



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2017-79
Date: ~~August 31, 2017~~ **October 18, 2017**
Recommendation: Conditional Approval

UPDATED PLANNING STAFF REPORT

Site: 22 Billingham Street

Applicant / Owner Name: Jonathan Wolfe and Margaret Rosenberg
Applicant / Owner Address: 22 Billingham Street, Somerville, MA 02145
Alderman: Lance Davis

Legal Notice: Applicants / Owners, Jonathan Wolfe and Margaret Rosenberg, seek a Special Permit under §4.4.1 of the Somerville Zoning Ordinance (SZO) to alter a nonconforming structure to construct a dormer within the required right side yard setback and to increase the gross floor area (GFA) by greater than 25% by constructing an addition in the rear of the existing structure. Ward 6. RA zone.

*This staff report has been updated. Items which no longer apply have been ~~struck~~ and updated information has been **highlighted in yellow**.*

Dates of Public Hearing: Zoning Board of Appeals – September 6, 2017

I. PROJECT DESCRIPTION

1. Subject Property: The locus contains a parcel of 4,500 square feet with one single family dwelling of 2.5 stories. A building permit has been applied for to perform as-of-right renovations that include a rear addition and two small dormers on the left side of the structure that will add less than 25% of the existing gross floor area of the building and conform to the required setbacks.



2. Proposal: The special permit request is to construct a dormer with two gables that is within the required right side yard setback requirement.
3. Green Building Practices: The application does not list any green building practices.
4. Comments:

Ward Alderman: Alderman Davis has been informed of this proposal but has yet to comment as of the publication of this report.

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 structure is currently nonconforming with respect to the following dimensional requirements: lot area, side yard setback, and the number of parking spaces.

The total increase in gross floor area (GFA) will be ~~less~~ **greater** than 25% ~~including the by-right addition and the proposed dormer~~. The increase in GFA per floor is broken down in the table below:

	<i>Existing g.s.f</i>	<i>Proposed g.s.f by right</i>	<i>Proposed g.s.f with dormer</i>
Basement	951	951	951 1,291.25
First floor	971	1,312	1,312
Second floor	866	1,123	1,123
Third floor	568	551	802
TOTAL	3,356	3,937	4,188 4,528.25

Increase in g.s.f by right		Increase in g.s.f with dormer	
581 g.s.f	17.3%	832 1,172.25 g.s.f	24.8% 34.9%

Section 4.4.1 states that “*Alteration, reconstruction, extension, or structural change to a one- or two-family structure that complies with the dimensional requirements of the zoning ordinance in effect at the time of the application, but is located on a lot with insufficient area, and provided any such alteration, reconstruction, extension or structural change remains in compliance with all current dimensional requirements and does not increase the Gross Floor Area (GFA) of the dwelling by more than twenty-five percent (25%).*”

The proposal to construct a dormer on the right side of the structure will be within the required right side yard setback. The current dimension is 2.6 feet and the requirement in the district is 8 feet. This alteration

to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

Section 4.4.1 also states that “[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5.”

In considering a special permit under §4.4 of the SZO, Staff finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal has been designed with setbacks that minimally impact the neighbors and the requirements for lot area per dwelling unit, ground coverage, landscaped area, pervious area, floor area ratio, building height, front yard setback, rear yard setback, left side yard setback, and street frontage will continue to be conforming to the SZO.

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 promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to avoid undue concentration of population; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the RA 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."*

Surrounding Neighborhood: Billingham Street is a residential street of mostly single family dwellings. It also includes two-family dwellings, one three-family dwelling across the street on the corner of Summit Street, and a six-unit dwelling on the corner of Kenwood Street.

Impacts of Proposal (Design and Compatibility): The design of the proposed double gable roof dormer is consistent with the roof type of the existing structure and is of a size and proportion that is compatible with the dwelling and its surroundings. The length of the sloping roof to which the proposed dormer would be attached to is 39'-10" and the proposed dormer will be 19'-4" wide, which is less than 50%. The existing structure is clad in wood shingles, which are planned to be restored or replaced as needed and painted to match. The proposed rear addition is of a massing and scale that is smaller than the existing house and is designed to not extend any nonconforming dimension. Staff finds the design of the proposed addition and dormer is compatible with the surrounding neighborhood.

5. Housing Impact: Will not create adverse impacts on the stock of 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.

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 the construction of a dormer on the right side of the roof. 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>July 13, 2017</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>(August 28, 2017)</td> <td>Modified plans submitted to OSPCD (Title sheet, EX-1, EX-2, EX-3, A-1, A-2, A-3, A-4, A-6, A-7, A-8, and certified plot plan)</td> </tr> </tbody> </table> Any changes to the approved elevations/use that are not <i>de minimis</i> must receive SPGA approval.	Date (Stamp Date)	Submission	July 13, 2017	Initial application submitted to the City Clerk’s Office	(August 28, 2017)	Modified plans submitted to OSPCD (Title sheet, EX-1, EX-2, EX-3, A-1, A-2, A-3, A-4, A-6, A-7, A-8, and certified plot plan)	BP/CO	ISD/Plng.	
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Construction Impacts										
1	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.							
2	The Applicant shall at their 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 siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit.	BP	Plng.	
Site				
5	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
Miscellaneous				
6	Garbage and recycling locations shall be clearly indicated on site plans. Storage areas shall be inside of the structure or shall be fully screened from view from both the public way and abutters by an appropriate material reviewed and approved by staff. The location shall not impact any parking, landscaping, or egress.			
7	Granting of the applied for use or alteration does not include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.			
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	
Public Safety				
9	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
10	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				
11	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.	

