



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Zoning Board of Appeals
FROM: Planning, Preservation & Zoning Staff
SUBJECT: 27 Houghton Street, P&Z 21-149
POSTED: December 7, 2021

RECOMMENDATION: Approve (SP)

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from the Planning, Preservation & Zoning staff to the Review Board members.

This memo summarizes the development review application submitted for 27 Houghton Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on November 23, 2021 and is scheduled for a public hearing on December 15, 2021. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

Cecilia Viggiano proposes modifications to a Row House in the Neighborhood Residence district, which requires a Special Permit.

SUMMARY OF PROPOSAL

The applicant is proposing the alteration of a rear addition on the second floor to a Row House in the Neighborhood Residence (NR) district, which is a prohibited building type in the zoning district. With the proposed addition, the building footprint will remain the same and will not increase or create further nonconformity.

ADDITIONAL REVIEW NECESSARY

The subject property is located within the 0.50mi Transit Area in the Neighborhood Residence (NR) zoning district in the Union Square neighborhood area represented by Ward 2 Councilor J.T. Scott. Pursuant to Article 14.5.c.a, any conforming building component permitted within the same zoning district may be added to a nonconforming principal building type by a Special Permit process. The Zoning Board of Appeals is the Review Board for Special Permits in the NR zoning district.

NEIGHBORHOOD MEETING

A neighborhood meeting was hosted by Ward 2 Councilor J.T. Scott and the applicant on November 8, 2021, via remote participation through a web-platform.

ANALYSIS

During the Neighborhood Meeting, the applicant received testimony regarding the direct shadow impact of the proposal to the adjacent properties' outdoor amenity spaces. Consequently, a Shadow Study was requested by the direct abutter. The applicant provided a Shadow Study as part of the complete application and subsequently to the direct abutter. Based on the study provided, the proposal was evaluated on the shadow impacts that the addition will create and will not negatively impact the adjacent outdoor amenity spaces.

Pursuant to Article 14.5.e.ii, a special permit will not be granted to a modification to an existing nonconforming structure that increases the degree of an existing nonconformity of the structure and that the alteration will not be substantially more detrimental to the neighborhood. The applicant is proposing to add a conforming addition that will remain within the existing building footprint. This proposal will not be substantially more detrimental to the neighborhood.

CONSIDERATIONS & FINDINGS

The Zoning Board of Appeals is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement.

Special Permit Considerations

1. The comprehensive plan and existing policy plans and standards established by the City.
2. The intent of the zoning district where the property is located.
3. The extent and nature of the proposed alteration.
4. The ability of conforming alterations to meet the demonstrated need of the Applicant.
5. Consistency of the proposed alterations with the evolution of neighboring structures.
6. Establishment of permeable lot surface, to the maximum extent possible.
7. Conformance to design guidelines applicable to the district where the property is located.

Information relative to the required considerations is provided below:

1. *The comprehensive Master plan and existing policy plans and standards established by the City.*

The proposal supports the objectives of SomerVision 2040, the comprehensive Master plan of the City of Somerville including, but not limited to, the following:

- Protect and foster the diversity of our people, culture, and economy.
- Celebrate the unique character of our neighborhoods and the strength of our community as expressed in our history, cultures, and vibrant civic engagement.

2. *The intent of the zoning district where the property is located.*

The proposal is consistent with the NR zoning district, in part: to conserve already established areas of residential buildings.

3. *The extent and nature of the proposed alteration.*

The alteration will remain within the existing building footprint and will not increase or create further nonconformity.

4. *The ability of conforming alterations to meet the demonstrated need of the Applicant.*

Staff believes that this proposal is not anticipated to create any negative impacts or be substantially detrimental to the neighborhood.

5. *Consistency of the proposed alterations with the evolution of neighboring structures.*

The subject property is located in close proximity to the Urban Residence (UR) district, where a Row House is a permitted building type. Additionally, only three (3) properties are between the subject property and the adjacent zoning district.

6. *Establishment of permeable lot surface, to the maximum extent possible.*

Staff believes that this proposal meets the intent of this consideration.

7. *Conformance to design guidelines applicable to the district where the property is located.*

Staff believes that this proposal meets the intent of this consideration.

PERMIT CONDITIONS

Should the Board approve the required Special Permit to modifications to a Row House in the Neighborhood Residence district (PZ-21-149), Planning, Preservation & Zoning Staff does not recommend any conditions at this time.