



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2018-86
Date: July 18, 2018
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 45-47 Trull Street

Applicant / Owner Name: Maxwell and Stefanie Bridges
Applicant / Owner Address: 47 Trull Street, Unit 2, Somerville, MA 02145
Agent Name: Adam Dash, Esq.
Agent Address: 48 Grove Street, Suite 304, Somerville, MA 02144
Alderman: Mark Niedergang

Legal Notice: Applicants/Owners, Maxwell and Stefanie Bridges, seeks a special permit under SZO 4.4.1 to alter a nonconforming structure by constructing two dormers on the roof of the main structures. RA Zone. Ward 5.

Dates of Public Hearing: Zoning Board of Appeals – July 18, 2018

I. PROJECT DESCRIPTION

1. **Subject Property:** The subject property is a 4,200 square foot parcel that consists of two structures and three residential units. The main structure is a 2 ½ story gable end structure with two condominium units. There is a smaller structure in the rear that has one condominium unit.

2. **Proposal:** The proposal is to construct two dormers to the main house to add living space to the third floor.

3. **Green Building Practices:** The application does not list any green building practices.

4. **Comments:**

Ward Alderman: Alderman Niedergang has been informed of this proposal and 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, lot area per dwelling unit, front yard setback, and left side yard setback.

The proposal will impact the nonconforming dimension of the left side yard setback. The current dimension is 2'-8", and the proposal to construct a dormer will maintain the 2'-8" setback where 8 feet are required for 2.5 story structures in the RA district. 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 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 will allow the condominium owners to expand their living space. The proposal has been designed with setbacks that minimally impact the neighbors and the requirements for ground coverage, landscaped area, pervious area, floor area ratio (FAR), building height, rear yard setback, right side yard setback, and frontage will continue to be conforming to the requirements of 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 lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to adequately protect the natural environment; 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: Trull Street is a residential street located just outside of Magoun Square between Vernon Street and Medford Street. It is a residential street with single and two-family structures.

Impacts of Proposal (Design and Compatibility): The proposed shed dormers are designed in a manner that is compatible with the characteristics of the neighborhood. The proposed new window openings within the dormer are within three feet of the property line. Staff recommends that the applicant shall coordinate with their local building inspector at ISD on the proper fire rating requirements for new window openings within three feet of the property line.

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

8. 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
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1	Approval is for the construction of two 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>June 13, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>June 6, 2018</td> <td>Plans submitted to OSPCD (T-1, EX-1, EX-2, A-1, A-2, A-3, and A-4)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	June 13, 2018	Initial application submitted to the City Clerk's Office	June 6, 2018	Plans submitted to OSPCD (T-1, EX-1, EX-2, A-1, A-2, A-3, and A-4)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
2	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.							
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							
4	Construction shall occur from 7:30am – 5:00pm Monday-Friday ONLY. There shall be no construction or construction-related work allowed on the weekends or holidays.	During Construction	ISD							
Design										
5	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.							
6	The applicant shall coordinate with their local building inspector at ISD on the proper fire rating requirements for new window openings within three feet of the property line.	BP	ISD							
Site										
7	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD							
Miscellaneous										
8	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.	Ongoing	ISD / Plng.							
Public Safety										
9	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
10	Per Somerville fire safety regulations, grills, barbecues, chimineas and the like are NOT permitted on decks or porches.	Perpetual	FP/ISD							
11	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										

12	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.	
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