



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2017-07  
**Date:** February 10, 2017  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 14 Ashland Street

**Applicant Name:** William Yoston, Yoston Construction  
**Applicant Address:** 19 Shephard Road, Pelham, NH 03076  
**Owner Name:** Matthew Grygorcewicz and Sara Ellison  
**Owner Address:** 14 Ashland Street, Somerville, MA 02144  
**Alderman:** Mark Niedergang

Legal Notice: Applicant, William Yoston, Yoston Construction, and Owners, Matthew Grygorcewicz and Sara Ellison, seek a Special Permit under SZO §4.4.1 to construct a second story addition in the rear of the structure within the required right side yard of a nonconforming structure. RB zone. Ward 5.

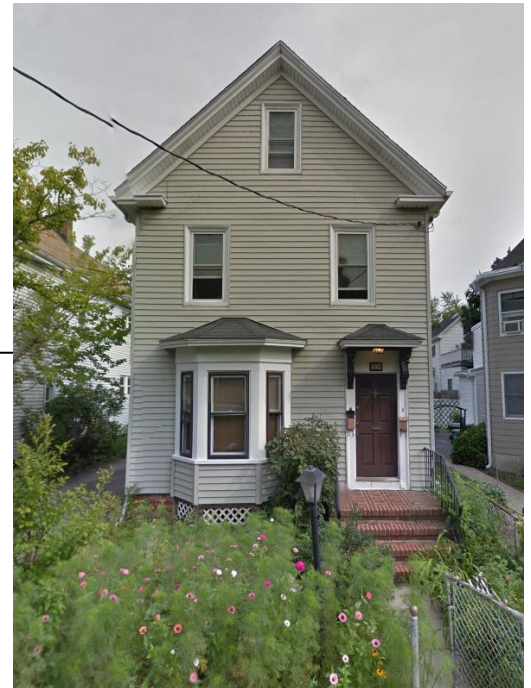
Dates of Public Hearing: Zoning Board of Appeals – February 15, 2017

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**I. PROJECT DESCRIPTION**

1. Subject Property: The locus is located on the eastern side of Ashland Street on an approximately 2,960 square foot parcel that is improved with a two-family 2.5 story structure. The rear portion of the structure has a one story addition and a second story porch.

The Applicant and Owners have received a building permit to



remove the rear second story deck and stairs to construct a one-story addition to be used as a mud room, which is outside of the required side and rear yard setbacks. The Applicant and Owners have also received a building permit to perform interior renovations that will convert the structure into a one-family dwelling.

2. Proposal: The Special Permit request is to add a second story in the rear above the old and new one story additions. The proposed second story addition is twenty feet wide, which is the width of the house, and the height of the peak will be 25' - 8", which will be approximately four feet lower than the peak of the main roof.

3. Green Building Practices: There are none listed on the Application form.

4. Comments:

*Ward Alderman*: Alderman Niedergang has been informed of this proposal and has yet to comment.

## **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."*

*Nature of Application*: 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 structure is currently nonconforming with respect to the minimum required lot size, frontage, and right side yard setback.

The proposal will impact the minimum requirement for the right side setback. The current/proposed dimension is 2.1 feet and the requirement in the district is 8 feet for a 2.5 story structure. This alteration to a nonconforming structure requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO). The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming structure.

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 proposed two-story rear addition will allow the home owners to create additional living space without significant impact on the neighborhood. The proposal has been designed with setbacks that minimally impact the neighbors and

the lot area per dwelling unit, ground coverage, landscaped area, pervious area, FAR, building height, front, left, and rear yard setbacks 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 provide adequate light and air; to prevent the overcrowding of land; 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 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:* Ashland Street is located off of Summer Street between Cedar Street and Cherry Street. Land uses on Ashland Street consist of one-, two-, and three-family dwellings. The even side of Ashland Street is comprised of 2.5 story colonial style houses and the odd side consists of primarily triple decker structures.

*Impacts of Proposal (Design and Compatibility):* The proposed design will square off the rear of the structure and add a second story with a gable roof in the rear. The roof line of the proposed addition will be approximately four feet lower than that of the main structure. The proposed addition will be clad in cedar clapboard siding.

5. Adverse environmental impacts: *The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.*

*Impacts of Proposal (Environmental):* *The proposal is not expected to create any adverse environmental impacts.*

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

There will be no adverse impact on the stock of existing affordable housing.

7. 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, transform key opportunity areas, 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. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

The proposal will result in the loss of a housing unit and the improvements will enhance the neighborhood.

| <i>SomerVision Summary</i> | <i>Existing</i> | <i>Proposed</i> |
|----------------------------|-----------------|-----------------|
| <i>Dwelling Units:</i>     | 2               | 1               |

**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 construction of a two-story rear addition. This approval is based upon the following application materials and the plans submitted by the Applicant: | BP/CO                    | ISD/Plng.          |       |  |
|   | <b>Date (Stamp Date)</b>   |                          |                    |       | <b>Submission</b>  |
|   | January 11, 2017   |                          |                    |       | Initial application submitted to the City Clerk’s Office   |
|   | November 11, 2016  |                          |                    |       | Certified Plot Plan submitted to OSPCD   |
|   | August 18, 2016<br>(February 7, 2017)  |                          |                    |       | Modified plans submitted to OSPCD (PH1.3, A2.1 proposed, A2.3 existing, A2.3 proposed, A2.2, A0.1, A1.1, A0.2 existing, A0.2 proposed, and A0.3) |
| Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval. |  |                          |                    |       |  |

|                             |   |                     |                |  |
|-----------------------------|---|---------------------|----------------|--|
| 2                           | The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction, if necessary. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.   | BP                  | Eng            |  |
| <b>Construction Impacts</b> |   |                     |                |  |
| 3                           | 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.          |  |
| 4                           | 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            |  |
| 5                           | 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>               |   |                     |                |  |
| 6                           | Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction.  | BP                  | Plng.          |  |
| <b>Site</b>                 |   |                     |                |  |
| 7                           | Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;   | Perpetual           | Plng. /<br>ISD |  |
| 8                           | There shall be a minimum of one tree for each 1,000 sf of required landscaped area under SZO §10.3.   | CO                  | Plng. /<br>ISD |  |
| 9                           | 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            |  |
| <b>Public Safety</b>        |   |                     |                |  |
| 10                          | The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.  | CO                  | FP             |  |
| 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.          |  |
| <b>Final Sign-Off</b>       |   |                     |                |  |
| 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.          |  |

