



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-86
Date: November 4, 2015
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 12 Berkeley Street

Applicant & Owner Name: Brent Hardenbergh
Applicant & Owner Address: 47 Cedar Street #5 Somerville, MA 02143
Alderman: Bob McWatters

Legal Notice: Applicant & Owner, Brent Hardenbergh, seeks a Special Permit to alter a nonconforming structure to construct a new roof, part of which is in the required side yard setback. RA Zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – November 4, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 6,137sf lot containing a two family gable roofed structure. Notable features include two very large rear decks (approximately 12'x12' each) on the first and second levels. Other notable features are the existing 'eave-boxes' which are the unfortunate result of a prior addition and are not compatible with the typical eave-returns found on all other homes in the neighborhood.

The property received prior zoning relief in the form of a special permit for adding a dormer on the narrow side yard of the home which is nonconforming. Also part of that approval was a matching dormer on the conforming side. The property then received approval for a De Minimis change which increased the size of the dormers.

2. Proposal: The proposal increases the height of the gable roof on the rear portion of the house to match the slope of the gable roof on the front portion of the house. This also increases the interior volume of the structure.





Front Façade



Rear Façade

3. Green Building Practices: The applicant will be insulating the second and third stories and installing new, high-efficiency HVAC systems in both units.

4. Comments:

Ward Alderman: Has been contacted and has no comments at this time.

II. FINDINGS FOR SPECIAL PERMIT (SZO §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."*

Per the SZO, alterations to nonconforming structures require a special permit. Since the side yard is only about 4', modifying the roof of the house requires a special permit.

In considering a special permit of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing 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 promoting the health, safety, and welfare of the inhabitants of the City of Somerville and to preserve the historical and architectural resources of the City.

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 neighborhood is a mix of one and two family homes mostly with gable roofs. All of the gable roofs in the neighborhood have either eave-returns or terminated fascia boards on the gable ends. The existing structure instead has architecturally incompatible ‘eave-boxes’ that are clad in vertically oriented vinyl siding. This architectural detail detracts from the consistency of homes in the area. By changing this detail to eave-returns at both the front and rear gable ends, the new design will improve the architectural consistency of the neighborhood.

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

There are no impacts to 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, 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 project does not contribute directly to the SomerVision goals but will allow a homeowner to make modest alterations to a home in the conserve area.

III. RECOMMENDATION

Special Permit under (SZO §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 to alter a nonconforming structure to increase the height of the roof. 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>September 31, 2015</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td></td> <td>Modified plans submitted to OSPCD</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	September 31, 2015	Initial application submitted to the City Clerk's Office		Modified plans submitted to OSPCD
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September 31, 2015	Initial application submitted to the City Clerk's Office									
	Modified plans submitted to OSPCD									
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 his 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	The existing 'eave-boxes' will be replaced with eave returns typical of neighboring homes.	BP	Plng.							
Miscellaneous										
5	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										
6	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
Final Sign-Off										
7	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.							

