



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2011-52

Date: July 7, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 399 Medford Street

Applicant & Property Owner Name: Roman Catholic Archbishop of Boston

Applicant & Property Owner Address: St. Ann Parish, 50 Thurston St., Somerville, MA 02143

Alderman: Walter Pero

Legal Notice: Applicant and Owner the Roman Catholic Archbishop of Boston, seeks a special permit to alter a nonconforming structure under SZO §4.4.1 to remove two exterior doors, install a new door for a handicap accessible entrance, and to provide and install a new elevator vent at St. Ann Parish. RA and RB zones. Ward 4.

Zoning District/Ward: RA and RB Zone / Ward 4

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: June 7, 2011

Dates of Public Meeting • Hearing: Zoning Board of Appeals – **July 13, 2011**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 24,607 square foot lot with an 1880's brick Catholic Church situated on it at the intersection of Medford Street and Thurston Street. The structure has 14,367 square feet of habitable space and is 2 stories high, not including the basement level. Mass is held every Monday, Tuesday, Wednesday, Friday, and Sunday morning with approximately 100 parishioners.

2. Proposal: The Applicant is proposing to move an exterior door on the northwest side of the building approximately 20 feet to the northeast façade to provide a handicap accessible entrance in that portion of the structure. The new accessible door will provide handicap access to the church directly from the on-site parking lot. An existing door that was previously retrofitted to be handicap accessible on the southeast side of the structure (the Thurston Street elevation), will be removed and replaced with a stained glass window to match the original opening similar to the other stained glass windows on



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that façade. This existing handicap accessible door, in its current location, at its current size, does meet handicap accessibility code and therefore needs to be removed. The new door will meet the requirements of ADA and the Massachusetts Architectural Access Board (MAAB). As part of this project, the Applicant will also be installing a new elevator vent on the northeast roof that will house the mechanical equipment for the interior handicap accessible lift.

3. Nature of Application: This is an institutional use property where the structure and lot both sit in RA and RB districts. The structure is currently nonconforming with respect to its minimum landscaped area and its front yard and right side yard setbacks. Since the building is an existing nonconforming structure other than a one- or two-family dwelling, any enlargement, extension, renovation, or alteration requires a special permit under Somerville Zoning Ordinance (SZO) §4.4.1. Therefore, the Applicant is seeking a special permit to remove two exterior doors, install a new door for a handicap accessible entrance, and to provide and install a new elevator vent. The use on the site is protected under MGL Chapter 40A, Section 3, and the Applicant is seeking a special permit to establish “reasonable accommodations under MAAB regulations.

4. Surrounding Neighborhood: This property is located in an RA and an RB district. The surrounding neighborhood consists mostly of a mixture of single-, two-, three-, and multi-family homes between 1 and 3 stories in height with limited retail use in the area. The subject property sits directly to the east of the Winter Hill Community School.

5. Impacts of Proposal: There shall be minimal, if any, impacts to the surrounding neighborhood from the specific changes to the structure as part of this special permit application. The external construction for this project will be minimal and the work being performed to relocate the door and install the elevator vent will be situated on the interior of the parcel, minimizing construction impacts on the neighborhood. The window well on the northwest side of the building will retain its character. The new handicap accessible door will provide handicap access to the church directly from the on-site parking lot. The replacement of the noncompliant handicap accessible door on Thurston Street will return the opening to its original design as a stained glass window. The property will remain a 2 story institutional use and will continue to be used for religious purposes. No significant disruption to the neighborhood is anticipated.

6. Green Building Practices: The Applicant has indicated that they will be reusing all portions of the existing structure, mechanical equipment, and finishes where possible. Additionally, all new light fixtures will be energy efficient.

7. Comments:

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

Ward Alderman: Alderman Pero has been contacted and has not yet provided comments.

Historic Preservation: The design for the door reflects the spirit of the building. Care was taken to replicate existing details to make the new entry very much a part of the building and not as an afterthought. The ramp may obscure basement windows, but these will be blinded to match. The window well on the side of the building will retain its character. On the whole, the plans meet HPC Guidelines.

The HP Commissioners reviewed the plans and were very favorably disposed toward the proposed alterations and in agreement that the repairs to the masonry would be properly done and would not damage the brick by using an incorrect mortar mix.



Existing Conditions



II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1, 5.1):

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 finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. There shall be minimal, if any, impacts to the surrounding neighborhood from the specific changes to the structure as part of this special permit application. The external construction for this project will be minimal and the work being performed to relocate the door and install the elevator vent will be situated on the interior of the parcel, minimizing construction impacts on the neighborhood. The window well on the northwest side of the building will retain its character. The new handicap accessible door will provide handicap access to the church directly from the on-site parking lot. The replacement of the noncompliant handicap accessible door on Thurston Street will return the opening to its original design as a stained glass window. The property will remain a 2 story institutional use and will continue to be used for religious purposes. The use on the site is protected under MGL Chapter 40A, Section 3, and the Applicant is seeking a special permit to establish "reasonable accommodations under MAAB regulations.

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 secure safety from fire, panic and other dangers; to preserve the historical and architectural resources of the City; and to preserve and increase the amenities of the municipality."

The proposal is also consistent with the purposes of the districts (6.1.1. RA - Residence Districts and 6.1.2. RB - Residence Districts), which are, "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," and "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." The property will remain a 2 story institutional use and will continue to be used for religious purposes which is consistent with the purposes of the RA and RB 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 neighborhood and there shall be minimal, if any, impacts to the surrounding neighborhood as a result of the specific changes to the structure. The external construction for this project will be minimal and the work being performed to relocate the door and install the elevator vent will be situated on the interior of the parcel, minimizing construction impacts on the neighborhood. The window well on the northwest side of the building will retain its character. The new handicap accessible door will provide handicap access to the church directly from the on-site parking lot. The replacement of the noncompliant handicap accessible door on Thurston Street will return the opening to its original design as a stained glass window. The property will remain a 2 story institutional use and will continue to be used for religious purposes

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. No new noise, lighting, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water are anticipated as part of the proposal. The property will remain a 2 story institutional use and will continue to be used for religious purposes.

III. RECOMMENDATION

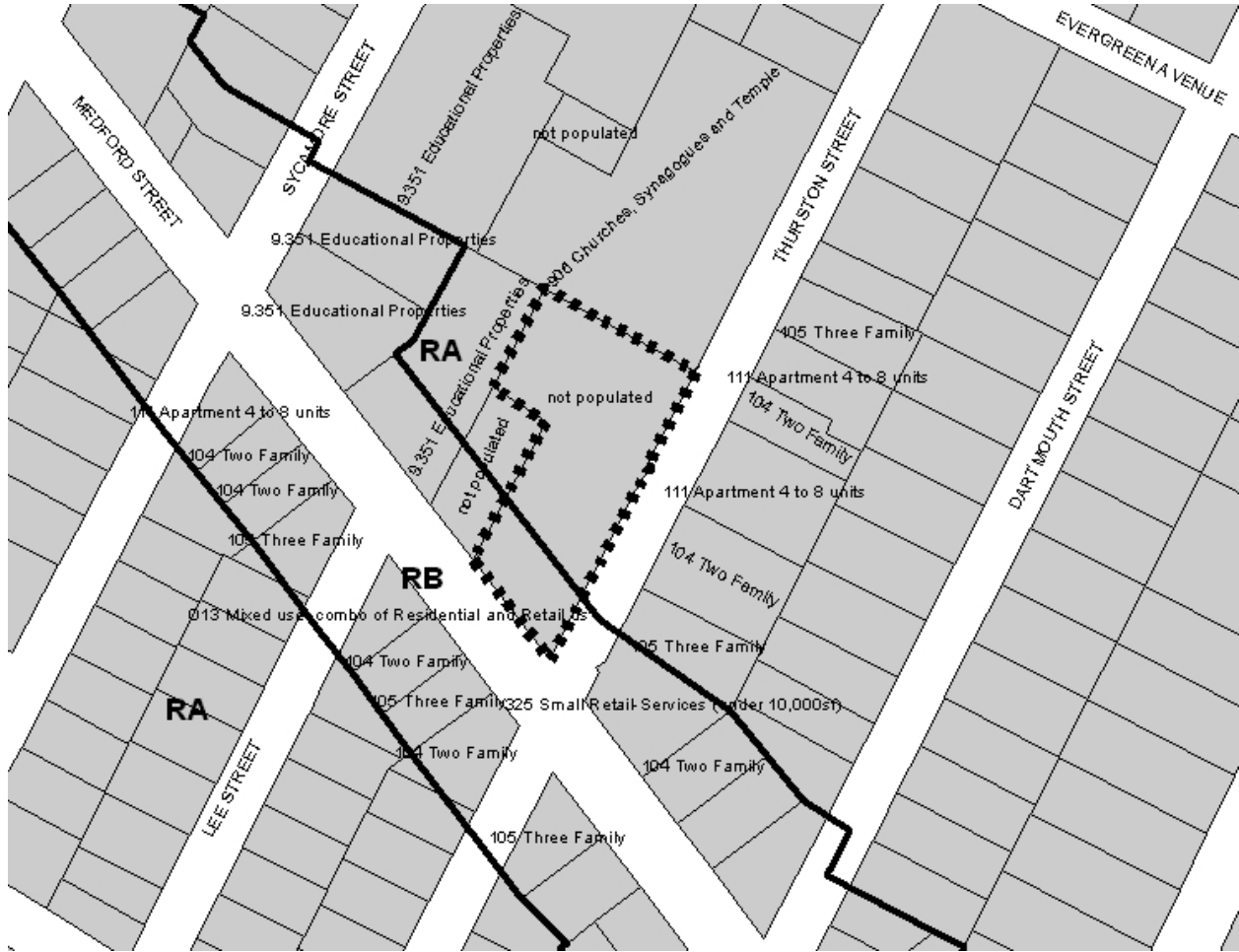
Special Permit under §4.4.1, 5.1

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 under SZO §4.4.1 to remove two exterior doors, install a new door for a handicap accessible entrance, and to provide and install a new elevator vent at St. Ann Parish. 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>(June 7, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>September 22, 2010 (June 23, 2011)</td> <td>Proposed Drainage Site Plan – C.1.2</td> </tr> <tr> <td>May 31, 2011 (June 23, 2011)</td> <td>Site Plan – SD-1</td> </tr> <tr> <td>June 22, 2011 (June 23, 2011)</td> <td>Existing and Proposed Elevations – A2.2, A2.1</td> </tr> </tbody> </table> | | | | Date (Stamp Date) | Submission | (June 7, 2011) | Initial application submitted to the City Clerk's Office | September 22, 2010 (June 23, 2011) | Proposed Drainage Site Plan – C.1.2 | May 31, 2011 (June 23, 2011) | Site Plan – SD-1 | June 22, 2011 (June 23, 2011) | Existing and Proposed Elevations – A2.2, A2.1 |
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| Any changes to the approved site plans and elevations that are not <i>de minimis</i> must receive SPGA approval. | | | | | | | | | | | | | | |

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|---|---|----------------|-------|--|
| 2 | The Applicant shall meet the Fire Prevention Bureau's requirements. | CO | FP | |
| 3 | 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. | |



399 Medford Street