



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2016-23  
**Date:** April 14, 2016  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 80-82 Yorktown Street

**Applicant Name:** 80 Yorktown LLC  
**Applicant Address:** 78 Yorktown St, Somerville MA 02144  
**Owner Name:** 80 Yorktown LLC  
**Owner Address:** 78 Yorktown St, Somerville MA 02144  
**Agent Name:** Adam Dash, Esq.  
**Agent Address:** 480 Grove Street, Suite 304, Somerville, MA 02144  
**Alderman:** Katjana Ballantyne

Legal Notice: Applicant & Owner, 80 Yorktown LLC, seek a Special Permit to alter a nonconforming two family house to add a dormer and living space in the basement. RB zone. Ward 7.

Dates of Public Hearing: April 20, 2016

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 2 ½ story, two-family house on a 2,475 square foot lot. One unit has one bedroom and other unit has four bedrooms. There is a dormer on the left side of the house and the only area considered as living space in the basement is a bathroom.
2. Proposal: The proposal is to construct an 11' 5 1/2" gable dormer on the right side of the house. The dormer would supply headroom for a bathroom. The proposal also includes adding 464 square feet of living space in the basement which will be used as a living room and relocated bathroom.





3. Green Building Practices: None listed on the application form.

4. Comments:

*Fire Prevention:* The proposal must meet the Fire Prevention Bureau's requirements.

*Ward Alderman:* Alderman Ballantyne does not have concerns about the project and supports it.

## **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."*

The structure is currently nonconforming with respect to the following dimensional requirements: floor area ratio, landscaped and pervious area, lot area, lot area per dwelling unit, front, and side and rear yard setbacks.

The proposal will impact the following nonconforming dimensions: floor area ratio and side yard setback. The current side yard where the dormer will be located is 4 feet, and the requirement in the district is 8 feet for a 2 ½ story house. The floor area ratio is 1.06, the proposed is 1.24. This alteration to a

nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

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 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The dormer length will be less than 50% of the roof length and will not overwhelm the roof. It will be a gable dormer that will be a consistent style to the dormer on the left side of the house. The dormer will contain two windows that match the style of the windows on the main body of the house. The living space in the basement will provide space for a family room with no change in the bedroom count for the unit. No window wells or exterior alterations are proposed along the basement.

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 providing for and maintaining the uniquely integrated structure of uses in the City.

The proposal to alter this two-family house is consistent with the purpose of the Residence B district, which is, “[t]o 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."*

The dormer has been designed and conditioned to be consistent with the main body of the house. The additional living space in the basement will not require any exterior change to the structure and will not add additional bedrooms to the unit.

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

The units are not restricted as affordable units. The increase in living space of one of the units will make it a more expensive unit; however, it will also allow for a family room which will increase the potential for a family to live here.

8. 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 property is in an area that is to be preserved in the SomerVision map and the proposal is not counter to the goals of preserving the existing housing stock.

<u><i>SomerVision Summary</i></u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	2	2

**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 a total of 499 sf of living space in the basement and for the construction of an approx. 11 foot wide dormer. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>March 3, 2016</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>March 1, 2016</td> <td>Modified plans submitted to OSPCD (A1.00-A1.02 Floor Plans, A1.03 Elevation (with window details))</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	March 3, 2016	Initial application submitted to the City Clerk's Office	March 1, 2016	Modified plans submitted to OSPCD (A1.00-A1.02 Floor Plans, A1.03 Elevation (with window details))
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.										
<b>Design</b>										
2	The siding, trim, and windows on the dormer shall be the same or compatible with these features on the main house.	BP	Plng.							
<b>Public Safety</b>										
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
<b>Final Sign-Off</b>										
4	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.							

