



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

3 JUNE 2026 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>	
Olivia Mobayed	Member	<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>Absent</i>	

City staff present: Kit Luster (Planning, Preservation, & Zoning); Madison Anthony (Planning, Preservation, & Zoning); Alvaro Esparza (Planning, Preservation, & Zoning)

The meeting was called to order at 6:02pm and adjourned at 7:01pm.

Member Mobayed sat as Acting Clerk.

PUBLIC HEARING: 29a Windsor Road (ZP26-000007)

(continued from 20 May 2026)

The applicant team explained that the Board previously requested additional photos and emails from any and all neighbors. All of the building inhabitants, including the two owners in the units below and the tenants from this unit, along with one of the tenants who lives next door on the affected side property, were spoken to. Some of these neighbors sent in emails.

Chair Fontano opened public testimony. Seeing no public comments at this time, Chair Fontano closed public testimony.

The Board reviewed the letters received from the public and the photos received from the applicant.

The Board noted that the error noted in the Staff Memo, changing 9' to 9", should be incorporated into the decision.

The Board reviewed the first Hardship Variance criterion, which is, that special circumstances exist relating to soil conditions, shape, or topography of the parcel of land, or the unusual character of the existing structure, but not affecting generally the zoning district in which the land and structure is located. The Board stated that the Staff Memo indicates that staff does not believe there is anything about the topography, shape of the lot, or other conditions of the soil that necessitate the proposed placement. The proposed placement is to maintain the efficiency of the system, but this may not be enough to meet this criterion. This is a narrow lot which bounded by a fence, and the neighbors do not object, but it is unclear if these items are enough to meet the criterion. Some Board members noted that the unique character of the parcel is that there is already an unacknowledged definition of a mechanical zone for the property, defined by three existing mechanical compressors, and this placement of the new compressor meets those standards. Other Board members noted that the heat pump compressor being discussed was placed in this location. However, it has not yet been connected. Thus, there was a determination during the Inspectional Service Department's (ISD) review that a Hardship Variance was required.

Board members noted that, in order for the unit to be efficient, it must be placed in this particular area of the property. The shape of the property is so narrow that this will be placed closer to the adjoining property than preferred. Not placing the unit in this location would then lead to the second criterion of creating a financial hardship because the unit would then be less efficient and more expensive.

The Board reviewed that for the first criterion, the unique way that the existing bulkhead is designed and implemented, the two existing units in the same area, and the fence create an issue which the applicant is trying to address. In terms of the second criterion, this deals with efficiency and financial impacts related to operating the unit. In terms of the third criterion, the Board has heard from building residents and abutters that they are in support of the project.

Following a motion by Acting Clerk Mobayed, seconded by Member Zarembo, the Board voted unanimously (5-0) to approve the Hardship Variance for zoning relief in order to install a heat pump that is less than 2' from a side property line, based on the criteria previously discussed, with the conditions in the 14 May 2026 Staff Memo, for 29a Windsor Road (ZP26-000007).

RESULT:

APPROVED

PUBLIC HEARING: 39 Bartlett Street (ZP26-000025)

Staff stated that they received a message today from ISD that there is a lot coverage number missing on the plot plan. ISD would like to review that prior to the Board finalizing a decision. The recommendation is to continue this hearing until the applicant provides that information.

The applicant team noted that the City has had the plot plan for months now. They explained that they constructed a 112 s.f. shed in the rear yard of the property. This is a ground-level shed, raised to allow for drainage underneath. This is used for storage of outside furniture and yard tools. The shed has no slab and no utilities. Based on the size of the rear of the property and the angle of an existing rear fence and support wall, the shed is approximately 4" from the right rear corner and 15" from the left rear corner of the 3' setback requirement. Moving the shed 15" forward would impede the access to the existing bulkhead for the basement. This is a three-story property and moving the shed would also not allow for a ladder to be put up on that side of the property in case there was a repair or an emergency.

Chair Fontano opened public testimony. It was noted that emails were received, with some expressing concern with the safety, aesthetics, and permeability of the proposed shed.

The applicant team explained that the aesthetics are in question due to a stop work order in place. Ultimately, the shed will have cedar shingles and match the property. A photo of the proposed shed can be submitted for the next meeting.

The Board noted that the plan shows a separate frame shed on the property. The applicant team stated that there is nothing else on the property, other than the bulkhead.

The Board asked for a plan showing the placement of a proposed ramp. The applicant team stated that this will be a small ramp to the doors of the shed, as it is raised for drainage. The Board noted that this is not shown on the plan. There was a suggestion made for a temporary ramp that can be removed when not in use, as it could be a tripping hazard.

Members of the Board reviewed that the Board's purview is about the setback from the back lot line and the associated nonconformance. The Board's purview is not whether the applicant can have a shed, or a ramp to the

shed, or the aesthetics of the shed. The Board should discuss whether or not it feels that there is a detriment to the neighbors based on the placement.

The applicant team asked about the abutter concerns related to fire apparatus access. The Board relayed that the abutter's letter expressed concern regarding a lack of clearance based on existing wooden fences in the area of the shed. This seems to amplify the risk that a fire could quickly spread to an abutter's property. Also, given the excessive size of the non-conforming structure, it does not appear even possible to site a structure of this size within the space available while meeting the setback requirements. The applicant team stated that the structure is only 112 s.f. and the permitting requirements are for anything over 120 s.f. The applicant team acknowledged the setback requirements but also noted that Somerville has "postage stamp" sized lots and other nearby properties have sheds. The Board asked about making the shed smaller to adhere to the setback. The applicant team stated that a smaller shed would not be useful for the intended purpose.

Some Board members noted that the 18" of relief needed for the shed is a hardship that must be proven by the applicant, and it is unclear why that depth to the shed is required. The applicant team explained that any deck furniture and equipment would require this amount of space. Part of the hardship is that the structure has already started to be built and removal of it would be a financial hardship.

The Board reviewed that there are three criteria in order to make a decision; one related to topography and special conditions of the site, another related to financial concerns, and the third related to detriment to the character of the greater neighborhood. The Board expressed difficulty in finding a hardship for the first criterion. The hardship for the second is a financial one, based on having to remove something that is already in process of being built. It is unclear why compliance in this case would be non-negotiable. The applicant team explained that the angle of the rear fence and the rear wall led to there being an issue moving the shed as it would impede the pathway to the bulkhead. There is only access to the bulkhead from one side of the property, the driveway side. Secondly, moving the shed would lead to an issue placing a ladder up against that side of the house for future repairs or emergencies.

The Board noted that the desired square footage for the shed technically could have been accommodated with a narrower and longer building, according to the site plan, while still maintaining 3' from the fence. The applicant team stated that a longer and narrower building would not allow for double doors on the shed to accommodate a larger snow blower, and it would be closer to the side of the property.

The Board asked about the slanted fence. The applicant team explained that the rear fence runs at an angle, leading to a 4" variance at one corner and a 15" space at the two back corners. If the shed was built at an angle, it would still impede the bulkhead access. The Board noted that having less than 3' from the property line would likely require the walls of the shed to be fire rated based on State building code. Staff stated that they would look into this requirement.

The Board expressed some concern that there is not a hardship in having to fit larger deck furniture or equipment into the shed, requiring its larger size. This seems to be more of a desire.

The Board requested a schematic showing the doors, ramp, entrance to the bulkhead, and other details with the relevant dimensions. The applicant team stated that this will be a further financial hardship. The Board stated that this could be done by the applicant.

Seeing no additional public comments at this time, Chair Fontano closed public testimony.

Following a motion by Acting Clerk Mobayed, seconded by Member Brockelman, the Board voted unanimously (5-0) to continue the hearing for 39 Bartlett Street (ZP26-000025) to 17 June 2026.

RESULT:

CONTINUED

NOTICE: These minutes constitute a summary of the votes and key discussions at this meeting. A recording of these proceedings can be found online here: [Agendas, Minutes, & More.](#)