



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*
LORI MASSA, *SENIOR PLANNER*
SARAH WHITE, *PLANNER/PRESERVATION PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2016-68

Date: July 13, 2016

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 37 Allen Street

Applicant Name: John Langwig
Applicant Address: 37 Allen Street,
Somerville, MA 02143
Owner Name: John Langwig
Owner Address: 37 Allen Street,
Somerville, MA 02143
Alderman: Maryann Heuston



Legal Notice: Applicant and Owner, John E. Langwig, seeks Special Permits to increase the number of dwelling units from one to three under SZO §7.11.1.b, substantially alter a non-conforming structure under SZO §4.4.1, and parking relief under SZO §9.13. RB zone. Ward 2.

Dates of Public Hearings: July 13, 2016

I. PROJECT DESCRIPTION

1. **Subject Property:** The subject property is a single-story, c.1920 cement block building currently used as a single family residence. The parcel is 6,098 square feet.
2. **Proposal:** The Applicant proposes to vertically extend the existing structure by adding two stories in order to create a 3-family residence. The lot is undersized and the front façade of the property violates the front yard setback. The Applicant also seeks parking relief for two parking spaces.
3. **Green Building Practices:** None listed.

4. **Comments:**

Ward Alderman: Maryann Heuston has been advised of this project.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1, §7.11.1.b and §9.1):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §4.4.1, §7.11.1.b and §9.1(and 9.13) of the SZO. This portion of the report goes through each of these sections in detail.

1. **Information Supplied:**

Regarding §4.4.1

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

Regarding §7.11.1.b

Staff finds that the information provided by the Applicant conforms to the requirements of §7.11.1.b of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

Regarding § 9.13

Staff finds that the information provided by the Applicant conforms to the requirements of §9.13 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."*

Regarding §4.4.1

Section 4.4.1 states that "[l]awfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character."

In considering a special permit under §4.4.1 of the SZO, Staff finds that the substantial alterations proposed for 37 Allen Street would not be substantially more detrimental to the neighborhood than the existing conditions. The immediate surrounding neighborhood is filled with myriad types of structures – some residential, some single story commercial and others, specifically the area to the left of 37 Allen Street, are slated for redevelopment under the Union Square plan. The changes proposed by the Applicant are a significant improvement to the conditions currently extant at the 37 Allen Street site. The proposal will add two residential units to city stock (no

affordable housing levers are triggered) and the building shall be of a form, massing and style that is consistent with the current eclecticism of the neighborhood while also giving a nod to the future character of this portion of Union Square.

Regarding §7.11.1.b

In considering a special permit under §4.4.1 of the SZO (which allows for up to 3 dwelling units on a parcel in the RB zone), Staff finds that the proposal to create such a 3-family complies with the standards of the RB zone 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.”

Regarding §9.13

In considering a special permit under §9.1 of the SZO, the following considerations must be taken into account:

1. Increase in traffic volumes;
2. Increased traffic congestion or queuing of vehicles;
3. Change in the type(s) of traffic;
4. Change in traffic patterns and access to the site;
5. Reduction in on-street parking;
6. Unsafe conflict of motor vehicle and pedestrian traffic.

Staff finds that the addition of two more residential units on this site will not significantly contribute to an increase in traffic volume, congestion or queuing of vehicles. With the use of the property continuing to be residential in nature, the type of traffic along Allen Street will not change because of this project. The traffic pattern will continue as currently allowed as will access to and from the site. The site will be able to provide 3 parking spaces, one for each unit (one space is currently provided for the single residential unit) with changes to the site not creating unsafe or undo conflict between motor vehicle and pedestrian traffic.

The Applicant is requesting relief for 2 parking spaces. As noted in other reports, the calculation for parking relief is as follows:

$$(\text{new parking requirement} - \text{old parking requirement}) \times .5$$

In the case of 37 Allen street, the new project must requires 6 parking spaces. The existing conditions require 2 parking spaces. The parking relief formula is thus as follows:

$$(6 - 2) \times .5 = 2 \text{ parking spaces of relief}$$

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."*

Regarding §4.4.1

Staff finds that the proposal to add two residential units to the existing single unit structure is consistent with the purposes of the RB district and with the current and future direction of the surrounding neighborhood as discussed in item 2 above.

Regarding §7.11

Both the number of units (3) and the continued residential use are both in keeping with the purpose of the RB district which allows for one-, two-, and three-family use.

Regarding §9.1

The proposal for 37 Allen Street is designed in such a way that Staff finds that it adheres to the general purpose purposes of this portion of the SZO including:

- promoting bicycle use in the city and providing three bike spaces;
- providing visual relief from expanses of paving and reducing the glare and heat from parking lots through the inclusion of more landscaping on the site;
- ensuring some off-street storage of motor vehicles whose orderly entry and exit from the site will be provided.

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."*

In considering a special permit under §4.4.1 of the SZO, Staff finds that the substantial alterations proposed for 37 Allen Street will allow the property owner to significantly improve the site which will benefit the surrounding neighborhood. Since the neighborhood is an eclectic mix of (mostly residential) structures, the continued residential use is in keeping with the surrounding environment.

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

The proposal will not add to the stock of affordable housing but will contribute to SomerVision metrics by adding two more residential units to the city.

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 addition of two residential units atop the existing single story residence.	BP/CO	ISD/Plng.	
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>June 8, 2016</td> <td>Application and supporting documents submitted to City Clerk's office.</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval. Whether or not a change is <i>de minimis</i> in nature must be determined by the Planning Office.</p>			
Date (Stamp Date)	Submission			
June 8, 2016	Application and supporting documents submitted to City Clerk's office.			
Before Permitting				
2	Prior to permitting, the Applicant must have the Electrical/Wiring inspector review and sign off on the proposed distances of the second and third stories from the existing overhead lines and existing utility pole.	BP	ISD/Electrical	
Design				
3	The project shall be constructed exactly as according to plans dated 6-9-2016. All materials and colors shall remain the same. Any changes thereto shall first be reviewed and approved by Staff (and or ZBA) prior to their installation.	CO	Planning Staff / ISD	
4	The window placement shall be exactly as approved by the ZBA on the plans dated June 9, 2016	CO	Planning Staff / ISD	
5	Any changes to the design, style, massing, form, elements, and materials of the shed dormers shall be submitted to and approved by Planning Staff (or, as necessary, the ZBA) prior to their execution on the building.	CO	Planning Staff / ISD	
6	Windows shall be non-reflective.	CO	Planning Staff / ISD	
Construction Impacts				
7	The Applicant shall, at his 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	
8	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	
9	Should the Applicant find that the existing structure is not structurally sound enough to support the proposed upper stories, thus requiring the Applicant to demolish the existing structure, the Applicant shall step back any such new construction from the front property line.	During Construction	Planning/ISD	
Electrical and Wiring				
10	All utilities shall be buried, including electrical	During Construction	Wire Inspector	
Public Safety				
11	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	

12	The building shall be sprinkled.			
13	All smoke detectors shall be hard-wired.	CO	Fire Prevention / ISD	
Final Sign-Off				
14	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.	