



**CITY OF SOMERVILLE, MASSACHUSETTS**  
***MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT***  
**JOSEPH A. CURTATONE**  
**MAYOR**

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

*PLANNING DIVISION*

**TO:** Zoning Board of Appeals  
**FROM:** Planning Staff  
**DATE:** January 29, 2015  
**RE:** 9-11 Aberdeen Rd – proposed zoning analysis

---

The Mayor's Office of Strategic Planning and Community Development has submitted an ordinance to the Board of Alderman to overhaul the current zoning ordinance. The first date of the legal notice was January 26, 2015. Massachusetts General Law 40a, Section 6 states that a zoning ordinance shall apply to a special permit issued after the first notice of the public hearing for such an ordinance. Therefore, staff and boards should evaluate all applications based on the current and proposed ordinances so that there are no issued posed under either ordinance.

Under the existing zoning ordinance, Staff recommends conditional approval due to the contextual design, improvements to the rear egress of the building and the enhanced landscaping.

Under the proposed zoning (p 296), §11.A.3.vii, "Any other alteration to an existing nonconforming structure that increases the degree of an existing nonconformity of a structure requires a Special Permit according to the provisions of §10.D.1." Therefore, this proposal will continue to require a Special Permit under the new ordinance due to the proposed alterations being partially located within the side yard setback.

This project could become as of right under the new code if the rear deck/egress is designed to comply with the 5' side yard setback and the 10' maximum width for a deck.

