



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2015-24  
**Date:** June 18, 2015  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 23-25 Ashland

**Applicant Name:** Derick Snare  
**Applicant Address:** 158 Central Street Somerville, MA 02145  
**Owner Name:** Christopher Brand  
**Owner Address:** 23 Ashland Street Somerville, MA 02144  
**Alderman:** Mark Neidergang

Legal Notice: Applicant, Derick Snare, and Owner, Christopher Brand, seek a Special Permit to modify a nonconforming structure by modifying a rear addition and adding dormers. RB zone. Ward 5.

Dates of Public Hearing: Zoning Board of Appeals – June 24, 2015

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a two-family house on a 3,870 square foot lot. In 2014, the property received a Special Permit to add a second story front porch. That project is substantially completed.
2. Proposal: The proposal is to modify the rear addition to make it 2 ½ stories with a cantilevered deck for the 3<sup>rd</sup> floor bedroom, modify the rear egress and stairs to the yard, and add dormers on the house. There will be one dormer on the driveway side and two on the narrow side of the house.
3. Green Building Practices: None listed on the application.
4. Comments:



*Fire Prevention:* The house should have smoke/heat detectors and carbon dioxide monitors.

*Inspectional Services:* The existing stairs need to be adequately sized for egress, size should be confirmed.

*Ward Alderman:* Alderman Neidergang has been contacted and has no comments at this time.

## **II. FINDINGS FOR SPECIAL PERMIT:**

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."***

Lawfully existing one- and two-family dwellings, which are nonconforming with respect to dimensional requirements, may be enlarged, expanded, renovated, or altered by special permit. The dormer on the driveway side is by-right. Enlarging the rear addition with a cantilevered balcony, the two dormers on the nonconforming sideyard, and the change in the rear egress require a 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; to conserve the value of land and buildings and; to encourage housing for persons of all income levels.

The proposal is consistent with the purpose of the district, 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."

### **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 alterations proposed are typical of 2 ½ story structures and are done to minimize the impact on the street.

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

There will be no impact on existing affordable housing.

6. 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.*

The proposal is compatible with the goal of SomerVision in preserving and enhancing the neighborhood by improving upon the appearance and quality of the living space in the two-family house.

### **III. RECOMMENDATION**

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 expanding a nonconforming structure by modifying a rear addition, egress, and adding dormers. 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>May 20, 2015</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>May 18, 2015</td> <td>Modified plans submitted to OSPCD (1 - FP Existing, 2 - FP Existing, 3 - Elev Existing, 4 - FP Proposed, 5 - FP Proposed, 6 - Elev Proposed)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	May 20, 2015	Initial application submitted to the City Clerk's Office	May 18, 2015	Modified plans submitted to OSPCD (1 - FP Existing, 2 - FP Existing, 3 - Elev Existing, 4 - FP Proposed, 5 - FP Proposed, 6 - Elev Proposed)
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Any changes to the approved plan or elevations that are not <i>de minimis</i> must receive SPGA approval.										
<b>Pre-Construction</b>										
2	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans/reports must be submitted to the Engineering Department for review and approval.	BP	Eng.							
<b>Construction Impacts</b>										
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							
<b>Design</b>										
5	An exterior light and electrical receptacle is required for the 3 <sup>rd</sup> floor balcony when there is no access to the ground.	Final sign off	Wiring Insp							
6	The dormers and rear addition shall match or be complementary to the finish of the house.	CO	Plng							
<b>Site</b>										
7	Landscaping shall be installed when construction is complete.	Plng	CO							
<b>Miscellaneous</b>										

8	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	
<b>Public Safety</b>				
9	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
<b>Final Sign-Off</b>				
10	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.	

