



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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CHARLOTTE LEIS, *PLANNING INTERN*

**Case #:** ZBA 2018-114  
**Date:** October 3, 2018  
**Recommendation:** Conditional approval

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**PLANNING STAFF REPORT**

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**Site:** 5 Windsor Road

**Applicant / Owner Name:** Alexander and Christina Epstein  
**Applicant / Owner Address:** 5 Windsor Road, Somerville, MA 02145  
**Alderman:** Lance Davis

Legal Notice: Applicants/Owners, Alexander and Christina Epstein, seek a Special Permit per SZO §4.4.1 to alter a nonconforming structure by extending an existing shed dormer toward the rear by approximately 10 feet along the left side of the ridge. RA Zone. Ward 6.

Dates of Public Hearing: Zoning Board of Appeals – October 3, 2018

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**I. PROJECT DESCRIPTION**

- Subject Property: The subject property is a 2,661 square foot parcel that contains a two-family dwelling that is a 2.5 story gable end structure. The structure contains a gable dormer on the right side of the roof and a shed dormer on the left side of the roof.
- Proposal: The proposal is to extend the existing shed dormer by approximately ten feet toward the rear of the structure to not exceed 50% of the roofline.
- Green Building Practices: The application states that the proposal will incorporate high efficiency plumbing fixtures, skylights, interior LED lighting, and wall insulation.



4. Comments:

*Ward Alderman:* Alderman Davis 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, landscaped area, pervious area, floor area ratio (FAR), front, rear, left, and right side yard setback requirements, and street frontage.

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.”

The proposal will impact the following nonconforming dimensions: left side yard setback and FAR. The proposed shed dormer extension within the nonconforming 2.8 foot left side yard setback will maintain the same distance. The requirement in the district is 8 feet for 2.5 story structures. The shed dormer will also add a total of 67 net square feet to the structure that will alter the nonconforming FAR from 1.08 to 1.11, where 0.75 is required in the district. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

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 homeowners to expand their living space in their third level to create a 3<sup>rd</sup> floor bathroom with skylights and a laundry closet. The proposal has been designed with setbacks that minimally impact the neighbors and the requirements for building height and right side yard setback 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 protect

health; to secure safety from fire, panic and other dangers; to provide adequate light and air; 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*: Windsor Road is one street south and parallel to Highland Avenue between Hancock Street and Willow Avenue. It is exclusively a residential street where all of the structures are 2.5 stories with predominantly gable roof types. Every structure on this particular side of Windsor Road has two dormers, a shed dormer on one side and a gable dormer on the other.

*Impacts of Proposal (Design and Compatibility)*: The proposed dormer matches the as-built layout of adjacent houses at 9 Windsor Road and 13 Windsor Road. The proposed dormer extension will be clad in siding and trim to match the existing house.

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						
1	Approval is for the extension of a shed dormer. 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>August 16, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 14, 2018</td> <td>Plans submitted to OSPCD (A0.0, A0.1, A1.1, A1.2, and A2.1)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	August 16, 2018	Initial application submitted to the City Clerk's Office	August 14, 2018	Plans submitted to OSPCD (A0.0, A0.1, A1.1, A1.2, and A2.1)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
<b>Construction Impacts</b>										
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							
<b>Design</b>										
4	The siding, trim, and windows, of the proposed dormer shall match the rest of the existing structure.	BP	Plng.							
<b>Public Safety</b>										
5	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
6	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.							
<b>Final Sign-Off</b>										
7	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.							

