



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

GEORGE J. PROAKIS, AICP
EXECUTIVE DIRECTOR

PLANNING DIVISION STAFF

SARAH LEWIS, *DIRECTOR OF PLANNING*
DANIEL BARTMAN, *SENIOR PLANNER*
SARAH WHITE, *PLANNER/PRESERVATION PLANNER*

Case #: ZBA 2019-126
Date: December 5, 2019
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 75-77 Woods Avenue

Applicant Name: Kneeland Construction
Applicant Address: 407R Mystic Ave., Suite 34B, Medford, MA
Owner Name: Lorraine Clark
Owner Address: 77 Woods Ave., Somerville, MA
City Councilor: Katjana Ballantyne

Legal Notice: Applicant, Kneeland Construction, and Owner, Lorraine Clark, seek a Special Permit under §4.4.1 of the SZO to alter a non-conforming structure by increasing the height of part of the roof and adding dormers on either side. RA zone. Ward 7.

Dates of Public Hearing: December 11, 2019

I. PROJECT DESCRIPTION

1. Subject Property: 75-77 Woods Avenue is a non-conforming 3,200sf parcel in an RA zone occupied by an existing non-conforming 2-1/2-story 2-family residential structure.
2. Proposal: The Applicant is requesting to increase the living area of the upper unit by 358sf via changing the pitch of the roofline of half of the house and dormers. The proposed higher roof ridge is half of the existing ridge length and is shown at approximately 4' taller than the existing roof. In order to create livable area within this half story, there are dormers requested on both sides to provide legal head height.
3. Green Building Practices: The Applicant states that there will be efficient windows, insulation, and proper ventilation as part of the 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 §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."*

To make alterations within the setbacks of a nonfarming structure requires a Special Permit under 4.4.1. The Applicant is proposing a change of roofline and a dormer which affects the nonconforming left yard setback.

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."

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 as it will only affect the left sideyard. This roofline is typical in Somerville although it does not extend the entire length of the structure.

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; and to conserve the value of land and buildings.

The proposal is 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."*

The surrounding neighborhood are primarily 2-family dwelling units just like this one with shallow pitched roofs and enclosed porches.

This proposal would make this house unique on the block. It will keep the peaked roof but will be a different pitch than the existing home it abuts.

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

Staff finds that the proposal will not create an adverse impacts on the stock of existing affordable housing.

6. 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, and 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. 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.*

Staff finds that the proposal will comply with SomerVision by allowing homeowners to also make minor modifications to their property.

7. Impact on Affordable Housing: *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

The proposal will have no impact on the existing or future affordable housing stock of Somerville.

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 new roofline and dormers. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Png.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>October 24, 2019</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>(December 2, 2019)</td> <td>Modified plans submitted to OSPCD (Plot Plan, A-01, A-02, A-03, A-04, A-05, A-06)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	October 24, 2019	Initial application submitted to the City Clerk's Office	(December 2, 2019)	Modified plans submitted to OSPCD (Plot Plan, A-01, A-02, A-03, A-04, A-05, A-06)
	Date (Stamp Date)				Submission					
October 24, 2019	Initial application submitted to the City Clerk's Office									
(December 2, 2019)	Modified plans submitted to OSPCD (Plot Plan, A-01, A-02, A-03, A-04, A-05, A-06)									
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.										
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	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							
Design										
4	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit. No vinyl siding shall be permitted.	BP	Png.							
Site										
5	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete.	CO	Png.							
Miscellaneous										
6	Granting of the applied for use or alteration does not include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.	Ongoing	ISD / Png.							
7	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							
Public Safety										

8	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
9	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.	