



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

**PLANNING DIVISION STAFF**

GEORGE PROAKIS, *DIRECTOR OF PLANNING*  
SARAH LEWIS, *SENIOR PLANNER*  
SARAH WHITE, *PLANNER/PRESERVATION PLANNER*  
ALEX MELLO, *PLANNER*  
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2018-103  
**Date:** September 5, 2018  
**Recommendation:** Conditional Approval

---

**PLANNING STAFF REPORT**

---

**Site:** 76 School Street

**Applicant / Owner Name:** Summer Living, LLC  
**Applicant / Owner Address:** 162 Sidney Street, Cambridge, MA 02139  
**Agent Name:** Adam Dash, Esq.  
**Agent Address:** 48 Grove Street, Suite 304, Somerville, MA 02144  
**Alderman:** Ben Ewen-Campen

Legal Notice: Applicant/Owner, Summer Living, LLC, seeks a Special Permit under SZO §4.5.1 to convert a portion (approximately 987 sf) of the previously approved (ZBA 2018-34) residential space back into commercial office space. As a result, the property will have three commercial office units totaling about 4,518 sf and one residential unit of 1,012 sf with two-bedrooms. RA Zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – September 5, 2018

---

**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 5,700sf lot containing a two story brick structure of 5,304sf. The current building was constructed prior to 1933, and was historically used as an MBTA traction-power substation for street trolleys. The building has been used by the MBTA for storage for the last 30 years. The property had been in disrepair and contaminated as a result of the prior uses.

In 2016, the ZBA approved minor modifications to the exterior include roof and brick repair and new fenestration openings for light, ventilation and access in the rear and sides



of the structure. The use was also approved to change from storage to mixed-use that would include two residential units as well as office space.

In April of 2018, the ZBA approved a new permit to change the uses in the building from what was originally approved in 2016 to a scheme that included 1,938 s.f of the previously approved office space and three residential units.

2. Proposal: The proposal is to convert a portion (approximately 987 sf) of the previously approved (ZBA 2018-34) residential space back into commercial office space. As a result, the property will have three commercial office units totaling about 4,518 sf and one residential unit of 1,012 sf with two-bedrooms.

3. Green Building Practices: There will be no changes from the 2016 application.

4. Comments:

*Ward Alderman*: Alderman Ewen-Campen has been informed of the proposal and has yet to comment as of the publication of this report.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §4.5.1):**

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."*

### *Article 4: Nonconforming Uses and Structures*

Section 4.5.1 states "A nonconforming use may be changed to another nonconforming use only by special permit authorized by the SPGA in accordance with the procedures of Article 5, provided that the SPGA finds that such change is not substantially more detrimental to the neighborhood than the existing nonconforming use". The prior approvals were approved under the section of the SZO and the current proposal will change is back to one dwelling unit with the rest of the building containing commercial office space.

In considering a special permit under § 4.5 of the SZO, Staff finds that the proposed would not be substantially more detrimental to the neighborhood than the previously approved structure.

### *Article 9: Off-Street Parking and Loading*

The proposed uses for the building will revert back to the original permit from 2016; therefore, no additional parking is required.

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 preserve the historical and architectural resources of the City 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*: The surrounding neighborhood contains a mix of 1-3 story structures of residential, commercial and institutional uses of various architectural styles. The adjacent lot is a vacant gas station.

*Impacts of Proposal (Design and Compatibility)*: The proposal will not have any impact on the design and compatibility of the structure.

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, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.

### III. RECOMMENDATION

#### Special Permit under §4.5.1

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	<p>Approval is for the conversion of previously approved office space into a third one-bedroom residential unit. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>July 26, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>July 26, 2018</td> <td>Plans submitted to OSPCD (A1.00, A1.10 existing, A1.10 proposed, A1.20 existing, and A1.20 proposed)</td> </tr> </tbody> </table> <p>Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	July 26, 2018	Initial application submitted to the City Clerk's Office	July 26, 2018	Plans submitted to OSPCD (A1.00, A1.10 existing, A1.10 proposed, A1.20 existing, and A1.20 proposed)	BP/CO	ISD/Plng.	
Date (Stamp Date)	Submission									
July 26, 2018	Initial application submitted to the City Clerk's Office									
July 26, 2018	Plans submitted to OSPCD (A1.00, A1.10 existing, A1.10 proposed, A1.20 existing, and A1.20 proposed)									
2	The conditions of approval under Case No. ZBA 2016-55 shall continue to remain in effect.	CO	ISD/Plng.							

