



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2017-97
Date: October 18, 2017
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 9 Wilton Street

Applicant / Owner Name: Tessa and Rami Bridge
Applicant / Owner Address: 148 Albion Street #1, Somerville, MA 02144
Alderman: Mark Niedergang

Legal Notice: Applicant and Owner, Tessa and Rami Bridge, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming structure within the required front, left, and right side yard setbacks by constructing side entry steps, a dormer, extending the deck and constructing new deck stairs, and opening the enclosed front porch. RB Zone. Ward 5.

Dates of Public Hearing: Zoning Board of Appeals – October 18, 2017

I. PROJECT DESCRIPTION

1. Subject Property: The subject property consists of a 2,972 square foot parcel with a two-story single family house.
2. Proposal: The proposal is to construct a new entry stair in the left side yard, construct a dormer within the right side yard, extend the deck and stairs within the right and left side yard, and renovate the front porch by opening up what is currently an enclosed porch and making the footprint smaller. The proposal also includes interior renovations and repairing/replacing the existing front entry stairs.
3. Green Building Practices: The application states that the proposal will optimize insulation strategies by using spray foam insulation, energy star windows, and energy star/high performance



gas fired heating system.

4. Comments:

Ward Alderman: Alderman Niedergang has been contacted but has yet to provide 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, front, left, and right side yard setbacks, street frontage, and the number of parking spaces.

The proposal will impact the following nonconforming dimensions: front, left, and right yard setbacks.

Front: The front yard is 3 feet (the requirement is 15 feet) and will remain as such after the porch is opened up and its footprint is decreased.

Left: The left side yard is 6'-11" (the requirement is 8 feet for a two story structure in the RB zone); however, the existing entry stair projects 2'-1" further into the setback than allowed. The stairs are allowed to project up to one-quarter of the required setback, which means the stairs can be 6 feet from the side property line. The existing entry steps in the front are 3'-11" away from the property line and are considered nonconforming. This particular nonconformity is proposed to be extended by constructing a new side entry stair 3'-11" from the left property line and stairs leading to/from the rear deck 4'-5" from the left property line.

Right: The right side yard is 4 feet and the requirement is 8 feet for a two story structure in the RB zone. The proposal includes making an alteration within the required right side yard by constructing a dormer on the right of the house.

Right: The right side yard is 4 feet (the requirement is 8 feet for a two story structure in the RB zone); however, the existing deck projects 1'-10" further into the setback than allowed. The stairs are allowed to project up to one-quarter of the required setback, which means the stairs can be 6 feet from the side property line. The existing deck is 4'-2" away from the property line and is considered nonconforming. The proposal includes reconstructing the deck so that the deck and its stairs are 4'-6" from the property line and will become less nonconforming than the current deck.

These alterations 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 enhance the aesthetics of the home by allowing for the renovation of the 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, and floor area ratio (FAR) 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 prevent the overcrowding of land; 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 RB district, which is, “to establish and preserve medium density neighborhoods of one-, two- and three-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: Wilton Street is a residential street just south of Magoun Square. Structures on Wilton Street range from one-story to two and one-half stories.

Impacts of Proposal (Design and Compatibility): The proposed changes will not impact the structure’s relationship to the scale of the neighborhood. Opening the front porch will enhance the aesthetics of the dwelling and the streetscape. The proposed dormer is atypical as it will not be attached to the ridge. The dormer will have a wall height of three feet and visually appear to be an extension of the exterior wall.

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

8. SomerVision Plan: The proposal will allow for upgrades to the property that will maintain the character of Wilton Street and the surrounding neighborhood.

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 to construct a new entry stair in the left side yard, construct a dormer within the right side yard, extend the deck and stairs within the right and left side yard, and renovate the front porch by opening up what is currently an enclosed porch and making the footprint smaller. The proposal also includes interior renovations and repairing/replacing the existing front entry stairs. 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 25, 2017</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>September 12, 2017</td> <td>Modified plans submitted to OSPCD (page numbers)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	August 25, 2017	Initial application submitted to the City Clerk’s Office	September 12, 2017	Modified plans submitted to OSPCD (page numbers)
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Any changes to the approved (site plan or elevations/use) 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	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							
4	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				
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.	
Site				
6	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
Miscellaneous				
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.	Ongoing	ISD / Plng.	
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	Per Somerville fire safety regulations, grills, barbecues, chimineas and the like are NOT permitted on decks or porches.	Perpetual	FP/ISD	
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.	

