



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-12
Date: April 10, 2014
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 153 Willow Avenue

Applicant & Owner Name: Stephen Stack
Applicant & Owner Address: 252 Park Ave Arlington, MA 02476

Alderman: Rebekah Gewirtz

Legal Notice: Applicant & Owner, Stephen Stack, seeks a Special Permit per SZO §4.4.1 to add a dormer on a nonconforming side yard. RA Zone. Ward 6.

Dates of Public Hearing: Zoning Board of Appeals – April 16, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,587 square foot lot in the Residential A zoning district. It is a 2 ½ story, 2-family home.
2. Proposal: The proposal is to add a gable dormer on the north side of the home. The dormer would add an additional bathroom and laundry room to the 2nd unit.
3. Green Building Practices: None listed on the application.
4. Comments:

Fire Prevention: Has been contacted but has not provided comments at this time.

Ward Alderman: Has been contacted but has not provided comments at this time.



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."

The applicant seeks a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, structure by adding a dormer in the nonconforming side yard.

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."

The subject property is located within a Residence A district between Davis and Ball Square. The building is located in a neighborhood with a mix of single, two, and three-family dwelling units with a moderate level of density. The dwelling is near the Benjamin G. Brown School at 201 Willow Avenue.

There are little to no impacts of the proposal than the existing structure. A condition of this report is that the windows on the dormer match the existing windows.

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 per SZO §4.4.1 to add a dormer on a nonconforming side yard. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>November 12, 2013</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 14, 2007 (April 10, 2014)</td> <td>Modified plans submitted to OSPCD (Plot Plan)</td> </tr> <tr> <td>June 23, 2009 (April 10, 2014)</td> <td>Modified plans submitted to OSPCD (A1.0 Proposed Roof & Third Floor Plan, A1.1 Enlarged Plan, A2.0 Elevations, A3.0 Section)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	November 12, 2013	Initial application submitted to the City Clerk's Office	August 14, 2007 (April 10, 2014)	Modified plans submitted to OSPCD (Plot Plan)	June 23, 2009 (April 10, 2014)	Modified plans submitted to OSPCD (A1.0 Proposed Roof & Third Floor Plan, A1.1 Enlarged Plan, A2.0 Elevations, A3.0 Section)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
Pre-Construction												
2	The Applicant will be required to demonstrate that the project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans/report must be submitted to the Engineering Department for review and approval.	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												
5	The dormer shall match or be complementary to the main structure. The Applicant/Owner shall bring the color of the siding to Planning Staff for review and approval prior to ordering the material.	CO	Plng.									

6	The windows on the dormer shall match the rest of structure.	CO	PIng.	
Miscellaneous				
7	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				
8	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
9	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	PIng.	

