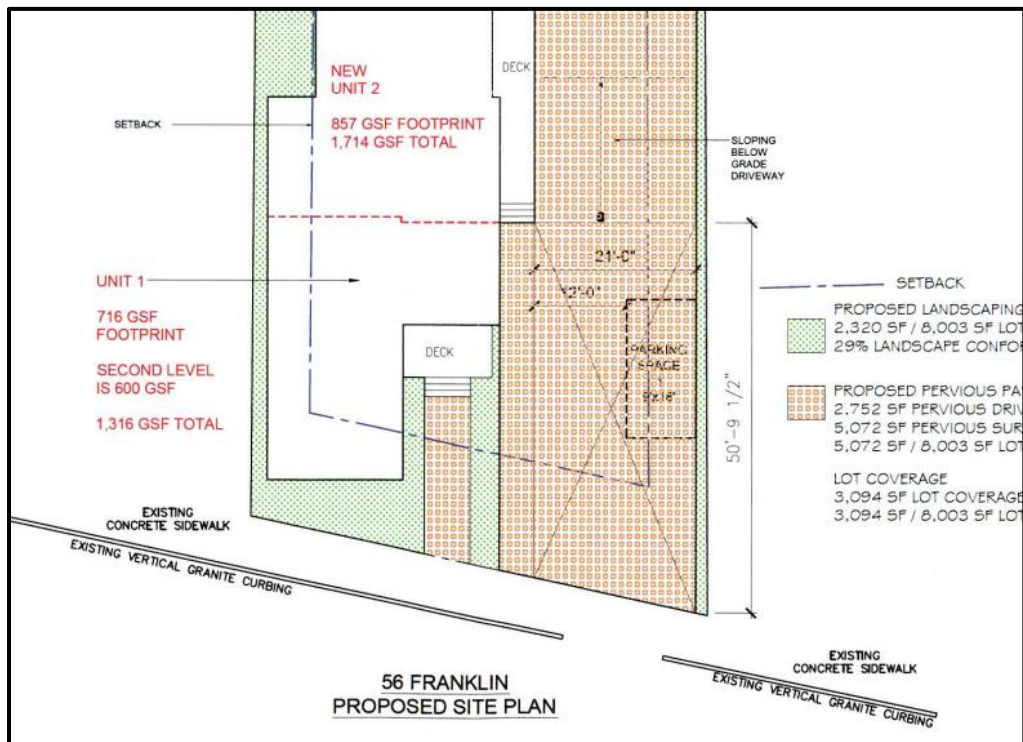
- *This special permit was approved under the old Somerville Zoning Ordinance in effect on June 6, 2018 and is subject to those rules now. The original special permit decision is attached to this staff memo.*
- *This proposal reflects the as-built conditions and this is a retroactive application.*

56 Franklin Street is in the Residential B (RB) Zoning District in the East Somerville Neighborhood represented by Ward 1 Councilor Matthew McLaughlin. The Zoning

Board of Appeals is the decision-making authority for all discretionary or administrative permits required for the RB zoning district. The property is currently zoned in the Neighborhood Residential Zoning District. The original decision references special permits for Gross Floor Area (GFA), left side yard setback, and parking. No changes to the GFA or left side yard setback are proposed.

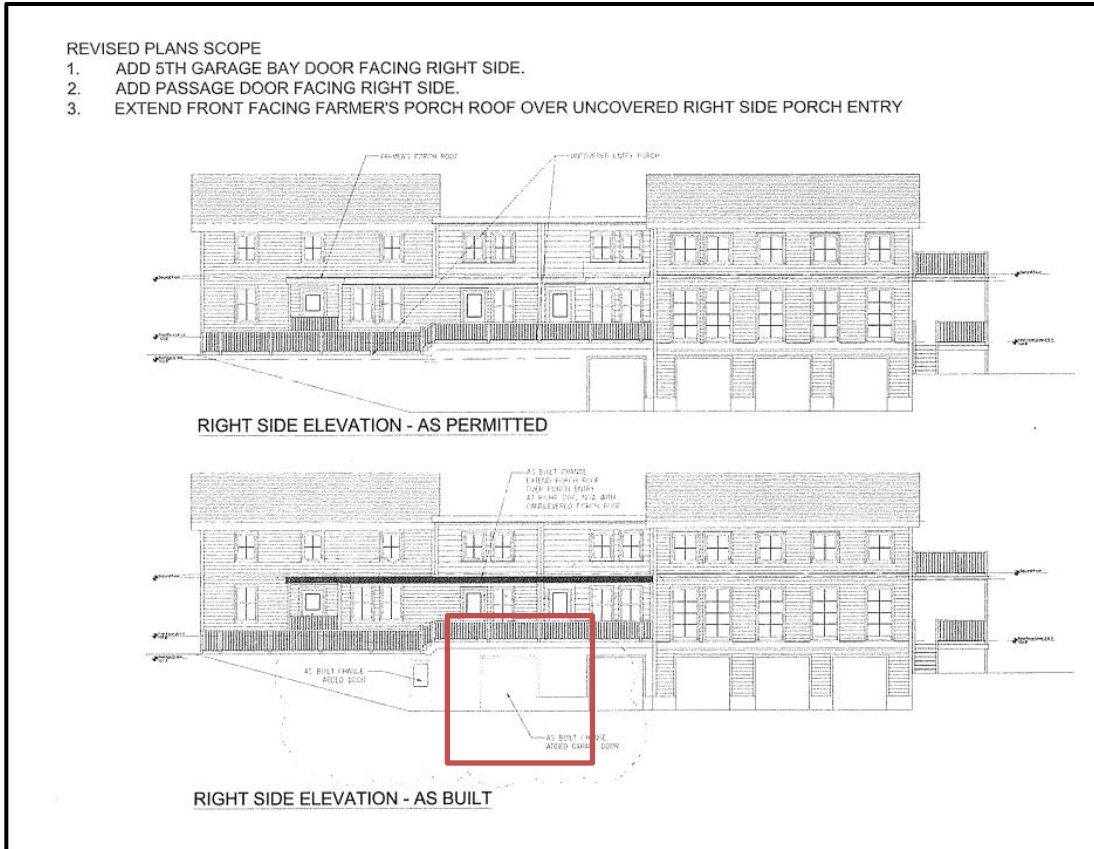
ANALYSIS

This Special Permit was originally approved in 2018, which allowed the property four (4) parking spaces. The applicant originally applied for relief that would grant five (5) parking spaces. Planning Staff recommended the Board only approve four spaces, as the fifth space was proposed on the side of the driveway, outside of the structure and would further reduce the landscaped area on the property (as seen in the image below). The current as-built additional parking space does not reduce landscaped area, and no change to the pervious surface or landscape area is proposed as part of this application. The current fifth space is housed in the existing footprint of the structure.



2018 PROPOSED PLAN

Staff does not believe that the additional parking space is substantially more detrimental than the existing condition of four spaces. The original request for relief was for one (1) space, as the applicant should have provided six (6) spaces under the old zoning. Staff was supportive of relief of two (2) spaces to increase the landscaped and screened area onsite, and relief of two (2) spaces was granted.



As Permitted and As Built Plan Showing Additional Garage Bay and New Roof Over Porch

Inspectional Services Department Staff have noted that the mechanical equipment and screening, and the addition of a roof over the side- and front- projecting porches do not pose a zoning compliance concern.

CONSIDERATIONS & FINDINGS

In order to grant a Special Permit, the SPGA must make certain findings and determinations as outlined in §4.4.1 of the SZO. This section of the report goes through §4.4.1 in detail.

1. Information Supplied

Staff finds that, generally, the information provided by the Applicant with regard to the proposed changes, conforms to the requirements of section 4.4.1 of the SZO.

2. Compliance with Standards:

The Applicant must comply “with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit.

Section 4.4.1 of the SZO: “Section 4.4.1 states that “[l]awfully existing nonconforming structures other than one- and two- family dwellings may be enlarged, extended, renovated, or altered only by special permit authorized by the SPGA in accordance with

the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation, or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation, or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character.”

Regarding 4.4.1 of the SZO:

Gross Floor Area:

No change in GFA from original special permit approval.

Left side yard setback:

No change in setbacks from original special permit approval.

Additional determinations:

Staff finds that the additional parking space, porch roof, and mechanical equipment and screening (HVAC condenser) will not be substantially more detrimental to the neighborhood or impact traffic volumes, congestion, adequacy of municipal water and sewer capacity, noise, odor, scale, on-street parking, shading, or visual effects and neighborhood character.

Pursuant to Section 9.13 of the SZO, Staff provides the following assessment of this project against the following categories:

Increase in traffic volumes

This is a three residential unit building. Given the current layout and parking, Staff does not find that the increase of one parking space would constitute any significant increase in traffic volumes.

1. Increased traffic congestion of queuing of vehicles

As noted above, Staff does not find that the increase in one parking space will create traffic congestion of queuing of vehicles – entering or exiting the site or the immediate area.

2. Changes in the type(s) of traffic

This plan revision will not change the use of the property. The property will remain residential, and the traffic will be consistent with that of a residential use.

3. Change in traffic patterns and access to site

No change is proposed to the traffic pattern of Franklin Street. Access to the site will remain the same.

4. Reduction in on-street parking

There is no change to the unit count proposed as part of this plan revision. An additional parking space on-site may reduce the need for residents to use on-street parking.

5. Unsafe conflict of motor vehicle and pedestrian traffic

No changes to the street and the way pedestrians interact with the driveway are proposed. As noted at the time of the original approval, the siting of the covered parking spaces allow those vehicles to drive forward out of the site rather than having to back out of the property onto the street.

3. Consistency with Purposes:

The Applicant has to ensure that the project “is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles.”

Staff finds that the proposed plan revision is consistent with the purposes of the RB Zone which are “[t]o establish and preserve medium density neighborhoods of one-, two-, and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts”. The increase in one parking space does not negate the past determination of consistency with the RB zone’s purpose.

4. Site and Area Compatibility:

The Applicant has to ensure that the project “is designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses”

The proposed plan revision does not significantly impact the public way and does not propose a detrimental impact to the façade relating to the streetscape.

5. Housing Impact

Will not create adverse impacts on the stock of existing affordable housing.

The proposed plan revision does not change the existing stock of affordable housing.

6. SomerVision

The proposed plan revision does not undermine SomerVision2040.

PERMIT CONDITIONS

Should the Board approve the major amendment to a previously issued Special Permit Planning, Preservation & Zoning Staff recommends the following conditions:

Permit Validity

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

Public Record

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.