



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2016-04
Date: August 17, 2016

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 1 Westwood Road (Somerville Museum)

Applicant Name: Somerville Museum
Applicant Address: 1 Westwood Road, Somerville, MA 02143
Owner Name: Somerville Historical Society
Owner Address: 1 Westwood Road, Somerville, MA 02143
Alderman: Robert J. McWatters



Legal Notice: Applicant, Somerville Museum under Barbara Mangum, seeks a Special Permit under §4.4.1 of the SZO to increase the FAR, and substantially alter the building to install an elevator in order to meet ADA requirements. RA zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – August 17, 2016

I. PROJECT DESCRIPTION

1. **Subject Property:** The subject property is a legally-existing, 2-story, non-conforming structure in the RA zone. The structure, built in the 1920s, houses the Somerville Museum. The Museum sits on a 16,988 square foot lot.
2. **Proposal:** In order to comply with the Americans with Disabilities Act (ADA), the Museum must install an elevator that will provide access to all levels of the building. The Museum has been through the MAAB process and, as a single building Local Historic District (LHD), has obtained the approval of the Somerville HPC for the design of the addition housing the elevator. There is a preservation restriction on the Museum that is held by the Massachusetts Historical Commission (MHC) which requires that the Museum re-install a specific, historic,

Palladian window on the rear elevation of the building *at the same time* as an elevator is installed. The Palladian window will be installed as part of this project.

3. **Green Building Practices:** The application states that the project will meet or exceed the stretch code.
4. **Comments:**

Ward Alderman: Robert McWatters has been notified of this project.

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 §4.4.1 of the SZO. This section of the report goes through §4.4. in detail.

1. **Information Supplied:**

Regarding SZO §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.

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 SZO §4.4.1:

- The non-conformities affected by this proposal are front setback, FAR, ground coverage and use.
- This structure is located in the RA zone where only one- and two-family residential structures are allowed. However, the property's non-conforming use has lawfully existed on this site since the 1920s.
- The maximum FAR allowed in the RA zone is .75. The building in question is already non-conforming with regard to FAR at 1.17. The ADA-compliant addition will add minimal additional usable area to the structure, only bringing the FAR up to 1.21.

Section 4.4.1 states that Lawfully existing non-conforming 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.

Regarding SZO §4.4.1:

- In considering a Special Permit under §4.4.1 of the SZO, Staff finds that the alterations proposed to the Museum are not substantially more detrimental to the neighborhood than the existing, non-conforming building. Staff finds that the proposed addition is in keeping with the general character of the surrounding neighborhood and that the style, design, massing and materials of the addition are compatible with these existing characteristics of the original Museum building.
- The style, design, massing and materials of the addition are also in keeping with the character of the Westwood Road neighborhood which contains numerous properties dating from the 1890s through the early 1920s. This surrounding neighborhood contains multiple gable-ended, shingle style, gambrel, and Queen Anne style structures. The Classical Revival elements of the addition are compatible with the Classical Revival style of the original Museum structure.

When providing an ADA building access, the ADA-compliant entrance/exist cannot be secondary to an entrance/exist utilized by able-bodied individuals. The proposed addition will allow the Museum to provide both ADA-compliant and non-ADA compliant building access at the same location on the site.

The proposed addition will reduce the front setback from the already non-conforming 6.4 feet to +/- 0.1feet. Essentially, the ADA-compliant addition will rest right at the front property line without encroaching on City property.

This is a rare case where Staff would recommend this extensive encroachment into a setback. However, taking into consideration the need to provide ADA access and that the proposed location of the addition provides the best possible access to all portions of the building, including the basement restrooms, Staff finds that the proposed addition and its location will not be substantially more detrimental to the structure or to the surrounding neighborhood.

- The existing ground coverage conditions are 50.77%. The ADA addition will increase this ground coverage by a further 5.1% Staff finds that this increase in ground coverage will not be significantly more detrimental to the site or surrounding neighborhood. As the Museum finds itself in a situation whereby it must become compliant in order to hold public functions, this additional ground coverage is necessary to accommodate an appropriately sized, scaled, and designed ADA-compliant entrance/exit.

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 SZO §4.4.1:

- The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to secure safety from fire, panic and other dangers...

- Though not a housing unit, the Museum and its addition are consistent with a subsidiary purpose of the RA district which is to provide uses that 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."*

- The style, design, massing and materials of the addition are also in keeping with the character of the Westwood Road neighborhood which contains numerous properties dating from the 1890s through the early 1920s. This surrounding neighborhood contains multiple gable-ended, shingle style, gambrel, and Queen Anne style structures. The Classical Revival elements of the addition are compatible with the Classical Revival style of the original Museum structure.

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

- The proposal is for a museum building and has no impact on the stock of 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 is for a museum building and has no impact on the SomerVision Plan.

III. RECOMMENDATION

Special Permit under **SZO §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 extension of the existing rear roof deck and increasing the net living area in this structure.	BP/CO	ISD/ Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>January 28, 2016</td> <td>Initial submission to City Clerk</td> </tr> <tr> <td>July 1, 2016</td> <td>Updated plans submitted to OSPCD</td> </tr> <tr> <td>July 26, 2016</td> <td>Final plans submitted to OSPCD.</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	January 28, 2016	Initial submission to City Clerk	July 1, 2016	Updated plans submitted to OSPCD	July 26, 2016	Final plans submitted to OSPCD.
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<p><u>Any changes to this project must be submitted to Planning Staff for review prior to their implementation.</u></p>												
Construction Impacts												
2	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									
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	ISD/Plng.									
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. Construction equipment shall NOT be stored on City property.	During Construction	T&P/ ISD									
Design												
5	The design shall be executed exactly as rendered on the plan set submitted on July 26, 2016 (identified in item 1 above), including the re-installation of the Palladian window.	CO	ISD/Plng									
Site												
6	Lighting for the signage board shall be downcast only and shall be of a design and material approved by Planning/Preservation Staff.	Perpetual	Plng. / ISD									
7	Lighting for the signage board shall not extend from the building such that it overhangs onto the city sidewalk.	Perpetual										
8	The signage board shall be lit only during the hours when specific events are taking place. They shall be extinguished immediately thereafter.	Perpetual	Plng. / ISD									
9	The site shall be landscaped and maintained post-construction.	Perpetual	Plng. / ISD									
Miscellaneous												

10	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and property.	Perpetual	ISD/Plng	
11	Any changes to the materials used for this project must first receive the approval of Planning/Preservation Staff and/or HPC prior to their installation.	Perpetual	Plng	
Public Safety				
12	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
13	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	ISD/Plng.	