



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-80
Date: January 2, 2014
Recommendation: Conditional Approval

UPDATED PLANNING STAFF REPORT*

Site: 200 Willow Avenue

Applicant & Owner Name: Willow Somerville Realty Trust
Applicant & Owner Address: 70 Hampshire Street Cambridge, MA 02141
Agent Name: Brian Aylward
Agent Address: 5 Essex Green Drive Peabody, MA 01960
Alderman: Rebecca Gewirtz

Legal Notice: Applicant and Owner, Willow Somerville Realty Trust, seek a Special Permit under SZO §4.4.1 to make alterations to a non conforming structure by adding dormers and rear decks. RA Zone. Ward 6.

Dates of Public Hearing: Zoning Board of Appeals - December 11, 2013

* This report was updated since the staff report dated December 5, 2013. Additions are underlined and deletions are ~~struck~~.

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 4,160 square foot lot with an existing 3-family home. There is a 2 car garage on the back corner of the lot.
2. Proposal: The proposal is to expand an existing dormer on the right side of the home and expand the rear decks. There are additional renovations being done at the same time including adding a dormer on the left side of the home and changing interior layouts/adding living area, ~~and adding a parking space~~. The existing dormer on the right side of the home will be expanded from approximately 5' in width to 21'. There will be an 8'-10" dormer added to the left side of the home. The dormers are to accommodate a



new layout of the third floor. The rear decks will be expanded to allow for outdoor space for each unit and egress. The site will be enhanced with front landscaping. After renovation the building will have an increased but still conforming FAR. There will be the same unit and bedroom count.

3. Green Building Practices: None listed on the application.

4. Comments:

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

Traffic & Parking: Since the additional parking space has been removed from the application, no additional comments were sought from Traffic and Parking.

~~Traffic and Parking has reviewed the proposed 9' x 18' parking space for 200 Willow Ave located behind the property. This proposed/additional parking space is not a viable parking space. The width of the driveway/passageway to the proposed newly created parking space varies from 13' to 10'. This width is inadequate for multiple vehicle use. There is no area for a vehicle entering to the parking space (or garage) to maneuver for a three point turn in order to exit the parking space in a forward maneuver. This is problematic especially when there are multiple vehicles accessing and egressing from the rear of the lot simultaneously (garage and parking space). The probability of an accident is high. Spillover conflicts impacting Willow Ave due to these above mentioned conditions is likely.~~

~~Traffic and Parking does not support the proposed additional parking space for 200 Willow Ave.~~

Engineering: 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."

The applicant seeks a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, structure by adding a dormer and expanding decks within the existing non-conforming side yard setback. The alterations within the home maintain the bedroom count, no additional parking is required.

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 across the street from the Benjamin G. Brown School at 201 Willow Avenue.

There are little to no impacts of the proposal. Due to the addition of the rear decks, the narrow sideyard increases in nonconformity, but the added decks will provide outdoor space for each unit. The dormer will face the rear yard of homes facing Kidder Avenue.

Since the December 11, 2013 meeting, the Applicant has changed the site plan to incorporate concerns from the abutters at 196 Willow Avenue. The revised design holds the driveway 1.2’ from the shared lot line. The design also removes pavement around the side bay window to allow for landscaping. The existing chainlink fence from the corner of the garage to the corner of 196 Willow will remain. Parties representing the applicant and abutter are working on a written agreement that they hope to have signed by the next hearing on January 8th.

~~5. Vehicular and pedestrian circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.~~

~~The Applicant has proposed an additional parking space in the rear of the house to allow for a total of 3 spaces. Planning Staff has reviewed this proposal with the City Traffic Engineer. The parking space does not allow for adequate maneuvering space to reverse from the driveway. This maneuver will be more difficult in winter months when snow is present. In addition, it creates a situation where a person backing out of the space would not be able to see a car coming up the driveway. This could result in vehicle queuing on Willow Avenue.~~

~~Since there is no parking relief required as part of this application, Staff agrees with the recommendation of Traffic and Parking and has conditioned that this space is not built.~~

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 make alterations to a non conforming structure by adding dormers and rear decks. 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>November 12, 2013</td> <td>Modified plans submitted to OSPCD (Plot Plan)</td> </tr> <tr> <td>November 3, 2013</td> <td>Modified plans submitted to OSPCD (Prop. Site Plan, A-1 Exist. 1st Floor Plan, A-2 Prop. 1st Floor Plan, A-3 Prop. Basement Plan, A-4 Exist. 2nd Floor Plan, A-5 Prop. 2nd Floor Plan, A-6 Exist. 3rd Floor Plan, A-7 Prop. 3rd Floor Plan, A-8 Exist. Front Elev., A-9 Right Elev., A-10 Left Elev., A-11 Rear Elev.)</td> </tr> <tr> <td>December 23, 2013</td> <td>Modified plans submitted to OSPCD (Plot Plan)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	November 12, 2013	Initial application submitted to the City Clerk's Office	November 12, 2013	Modified plans submitted to OSPCD (Plot Plan)	November 3, 2013	Modified plans submitted to OSPCD (Prop. Site Plan , A-1 Exist. 1 st Floor Plan, A-2 Prop. 1 st Floor Plan, A-3 Prop. Basement Plan, A-4 Exist. 2 nd Floor Plan, A-5 Prop. 2 nd Floor Plan, A-6 Exist. 3 rd Floor Plan, A-7 Prop. 3 rd Floor Plan, A-8 Exist. Front Elev., A-9 Right Elev., A-10 Left Elev., A-11 Rear Elev.)	December 23, 2013	Modified plans submitted to OSPCD (Plot Plan)
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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	Applicant shall provide final material and color samples for the infill siding if the entire building's siding is not being replaced to Planning Staff for review and approval prior to installation.	BP	Plng.	
Site				
6	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
Traffic & Parking				
7	The proposed parking space shall not be built. Applicant shall submit revised landscape plan for review and approval.	BP	Plng	
Miscellaneous				
8 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				
9 8	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
10 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.	

