



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-52

Date: July 10, 2014

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 73-75 Beacon Street

Applicant & Owner Name: Andrew Coats

Applicant & Owner Address: 73 Beacon Street Unit 3 Somerville, MA 02143

Alderman: Maryann Heuston

Legal Notice: Applicant and Owner, Andrew Coats, seeks a Special Permit per SZO §4.4.1 to alter a nonconforming structure by adding a roof deck and stairwell penthouse for access. RC zone. Ward 2.

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

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 4,400 square foot lot with two primary structures. There is a triple decker and single family home on the property. Parking is accessed from Waldo Avenue. The single family, 3 story structure, was established after Special Permit approval in 2006 to alter a residential storefront into the existing structure. Final signoff was given in 2011.
2. Proposal: The proposal is to add a roof deck to the triple decker for access from Unit 3. There will also be a penthouse with a sloped roof added for access to the roof deck on the northeast corner of the building. The roof deck proposed is 13' x 30' and it set back from the roof edges. It will be made of wood and composite woods.
3. Green Building Practices: None listed on the application.
4. Comments:



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

Ward Alderman: Alderman Heuston 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."*

Per SZO §4.4.1 lawfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit. The access to the roof and roof deck require a special permit since it is a structural change to a 4-family property.

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; to provide adequate light and air; to conserve the value of land and buildings; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the district, which is, "To establish and preserve a district for multi-family residential and other compatible uses which are of particular use and convenience to the residents of the district.

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 surrounding neighborhood is a mix of residential, commercial, and mixed-use buildings. The alterations proposed will not be visible from Beacon Street and barely visible from Waldo Avenue. The proposed roof deck will give tenants of the building access to outdoor space to enjoy the nice weather and Boston skyline. The deck will be finished with durable and quality materials.

5. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

This will not have an impact on existing affordable housing.

7. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.*

A roof deck on a residential property will enhance the character of Somerville’s neighborhood.

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						
	Approval is for to alter a nonconforming structure by adding a roof deck and stairwell penthouse for access. This approval is based upon the following application materials and the plans submitted by the Applicant: <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>June 11, 2014</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>(July 8, 2014)</td> <td>Modified plans submitted to OSPCD (Plot Plan, Site Photos, Site Plan, Renderings, Roof Plan, Sections)</td> </tr> </tbody> </table> Any changes to the approved plan and elevations that are not <i>de minimis</i> must receive SPGA approval.	Date (Stamp Date)	Submission	June 11, 2014	Initial application submitted to the City Clerk’s Office	(July 8, 2014)	Modified plans submitted to OSPCD (Plot Plan, Site Photos, Site Plan, Renderings, Roof Plan, Sections)	BP/CO	ISD/ Plng.	
Date (Stamp Date)	Submission									
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Construction Impacts										

2	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	
3	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				
4	Applicant shall provide final material samples for decking and railing to Planning Staff for review and approval prior to construction.	BP	Plng.	
5	Siding on the penthouse should match or be complimentary to the existing structure.	CO	Plng.	
Miscellaneous				
6	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				
7	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
8	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
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	Plng.	

