



City of Somerville

ZONING BOARD OF APPEALS

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

MINUTES

Wednesday, February 26, 2020 at 6:00 pm

Visiting Nurses Association

3rd Floor Conference Room, 259 Lowell Street

Somerville, Massachusetts

Board Members present: Susan Fontano (Chair), Danielle Evans (Clerk), Elaine Severino, Anne Brockelman, Drew Kane (Alt.)

Board Members absent: Josh Safdie

Planning & Zoning Division staff present: Charlotte Leis, Dan Bartman

Meeting was opened at 6:00pm.

PUBLIC HEARINGS

AA#2020-0001

515 Somerville Ave

Ms. Evans opened the hearing.

Charlotte Leis informed the Board that the applicant, Claudia Murrow, had reached out to Planning staff earlier in the day to say that she was sick and to request a continuance to March 11th.

Ms. Evans made a motion to approve the request for a continuance to March 11th. Ms. Severino seconded. Motion passed 5-0.

OTHER BUSINESS

Dan Bartman provided the Board with a copy of proposed amendments to the Rules and Regulations.

Mr. Bartman went over the changes proposed for the fee schedule. The new fee schedule reflects the permits created by the new code, and the fees are structured so that larger and more impactful projects will be assessed higher fees than smaller projects. Because so many more projects are by-right under the new code than under the old, more projects will be able to avoid paying zoning relief fees. Fees for variances are much higher than they used to be in order to discourage people from applying for them. The Board had questions about how some of the fees are calculated and suggested that Planning staff consider having newspapers directly bill applicants for the cost of advertising their case. The Board also discussed charging applicants if their case needs to be re-advertised.

Meredith Porter (104 Josephine Ave) said that fee changes need to be adopted by both the PB and the ZBA before going into effect.

Ms. Evans made a motion to adopt the proposed amendments to Appendix 1a of Chapter 1 as presented by Planning Staff. Ms. Severino seconded. Motion passed 5-0.

Mr. Bartman explained the proposal for a minor site plan approval process. The Board reviewed what businesses

are allowed in the Neighborhood Residential district and the small business overlay district and how their operating hours may impact the neighborhood if they have outdoor seating.

Mr. Bartman explained the reasoning behind the proposal for a Hardship Variance application and what variances would be allowed to pursue it. Some projects need variances to be financially feasible, and don't want to go through full DRA process if their variance will get denied in the end. The Board discussed the submittal requirements for a hardship variance application and whether those requirements should be different for smaller versus bigger projects; the Board doesn't want to burden small projects with extensive submittal requirements. Ms. Leis clarified that the Hardship Variance process would be completely optional, and that smaller projects could request variances through the normal DRA process. The Board asked where other variances would fit into the process. Mr. Bartman said that other than the specific variances called out in the Rules and Regulations, all other variances would need to go through the standard process.

Mr. Bartman explained the proposal to change the site plan approval process for backyard cottages. The "neighborhood" for back yard cottages would be defined as only direct abutters rather than everyone within 300 feet. It would also not require backyard cottages to go to the Urban Design Commission and have a second neighborhood meeting. The Board asked how backyard cottages would relate to compliance with the green score and other standards, and Mr. Bartman said that the site would still need to comply with those requirements or get a variance.

Mr. Bartman explained how sign regulations have changed with the new zoning.

The Board expressed a desire to learn more about the new zoning and the proposed changes before voting.

The Board discussed the implications of having minor site plan approval. Meredith Porter (104 Josephine Ave) said that some of the changes only effect the Planning Board.

Ms. Evans made a motion to approve the portions of section a, paragraphs a, b, and c that are under purview of the ZBA. Ms. Brockelman seconded. Motion passed 5-0.

The Board continued to discuss the implications of having a Hardship Variance application and how that would change the process for a project. Meredith Porter (104 Josephine Ave) said that the Board had concerns about giving up leverage, and asked if applicants could provide more information like a landscaping plan, rough elevations, etc. The Board discussed how the green score works.

Ms. Evans made a motion to close the hearing. Ms. Severino seconded. Motion passed 6-0.

Meeting was adjourned at 9:30pm.

Plans and reports are available to view in person in the Planning Office, 3rd Floor of City Hall or at the City of Somerville website via the following link: <https://www.somervillema.gov/departments/ospcd/planning-and-zoning/reports-and-decisions>

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