



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2016-86
Date: September 7, 2016
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 9 Hersey Street

Applicant Name: Anthony Sigel
Applicant Address: 9 Hersey Street, Somerville, MA 02143
Owner Name: Anthony Sigel
Owner Address: 9 Hersey Street, Somerville, MA 02143
Alderman: Robert J. McWatters, Ward 3

Legal Notice: Applicant/Owner, Anthony Sigel, seek a Special Permit under §4.4.1 of the SZO to increase the size of a front porch and add a roof. RA zone. Ward 3.

Dates of Public Hearing: September 7, 2016

I. PROJECT DESCRIPTION

1. Subject Property: The property is located on a 3,497 s.f. at the mid-point of Hersey Street in the RA zoning district. The existing non-conforming structure is a pitched-roof, wood-framed, 2-1/2 story, single family dwelling clad with wood shingles. There are 4 treads/steps (5 risers) and an existing wood stoop (approximately 18 sq.ft.) at the front entrance.
2. Proposal: The Applicant would like to increase the footprint of the stoop by approximately 6 sq.ft and add a roof and portico to create a porch for improved aesthetics and function.
3. Green Building Practices: N/A
4. Comments:
Ward Alderman: Robert McWatters has been notified of this project.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1.4):

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: list applicable section of the zoning ordinance. RA

The structure is currently non-conforming with respect to the following use / dimensional requirements: The current lot area dimension is 3,497 sq.ft., the proposal is 3,497 sq.ft., and the requirement in the district is 10,000 sq.ft.

The yard setback dimensions do not meet the requirements. For example, the current side yard dimension is 3.5', and the requirement in the district is 8' least width. However, the proposal does not reduce any if the dimensions.

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 or 4.5 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The roofed porch will be a significant aesthetic improvement to the entrance of this house and, therefore, be an appropriate addition to the street.

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, conserving the value of land and buildings; preserving the historical and architectural resources of the City; encouraging the most appropriate use of land throughout the City; and, protecting and promoting a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes.

The proposal is also consistent with the purpose of the 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 neighborhood consists of one-, two-, and three-family homes.

Impacts of Proposal (Design and Compatibility): The proposal is not more detrimental in all relevant categories, including scale, shading, neighborhood character, and visual effects.

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): none

6. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

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.*

9. Impact on Affordable Housing: *None*

III. RECOMMENDATION

Special Permit under §4.4.1

The Planning Staff finds that the proposed porch is consistent with the design of the existing structure and would not create a negative visual impact on the surrounding neighborhood.

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
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	<p>Approval is for the _____. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" data-bbox="248 306 886 646"> <thead> <tr> <th data-bbox="248 306 566 338">Date (Stamp Date)</th> <th data-bbox="566 306 886 338">Submission</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 338 566 443">August 4th, 2016</td> <td data-bbox="566 338 886 443">Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td data-bbox="248 443 566 548"></td> <td data-bbox="566 443 886 548">Modified plans submitted to OSPCD</td> </tr> <tr> <td data-bbox="248 548 566 646"></td> <td data-bbox="566 548 886 646">Modified plans submitted to OSPCD</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.</p>	Date (Stamp Date)	Submission	August 4 th , 2016	Initial application submitted to the City Clerk's Office		Modified plans submitted to OSPCD		Modified plans submitted to OSPCD	BP/CO	ISD/Plng.	
Date (Stamp Date)	Submission											
August 4 th , 2016	Initial application submitted to the City Clerk's Office											
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1	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.	BP	PLNG									
2	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	CO	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.	BP	T&P									
5	Applicant shall provide final material samples for siding, trim, windows, and doors (to the Design Review Committee for review and comment and) to Planning Staff for review and approval prior to construction.	BP	PLNG									
Final Sign off												
	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.									