



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-106
Date: January 17, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 86 Highland Avenue

Applicant Name: Leo Souza
Applicant Address: 95 Washington Street, #20, Malden, MA 02148
Property Owner Name: Frank Privitera
Property Owner Address: 59 Union Square, Somerville, MA 02143
Alderman: Thomas Taylor

Legal Notice: Applicant, Leo Souza, and Owner, Frank Privitera, seek a Special Permit to alter a nonconforming structure to modify the front entrance of an existing multi-family dwelling, which includes the installation of double doors, columns and balustrade. RC Zone. Ward 3.

Zoning District/Ward: RC / 3

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: December 24, 2012

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, January 23, 2013**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a nine unit residential dwelling on a 5,859 square foot parcel on the corner of Highland Avenue and Prescott Street, directly across from City Hall and the Somerville High School. This 2½ story, nonconforming structure has a Mansard roof and two side additions with 4,782 square feet of living space and a .82 floor area ratio. The rear façade of the structure has a two-story covered porch and parking is located behind the building. Located in a Residential C district, the property abuts multi-unit residential dwellings on either side

There has been no prior zoning relief.



2. Proposal: Applicant, Leo Souza, and Owner, Frank Privitera, propose to alter this multi-unit residential structure by modifying the front entrance to install a covered double door with columns that support a second story balustrade. The existing entrance is a single door with a three-stair, six foot long front stoop. The proposed entrance would enlarge the entry by using two double doors which open onto an expanded three-stair concrete stoop that measures 12'8" in length by 4' wide. Four columns on either side of the new double doors would support the covering and a second story balustrade. With classic detailing, the columns will be ten feet tall and measure 1'-3/4" wide at the base and 11-15/16" at the top. The balustrade will be 12'4" in length and project four feet, the width of the stoop, from the building. The balusters would be 4" wide by 28" in height and be spaced approximately one inch apart with posts on either end.



3. Nature of Application: This nine-unit residential building is nonconforming with respect to several dimensional requirements including the minimum lot size and front yard setback. In accordance with the Somerville Zoning Ordinance §4.4.1, nonconforming, multi-unit residential dwellings may only be altered by Special Permit. In addition, the alteration of a nonconforming dimension, such as the front yard setback, also requires a Special Permit. Therefore, as the subject structure is a multi-unit residence and the proposed alteration is within the existing zero foot front setback, Special Permit approval is required.

4. Surrounding Neighborhood: The subject property is located in an RC zone within the Highland Avenue neighborhood, directly across from City Hall and the Somerville High School. The surrounding neighborhood is comprised of a variety of building types and uses including residential, commercial, office, and institutional.

5. Impacts of Proposal: The proposed alteration to the front entrance will not be detrimental to the structure.

The design to install a covered double door with columns that support a second story balustrade will enhance the façade of this structure as well as the surrounding mix-use neighborhood. There is little

architectural detail on the front façade of this structure, so the proposed modifications will not only add architectural detail to improve the façade, this detail will also fit within the historic building context along Highland Avenue.

6. Green Building Practices: The Applicant did not identify any green building practices.

7. Comments:

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

Historic Preservation: Preservation Staff supports the proposal and agrees that the modification will enhance the façade and improve the streetscape. Staff also notes that while the style of the proposed architectural component is not consistent with the building, covered entries and porches are architectural components that often change to stay current with shifting trends and styles. Therefore, a building with an easily recognized style, such as the Mansard form of the subject building, will often have a covered porch or stoop that illustrates a different style.

Ward Alderman: Has been contacted but has not yet provided comments.

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. The design of the modified front entrance will improve the façade and interact more with the streetscape.

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; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the Residence C district, §6.1.3, which is, "To establish and preserve a district for multi-family residential and other compatible uses which are of particular use and convenience to the residents of the district."

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 modification of the front entrance to include a covered stoop, columns, and a balustrade is designed to be compatible with the built and unbuilt surrounding area. This alteration will improve the fenestration pattern of the primary façade and, therefore, enhance the streetscape.

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	<p>Approval is for a Special Permit to alter a nonconforming structure to modify the front entrance, including the installation of double doors, columns and balustrade at an existing multi-family dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(December 24, 2012)</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>October 26, 2012 (January 17, 2013)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>July 7, 2012 (January 16, 2013)</td> <td>Site and elevation plans submitted to OSPCD (E-1, E-2, E-3, A1, A2, S1, S2, & S3)</td> </tr> </tbody> </table> <p>Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(December 24, 2012)	Initial application submitted to the City Clerk’s Office	October 26, 2012 (January 17, 2013)	Plot plan submitted to OSPCD	July 7, 2012 (January 16, 2013)	Site and elevation plans submitted to OSPCD (E-1, E-2, E-3, A1, A2, S1, S2, & S3)	BP/CO	ISD/Plng.	
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2	New siding type and color, trim and other materials necessary to replace as a result of the proposal shall match the existing siding, trim and other materials;	CO	Plng.									
3	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements;	CO	FP									

4	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	
5	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.	

86 Highland Avenue

