



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-101
Date: October 30, 2014
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 746 Broadway

Applicant Name: Nathan Murray
Applicant Address: 72B Summit Street, Arlington, MA 02474
Owner Name: D J Broadway Realty Trust
Owner Address: 746 Broadway, Somerville, MA 02144
Agent: Nathan Murray
Agent Address: 72B Summit Street, Arlington, MA 02474
Alderman: Rebekah Gewirtz

Legal Notice: Applicant, Nathan Murray, and Owner, D J Broadway Realty Trust, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure to alter the front stairs. RB zone / Ward 6.

Dates of Public Hearing: **Zoning Board of Appeals – Wednesday, November 5, 2014**

I. PROJECT DESCRIPTION

1. Subject Property: The subject parcel is 3,336 square foot parcel with a 2 ½ story gambrel-roof dwelling that houses three units. Located between Ball Square and Powder House Circle, and adjacent to a single-story commercial structure, the surrounding neighborhood along Broadway is mixed-use and includes residential, retail, and office uses.

There has been no prior zoning relief.

2. Proposal: The Applicant proposes to alter the existing form of the front entrance stair. Currently, the stair curves toward the left side façade, but upon granting a Special Permit, the entrance stairs would



instead become straight, extending directly toward the sidewalk. The new landing would be 4'x3' and 43" from the ground.



Above: 746 Broadway

Right: Existing front entry stair



3. Green Building Practices: The Applicant is using decking material that is composed from recycled materials.

4. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Ward Alderman: Has been contacted but has not yet provided comments.

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."*

Under SZO §4.4.1, nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit; therefore, as an existing three-family dwelling, the alteration to the front entrance stair requires Special Permit approval.

In considering a special permit under §4.4 of the SZO, Staff do not find that the alterations proposed would be substantially more detrimental to the neighborhood than the existing structure. Altering the front entry stair from curving toward the left side façade to instead become straight, extending directly toward the sidewalk, is common within Somerville neighborhood's and serves to keep eyes on the street. As proposed, this entrance stair will retain the character of the building and the streetscape.

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 secure safety from fire, panic and other dangers; to conserve the value of land and buildings; and to preserve the historical and architectural resources of the City."

The proposal is consistent with the purpose of the Residential A district, §6.1.2, which is, "To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts."

The dwelling is currently a three-family home. This proposal is in keeping with the residential use and is compatible in character with the neighborhood.

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."*

Located between Ball Square and Powder House Circle, and adjacent to a single-story commercial structure, the surrounding neighborhood along Broadway is mixed-use and includes residential, retail, and office uses. The neighborhood south of Broadway and residences along Broadway are predominantly two- and three-family dwellings.

A front entry stair leading directly toward the sidewalk is common within Somerville neighborhood's and serves to keep eyes on the street. As proposed, this straightened entry stair will retain the character of the building and the streetscape

5. 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. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are*

outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	3	3

The proposal complies with the goals of the SomerVision Plan. The straightened entry stair will serve to preserve the character of the City through the addition of an appropriate front entrance feature, continue to maintain eyes on the street, and retain the existing character of this three-family dwelling and the streetscape as a whole.

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 seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure to alter the front stairs. 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>(September 24, 2014)</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>June 4, 2010 January 12, 2014 (October 29, 2014)</td> <td>Mortgage Inspection plan submitted to OSPCD</td> </tr> <tr> <td>(October 29, 2014)</td> <td>Plans submitted to OSPCD (Sheet 1 & 2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(September 24, 2014)	Initial application submitted to the City Clerk’s Office	June 4, 2010 January 12, 2014 (October 29, 2014)	Mortgage Inspection plan submitted to OSPCD	(October 29, 2014)	Plans submitted to OSPCD (Sheet 1 & 2)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	The Applicant will be required to demonstrate that the project plans meet the current City of Somerville stormwater policy.	BP	Eng.									

Public Safety				
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
4	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.	

