



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2011-27

**Date:** May 4, 2011

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site: 21 Cedar Street**

**Applicant Name:** Brad Stearns

**Applicant Address:** CSA Services Corp., 28 Willow Avenue, Somerville, MA 02144

**Property Owner Name:** Julie Lin

**Property Owner Address:** 23 Cedar Street, Somerville, MA 02143

**Alderman:** Sean O'Donovan

Legal Notice: Applicant Brad Stearns and owner Julie Lin, seek a special permit to alter a nonconforming structure under SZO §4.4.1 to construct a two and a half story addition and deck in the rear of an existing single-family residence. RB zone.

Zoning District/Ward: RB Zone / Ward 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: April 5, 2011

Dates of Public Hearing: Zoning Board of Appeals **5/4/11**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 6,785 square foot lot with a single-family residence situated on it near the intersection of Elm Street and Cedar Street. The structure currently has 1,722 square feet of habitable space. The residence is 2½ stories high, not including the basement level, with a gable roof and a shed dormer on the south (right) side.

2. Proposal: The Applicant is performing major renovations to the entire dwelling. As part of this they are proposing to remove an existing single story volume and bulkhead at the rear of the dwelling and to add on a 2½ story addition and a new basement entry. Additionally, as part of the renovations the Applicant will be replacing the solid front porch railing with a baluster style railing, constructing as-of-right a two story addition on the right side, and creating a new 9 foot by 11 foot deck



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attached to the rear addition. The proposed 2½ story rear addition will have a gable roof similar to that of the existing structure and its footprint would be approximately 20 feet by 28.5 feet. The rear addition will have three windows and an entryway on the right side and four windows on the left side. The rear façade of the rear addition will have six windows (four large and two smaller) and a rear egress onto the back deck. The proposed new basement entry on the rear façade will be approximately 4 feet by 5 feet.

These changes will facilitate an interior renovation and expansion. On the first floor, the kitchen will be expanded into the as-of-right side addition and in the rear addition area a new den will be created as well as a new family room that will open out onto the rear deck. On the second floor, the interior walls will be reconfigured to expand the existing bedrooms and in the rear addition area a new bathroom and two new bedrooms will be created. The third floor will remain one bedroom and the area of the rear addition will be used for storage. The existing dwelling is a four bedroom home but once the renovations are complete there will be a total of six bedrooms in the structure. The rear addition would also expand the basement area of the structure by adding an unfinished space in the rear of approximately 19.5 feet by 27 feet to be used for storage.

3. Nature of Application: This is a residential property within a RB district. The structure is currently nonconforming with respect to the minimum front yard and left side yard setbacks. The existing front and side yard setback nonconformities require the Applicant to obtain a special permit under Somerville Zoning Ordinance (SZO) §4.4.1 to construct the proposed addition and replace the front porch railing. The Applicant is seeking a special permit to alter a nonconforming structure to construct a 2½ story addition and deck in the rear and install a baluster style railing on the front porch of the existing single-family residence.

4. Surrounding Neighborhood: This property is located in a RB district. The structures in the surrounding neighborhood consist of a mixture of single-, two-, and three-family dwellings, between 2½ and 3 stories.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as the proposed rear addition and deck would not appear to be detrimental to the immediate abutters or the surrounding area. The Applicant is proposing to add several windows on the rear and side additions that match the windows on the existing dwelling with the exception of those on the rear façade of the rear addition. While most of the windows on the rear façade do not match those on the existing dwelling, they are located on the rear façade and cannot be seen from the street. Additionally, the installation of the baluster railing on the front porch will be a substantial design improvement over the existing solid railing. The character of the house will remain intact as the Applicant is proposing to match all siding type and color, roofing, and materials on the entire structure on all sides.

Most of the construction and excavation activities will be occurring at the rear of the existing structure with the building and the rear setback acting as buffers to the residences nearby. Furthermore, the Applicant will be installing a six foot high chain link fence with green mesh around the entire property to help minimize disturbances and to secure the site during construction. Minimal disruption to the neighborhood or the streetscape due to construction activities is anticipated. Staff has included conditions in this special permit to help alleviate the potential dust, noise, and air quality issues that may arise from the construction process. The excavated area will be approximately 30 feet wide by 25 feet long by 10 feet deep to pour the foundation for the rear addition. Excess fill from the excavation will be graded out into the backyard if the fill is of good quality. If the fill is of poor quality it will be trucked away and disposed of off-site. Additionally, a dumpster will be located on site during construction to handle the disposal of solid waste from the project. Furthermore, as the Applicant is only extending the existing nonconforming setback on the north side of the property deeper into the lot by approximately 20 feet,

there are no anticipated negative impacts from the proposal. The existing lot is very deep and even with the proposed rear addition a rear setback of 66 feet will still remain.

6. Green Building Practices: None indicated.

7. Comments:

*Fire Prevention:* Has been notified but has not yet provided comments.

*Ward Alderman:* Alderman O'Donovan has been notified but has not yet provided comments.

*Historic Preservation:* Has been notified but has not yet provided comments.



Existing Conditions







Existing Rear of Structure

## **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."

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.

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; to provide for and maintain the uniquely integrated structure of uses in the City; to prevent the overcrowding of land; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality."

The proposal is consistent with the purpose of the district (6.1.2. RB - Residence Districts), which is, "To 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 project is compatible with the characteristics of the surrounding area. The Applicant is proposing to remove an existing single story volume and bulkhead basement entry at the rear of the dwelling and to add on a 2½ story addition, a deck, and a new basement entry. The Applicant is also replacing a solid front porch railing with a baluster style railing and adding on an as-of-right two story addition to the right side of the structure. The property will remain a 2½ story, single-family residential use which is consistent with the surrounding neighborhood.

5. Adverse environmental impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

No adverse environmental impacts are anticipated from this project. The structure will remain a 2½ story, single-family dwelling and will continue to be used for residential purposes. The Applicant is extending the existing nonconforming setback on the north side of the property deeper into the lot by approximately 20 feet and another 9 feet deeper in the center of the property to construct a deck. There are no anticipated negative impacts from this proposal.

### III. RECOMMENDATION

#### Special Permit under §4.4.1

Based on 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 construct a two and a half story addition and deck in the rear, and install a baluster style railing on the front porch of an existing single-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(April 5, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>March 31, 2011 (April 28, 2011)</td> <td>Plot Plan</td> </tr> <tr> <td>April 20, 22, &amp; 23, 2011 (April 28, 2011)</td> <td>Plans submitted to OSPCD (Existing and Proposed Elevations and Floor Plans)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(April 5, 2011)	Initial application submitted to the City Clerk's Office	March 31, 2011 (April 28, 2011)	Plot Plan	April 20, 22, & 23, 2011 (April 28, 2011)	Plans submitted to OSPCD (Existing and Proposed Elevations and Floor Plans)
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Any changes to the approved site plans or elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	The Applicant shall meet the Fire Prevention Bureau's requirements.	CO	FP									
3	New siding type and color, roofing, and materials of the addition and those on the existing structure shall all match one another.	CO	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.	During Construction	T&P									
5	To the maximum extent feasible the Applicant will utilize strategies during construction to mitigate dust and control air quality, to minimize noise and to implement a waste recycling program for the removed debris.	During Construction	OSE/ISD									
6	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.									



21 Cedar Street