



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION STAFF

GEORGE PROAKIS, *DIRECTOR OF PLANNING*
LORI MASSA, *SENIOR PLANNER*
DAN BARTMAN, *SENIOR PLANNER*
AMIE HAYES, *PLANNER*
MELISSA WOODS, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2013-40
Date: June 13, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 17 Winslow Ave

Applicant & Owner Name: John Connolly
Applicant & Owner Address: 17 Winslow Ave. Somerville, MA 02144
Agent Name: Richard Graf, RA
Agent Address: 11 Franklin Ave. Chelsea, MA
Alderman: Rebekah Gewirtz

Legal Notice: Applicant and Owner, John Connolly, seeks a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, single-family dwelling by constructing an addition within the existing non-conforming side yard setback. RA zone. Ward 6.

Zoning District/Ward: RA/Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: May 22, 2013

Dates of Public Meeting • Zoning Board of Appeals – June 19, 2013

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a single family home on a 4,883 square foot corner lot. The property is in a Residential A zone in close proximity to Davis Square. The front of the property is considered to be Winslow Avenue, the 2-car garage is accessible off of Villa Avenue. The floor area ratio is .44.
2. Proposal: The applicant proposes to build two additions on the property. The rear addition will take the place of an existing deck and fill in under an existing second story overhang. On the first floor



the kitchen will be reconfigured and a family room will be added. On the second level, Bedroom 4 will increase in size and a deck will be added over the remainder of the addition.

The side addition will be built over the existing first floor. It will add space to accommodate a master bath and closet.

3. Nature of Application: The applicant seeks a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, single-family dwelling by constructing an addition within the existing non-conforming side yard setback. The side yard lot line is not square to the home. The side yard setback ranges from 5.3' to 2'. After the addition the narrowest portion of the side yard will be 1'0". The rear yard setback will remain conforming at 26'. The other side yard and front yard setbacks are not affected by this renovation.

The side addition is conforming with setbacks and doesn't need zoning approval.

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of single-, two-, and three-family houses. The MBTA Busway/Somerville Community Path is down Villa Avenue. Davis Square is within close proximity to the house.

5. Impacts of Proposal: There are few impacts to this proposal. The rear addition will further reduce the side yard because the house does not run parallel with the lot line. The corner of the addition will be 1' from the property line and 3.6' from the neighbors garage. At this time, the applicant has a relationship with the owners of 11 Winslow Ave and he will be able to pass freely between the addition and their garage. However, if the owners of 11 Winslow were to put up a fence, access around this side of the property would be limited. The additions, although adding square footage to the property, will improve the appearance of the house by architecturally incorporate previous work done to the home.

6. Green Building Practices: The applicant will use fully insulated 2 x 6 walls, thermal glass for all windows, and reuse materials and windows to the greatest extent possible. The air conditioning and heating systems will have individual room controls.

7. Comments:

Fire Prevention: The property must have a code compliant fire alarm system.

Engineering: Engineering requested a grading and drainage plan with utilities since the construction is complicated because of the close proximity to the lot line and other existing structures. Note: Planning Staff views this as a minor addition because there is only a 45 square foot increase in the floor print of the building because of the existing deck. A condition of this report is to provide a grading and drainage plan with utilities as part of the building permit if applicable.

Ward Alderman: Alderman Gewirtz does not have any issues with the application but wanted confirmation that the neighbors have been noticed. Note: All abutters within 300 feet of 17 Winslow have been noticed.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

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."

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure.

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."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting the health, safety, and welfare of the inhabitants of the City of Somerville.

The proposal is consistent with the purpose of the district, which is, "to establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

III. RECOMMENDATION

Special Permit under §4.4.1

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	Approval is for a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, single-family dwelling by constructing an addition within the existing non-conforming side yard setback. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ PIng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>May 22, 2013</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>(June 10, 2010)</td> <td>Modified plans submitted to OSPCD (Site Photo)</td> </tr> <tr> <td>May, 2013 (June 10, 2013)</td> <td>Modified plans submitted to OSPCD (1-Site Plan, 2-Basement Plan, 3-First Floor Plan, 4-Second Floor Plan, 5-Roof Plan, 6-North Elevation, 7-East Elevation, 8-South Elevation, 9-West Elevation,)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	May 22, 2013	Initial application submitted to the City Clerk's Office	(June 10, 2010)	Modified plans submitted to OSPCD (Site Photo)	May, 2013 (June 10, 2013)	Modified plans submitted to OSPCD (1-Site Plan, 2-Basement Plan, 3-First Floor Plan, 4-Second Floor Plan, 5-Roof Plan, 6-North Elevation, 7-East Elevation, 8-South Elevation, 9-West Elevation,)
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Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.												
Pre-Construction												
2	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. A grading and drainage plan with utilities, stamped by a registered PE in Massachusetts, must be submitted to the Engineering Department for review and approval if applicable.	BP	Eng.									
Construction Impacts												
3	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW									
4	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P									
Design												

	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Insp.	
Miscellaneous				
	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
Public Safety				
	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	

