



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2014-16-R1(5/2015)

Date: July 9, 2015

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 82 Highland Ave

Applicant Name: LaRosa Development Corporation
Applicant Address: 12 Worcester Drive, Norwood, MA 02062
Property Owner Name: 82 Highland Avenue Realty Trust
Property Owner Address: 12 Worcester Dr, Norwood MA 02062
Alderman: Robert McWatters

Legal Notice: Applicant, LaRosa Development Corporation, and Owner, Highland Avenue Realty Trust, seek a revision to Special Permit ZBA 2014-16 under SZO §5.3.8 to add rear decks. The original approval was to substantially alter the nonconforming structure to build a structure with 6 residential units. Approval also included a variance for 3 parking spaces. Zone RC. Ward 3.

Dates of Public Hearing: July 15, 2015

I. PROJECT DESCRIPTION

1. Subject Property: Prior to the recent redevelopment of the site the property was a mixed use structure with a drycleaners in a one-story commercial space that was attached to a single-family house with a mansard roof. The back and side yards were paved.
2. Proposal: The site has an approved project under Case # ZBA 2014-16 which is under construction and nearing completion. The approval was to substantially alter the structure to construct a six-unit residential building. There are five parking spaces in the basement of the building and two at-grade parking spaces at the back of the site. There are 2 units per floor and two bedrooms in each unit.



The current application is to revise the approved project to add a rear porch and doors to on the rear of the building to access the porch. The proposed porch is 39.5 wide by 16.1 feet deep and three stories tall. Each level would have a privacy wall near the middle to divide the space in two so that each of the six units would have outdoor space.



82 Highland Ave: (l) back of building, (r) view of back yard standing at garage door

3. Green Building Practices: None.

4. Comments:

Wiring Inspection: An exterior electrical receptacle is required for all levels of the porch.

Ward Alderman: Has not yet provided comments.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.3.8):

The following are the findings that relate to the proposed revisions.

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."*

A revision to a special permit is allowed if the final signoff and certificates of occupancy have not yet been issued which is the case for this project that has not yet completed construction. Changes that are not de minimis must go back to the permit granting authority for approval. Staff deemed this revision to be greater than the de minimis requirements under §5.3.8 and the request is before the ZBA for a public hearing.

With the proposed porch the rear yard setback will continue to be conforming to the required rear yard depth of 20 feet. The porch will be 23 feet to the rear lot line. The columns will not interfere with the parking spaces as approved in the original application.

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 porch is designed to comply with the rear yard setback and it does not extend farther into the side yards than the approved building. The porch will provide outdoor space for each unit in the building which is a desired amenity for many residents and can improve quality of life in a dense urban environment. Rear porches are a typical feature of many residential buildings in the City. The porch; however, needs review in a public hearing because it was not part of the original approval and abutters may want to comment on it.

III. RECOMMENDATION

Revision to a Special Permit under §5.3.8

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 **REVISION** to the **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 revision of case ZBA 2014-16 to construct a rear porch. 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>Jun 8, 2015</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>May 27, 2015</td> <td>Plans submitted to OSPCD (A-010 proposed site plan & egress, EX-100-101 approved floor plans, EX-300, EX-301 approved elevations, A-100-101 proposed floor plans, A-300-301 proposed elevations)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	Jun 8, 2015	Initial application submitted to the City Clerk's Office	May 27, 2015	Plans submitted to OSPCD (A-010 proposed site plan & egress, EX-100-101 approved floor plans, EX-300, EX-301 approved elevations, A-100-101 proposed floor plans, A-300-301 proposed elevations)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.										
2	An exterior electrical receptacle is required for all levels of the porch.	CO	Wiring Inspector							
3	The privacy walls in the middle of the deck shall have siding that matches the composite siding on the main structure.	CO	Plng.							
Final Sign-Off										
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.							

