



City of Somerville

ZONING BOARD OF APPEALS

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

DECISION

2026 OCT -6 A 8:50

PROPERTY ADDRESS: 61 Boston Street
CASE NUMBER: ZP26-000061
OWNER: Jacob S. Taylor and Janet Smith Taylor
OWNER ADDRESS: 61 Boston Street, Somerville MA 02143
APPLICANT: Adam Dash, Esq.
APPLICANT ADDRESS: 48 Grove Street, Ste 308 Somerville MA 02144
DECISION: Approved with Conditions (Special Permit)
DATE OF VOTE: September 30, 2026
DECISION ISSUED: October 6, 2026

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Zoning Board of Appeals (the "Board") regarding the Section 6 finding submitted for 61 Boston Street.

LEGAL NOTICE

Adam Dash, Esq. on behalf of Jacob S. Taylor and Janet Smith Taylor proposes to expand a nonconformity for the rear setback of a two-family structure in the Neighborhood Residence (NR) zoning district, which requires a Section 6 finding.

RECORD OF PROCEEDINGS

On September 30, 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 Acting-Chair Anne Brockelman, Susan Fontano, Olivia Mobayed, Sisia Daglian, and Acting-Clerk Brian Cook. The Applicant and team presented an overview of the project, including the by-right proposed changes. The Applicant discussed the specific relief sought with the rear decks and stated that this project met the requirements of Special Permit Section 6 since it has minimal impact on the neighborhood. The Acting Chair opened the public comments and there were no public comments related to the proposed changes. The Applicant team gave clarification that the expansion of the nonconformity was sought to give the rear deck a normal geometry given the placement of a rear door to the deck. The Board moved to vote.

PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
Boston St 61_Narrative-2026-06-30	3	Adam Dash, Esq. 48 Grove Street, Suite 304, Somerville, MA 02144	June 30, 2026	NA

Boston St 61_Plans Revised 2026-09-14	22	GCD Architects 2 Worthington Street, Cambridge MA 02138	June 15, 2026	September 14, 2026
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SPECIAL PERMIT FINDINGS

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a special permit upon making findings considering, at least, each of the following:

Special Permit Finding Consideration:

- Pursuant to M.G.L. Chapter 40A, Section 6, "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood."

The Board does not believe the extension and alteration is substantially more detrimental to the neighborhood than the existing nonconforming structure.

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Brian Cook moved to approve the Special Permit to expand the nonconformity for the rear setback of a two-family structure in the NR zoning district based on the Section 6 considerations and findings as included in the staff memo. Olivia Mobayed seconded. The Board voted **5-0** to approve the permit, subject to the following conditions:

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 Division staff for the public record.

Attest, by the Zoning Board of Appeals:



Anne Brockelman, Acting-Chair

Orsola Susan Fontano
Olivia Mobayed
Brian Cook, Alternate
Sisia Daglian, Alternate

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 _____