



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

*PLANNING DIVISION*

**STAFF**

GEORGE PROAKIS, *PLANNING DIRECTOR*

LORI MASSA, *SENIOR PLANNER*

ADAM DUCHESNEAU, *PLANNER*

DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2011-09

**Date:** May 18, 2011

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 23 Porter Street

**Applicant and Property Owner Name:** LALO Development, LLC

**Applicant and Property Owner Address:** 311 Highland Avenue, Somerville, MA 02143

**Agent Name:** Richard G. Di Girolamo

**Agent Address:** 424 Broadway, Somerville, MA 02145

**Alderman:** Tom Taylor

Legal Notice: Applicant and owner LALO Development, LLC seeks a special permit to alter a non-conforming structure under SZO §4.4.1 to construct a 2.5 story addition in the rear of an existing residence. RB zone.

Zoning District/Ward: RB Zone / Ward 3

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: January 13, 2011

Dates of Public Meeting • Hearing: Zoning Board of Appeals **5/18/11**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 13,630 square foot lot with a historic four-family residence situated on it, according to the Assessor's Office, near the intersection of Porter Street and Gould Avenue. The structure currently has 2,802 square feet of habitable space and is 2½ stories not including the basement level.

2. Proposal: The Applicant is proposing a 2½ story, 3,292 gross square foot addition at the rear of the structure and the property. The addition would run north-south across the width of the property and would be located in the rear half of the parcel. While the addition would extend the nonconforming structure deeper into the lot, the entire addition itself would be within the required side and



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rear yard setbacks. The main roof pitch and style of the proposed dormers on the addition will match those on the existing structure. All windows on the existing structure will be replaced to match the style of those proposed on the addition in a double hung, two over one style. Additionally, the all entry doors on the existing structure and the proposed addition will be made to match, as will the windows adjacent to the entry doors in a double hung, six over six style. The addition will also contain porch railings that will be made to match those on the existing structure, which will be replaced as part of the project. Further, on the right side elevation, an existing window opening will be replaced with a new door opening to provide access to the proposed expanded unit on the second floor.

As part of the project, the landscaping will also be greatly improved to enhance the on-site vegetation from its currently chaotic state. The improved landscaping will help to screen the required eight parking spaces on the site as well as create a buffer between the parking area and 19 Porter Street to the south. Furthermore, the brick pavers shown at the parking entry will help to create a transition to and from the parking area off of Porter Street.

As a result of the addition, substantial interior renovations will occur in the existing structure. The two units on the first floor will be combined to make one large unit and the same will occur on the second floor. The result will be two expanded units in the existing structure that will each occupy an entire floor. Both units will have three bedrooms, two bathrooms, a living room, a dining area, and a kitchen. The first floor unit will have a sunroom and the second floor unit will have front and rear decks with stairs leading down to the backyard from the rear deck. The proposed addition will create two new units, each with a first and second floor. One unit will have three bedrooms and two bathrooms, while the other will have two bedrooms, a bathroom, and a study. Both of the units will contain a second story porch and a fenced in backyard. Overall, the project will take four existing units of less than 575 net square feet each and create four expanded units, all over 1,290 net square feet with the largest unit being just over 1,700 net square feet.

3. Nature of Application: This is a residential property within a RB district. The structure is currently nonconforming with respect to the minimum left side yard setback. The existing side yard setback nonconformity and the fact that the structure is not a one- or two-family dwelling requires the Applicant to obtain a special permit to alter a nonconforming structure under Somerville Zoning Ordinance (SZO) §4.4.1 to construct a 2½ story addition at the rear of the existing residence. Pursuing this special permit depends upon a positive determination from the Zoning Board of Appeals that the existing status of the structure as a four-family dwelling is legal. If that is the case, no additional units are being authorized through this special permit.

4. Surrounding Neighborhood: This property is located in a RB district. The structures in the surrounding neighborhood are predominantly two- and three-family homes of 2.5 or 3 stories with some multi-family structures in the area as well. There are three properties containing four to eight apartment units and four properties containing over eight apartment units within 350 feet of the subject property. Six of those seven properties are in the same RB zoning district as 23 Porter Street.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as the proposed addition would not appear to be detrimental to the immediate abutters or the surrounding area provided the Zoning Board of Appeals concludes that the existing structure may remain a four-family dwelling. The proposed addition is in the rear of the property and would not alter the streetscape along Porter Street. The proposed location of the addition will allow all existing setbacks to be maintained and the left side yard setback, where the existing structure is currently nonconforming, will not be increased. The character of the original structure will remain intact as the Applicant is proposing a roof pitch, dormers, and scaling of the addition that will match that of the existing structure.

Furthermore, including the proposed addition, the floor area ratio for the structure would be 0.48 which is still well below the 1.0 FAR maximum for an RB district. The project has also been approved by the Historic Commission and the Commission has concluded that the historic character of the existing structure will be preserved even with the proposed addition.

Most of the major construction activities for this project will be occurring at the rear of the property with the existing structure and the remaining rear setback area acting as buffers to the residences nearby. The excavated area for the addition will be approximately 40 feet wide by 65 feet long by 10 feet. With the majority of the construction impacts limited to the rear of the property, no significant disruption to the neighborhood is anticipated.

6. Green Building Practices: None indicated.

7. Comments:

*Fire Prevention:* William Lee responded in an email to Planning Staff on February 14, 2011 that the structures would need “Complete fire sprinkler system with low voltage fire alarm system monitored by a licensed central station fire alarm company. Separate local fire alarm systems for each unit.”

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

*Historic Preservation:* Please see the attached materials from Preservation Planner Kristi Chase.



Existing Conditions



Existing Conditions

## **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 §4.4.1 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 providing for and maintaining "the uniquely integrated structure of uses in the City; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; 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 purpose of the RB district (6.1.2. RB - Residence Districts) 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”. The existing structure is not consistent with this purpose, but the proposal does not make the property any more inconsistent with the surrounding neighborhood than what already exists on the parcel, should the Zoning Board of Appeals conclude that the site contains a legal four-family structure.

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 a 2½ story, 3,292 gross square foot addition at the rear of the structure and the property. Even with the addition and the proposed renovations to the existing structure, the property will remain a 2½ story, four unit, residential use. While most of the properties in the surrounding area do not contain this many dwelling units, the proposed project will not increase the existing number of dwelling units on the property. Further, the project will improve a property that is currently in a disorderly and dilapidated state, which will be a benefit for the entire neighborhood. It should also be noted that there are three properties containing four to eight apartment units and four properties containing over eight apartment units within 350 feet of the subject property. Six of those seven properties are in the same RB zoning district as 23 Porter Street.

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 impacts are anticipated from this project. The structure will remain a property that contains a 2½ story, four unit structure that will continue to be used for residential purposes. 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**. Furthermore, Planning Staff recommends the following conditions.

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 non-conforming structure under SZO §4.4.1 to construct a 2½ story addition in the rear of an existing residence. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Png.											
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(January 13, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>March 1, 2010 (May 3, 2011)</td> <td>Plot Plan</td> </tr> <tr> <td>November 23, 2010 (May 3, 2011)</td> <td>Plans submitted with application: Site Plan, Existing and Proposed Floor Plans and Proposed Elevations (S.01 and A.01 – A.09)</td> </tr> <tr> <td>September 3, 2010 (May 3, 2011)</td> <td>Landscape Plan: L.01</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(January 13, 2011)	Initial application submitted to the City Clerk's Office	March 1, 2010 (May 3, 2011)	Plot Plan	November 23, 2010 (May 3, 2011)	Plans submitted with application: Site Plan, Existing and Proposed Floor Plans and Proposed Elevations (S.01 and A.01 – A.09)	September 3, 2010 (May 3, 2011)	Landscape Plan: L.01
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September 3, 2010 (May 3, 2011)	Landscape Plan: L.01													
Any changes to the approved site plans or elevations that are not <i>de minimis</i> must receive SPGA approval.														
2	The Applicant shall install a hard-wired code compliant fire alarm system.	CO	FP											
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											
4	New siding type and color, roofing, and materials of the addition and those on the existing structure shall all match one another.	CO	Png.											
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	Png.											



23 Porter Street

To: Planning Division  
From: Kristi Chase, Preservation Planner, and  
Brandon Wilson Executive Director,  
RE: **HPC 11.13 – 23 Porter Street**  
Applicant: Lalo Development Corporation, LLC,

**Historic and Architectural Significance**

See attached survey form.

**Existing Conditions**

This building has not been maintained by the previous absentee landlords. The use of a yard fence for railings on an enclosed porch is emblematic of the way this house has been cared for over the years. This odd construction which appears on the 1988 survey, is currently falling apart. Possibly in 1949, when the building was turned into a 2-family dwelling, the second bay has been widened to turn what had been a one bay wide dormer into a larger bay. In 1983, the original barn was demolished after a fire. The building currently has 2/1 double hung sash everywhere except on the enclosed porch.



The plans received on 2/4/11 do not have corresponding plan and elevation numbers and contains alterations to the plans presented at the HPC meeting noted below. While a



number of items were discussed in the presentation and were generally held in agreement, these were not clearly delineated on the plans approved.

### **Discussion and Determination from the Historic Preservation Commission on 10/16/10**

Rocco Antonelli, Architect for Lalo Development Corporation proposed to make very few changes to the original building. These include removing one window; replacing 2 doors with a multi-paned ones in the enclosed porch and the bay next to it; changing the picket fence railing on the enclosed porch with a generic post, baluster and rail system; raise the ground level in front of the existing building to make the main entries clear and to protect them from the parking area. *A 'dry-laid' flat fieldstone retaining wall will abut the parking area and will be topped by a simple fence that will match the new rails and balusters on the house.* This will hide the concrete covered foundation and a basement window. If possible they will repair the windows, otherwise they will return to the Commission to alter them.

They intend to construct a new addition based on the existing architecture of the Gothic Revival farmhouse. They have held neighborhood meetings and have received the blessings of the neighbors to move forward. The building will still be a 4-unit building with 8 parking spaces. Height of the addition is kept low so as not to have an effect on the views of the uphill neighbors. The massing of the dormers and bays relate to those on the original building and echo the roof shapes. They wanted to make each unit different with only one perceived entry door. Other entries are at right angles to the street so as to not be visible. The parking area will have a *cobble buffer between the sidewalk* and the parking which will have a *combination of crushed stone and stone dust* to keep the surface from moving too much. *Cobbles will also delineate the garden area.*

The Commission was concerned about the possible replacement of the existing late Victorian windows. However, they were generally impressed by the addition. Sarah Degutis noted that the addition fit well with the original building. Eric Parkes thought there was enough individual character between the old and the new in the development. He also liked the deep eaves extending over the addition.

The **Commission** voted unanimously (**5-0**) on 10/19/10 to grant a **Certificate of Appropriateness (C/A)** to:

1. Restore, repair or replace damaged wood clapboard, soffits, fascia, and trim in-kind (**Certificate of Non-Applicability**); and
2. Replace modern door with 12-light wood door (**C/A**);
3. Replace one 2/2 double-hung window on center bay with a 9-light wood door and stairs (**C/A**);
4. Remove a basement window (**C/A**);
5. Construct a 'dry-laid' flat fieldstone retaining wall (**C/A**);
6. Replace picket fence porch railings with generic simple rails, posts and balusters (**C/A**); and

7. Construct a new addition and landscape per plans and elevations A.01 –A.04 dated 9/3/2010 (C/A).

Because the renovation and plans met HPC guidelines for additions and infill construction and the alterations to the existing porch railings would be an improvement over the existing conditions.



2010 OCT 26 A 11: 06

CITY OF SOMERVILLE, MASSACHUSETTS  
OFFICE OF STRATEGIC PLANNING & COMMUNITY  
DEVELOPMENT  
JOSEPH A. CURTATONE  
MAYOR

*HISTORIC PRESERVATION COMMISSION*

October 25, 2010

Gorka Brabo  
311 Highland Avenue  
Somerville, MA 02144

RE: **HPC 10.76 – 23 Porter Street, Somerville, MA**

Dear Mr. Brabo,

At their regular meeting on Tuesday, October 19, 2010, the Somerville Historic Preservation Commission voted unanimously (5-0) to grant a **Certificate of Appropriateness** to:

1. Replace modern door with 12-light wood door (C/A);
2. Replace one 2/2 double-hung window on center bay with a 9-light Simpson® 'Bungalow' wood door and stairs (C/A);
3. Remove a basement window (C/A);
4. Construct a 'dry-laid' flat fieldstone retaining wall (C/A);
5. Replace picket fence porch railings with generic simple rails, posts and balusters (C/A); and
6. Construct a new addition and landscape per plans and elevations dated 9/3/2010 (C/A).

They also voted unanimously (5-0) to issue a **Certificate of Non-Applicability** under Section 10 of the Historic District Ordinance, which states "Nothing in this ordinance shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior feature within the historic district that does not involve a change in design, material, color or the outward appearance thereof...", to



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1. Restore, repair or replace damaged wood clapboard, soffits, fascia, and trim in-kind; and
2. Repair wood windows in-kind as necessary.

The Commission found that the renovation and plans met HPC guidelines for additions and infill construction; and that the alterations would be an improvement over the existing conditions. This was based upon your application, and presentation at the hearing, Staff recommendations, photographs of the house, plans dated 9/3/2010 with revisions to the door openings on sheet A.02 dated 9/17/10 by SFG Studios, cut sheets for Harvey Majesty Windows for the new construction, cut sheet for Simpson Door Company Bungalow door number 7224 for the original building, e-mails, discussion and recommendations of the Commission members, as well as the Commission's adopted Design Guidelines for Historic Districts.

This letter is your formal notification of the issuance of the requested certificates. Please note that it is valid for one year from the date of this letter and must be re-validated by the Commission if substantial work has not been completed by the end of this period.

Please take this letter to the Inspectional Services Division when you apply for a building permit. If you have any questions about these certificates, please feel free to contact us at (617) 625-6600 x 2500.

Good luck with your work!

Sincerely,



Kristi Chase  
Preservation Planner

Cc: Paul Nonni, Sr. Bldg. Inspector, Inspectional Services Division  
John Long, City Clerk  
J. Brandon Wilson, Executive Director, SHPC  
Rocco Antonelli, Architect

MASSACHUSETTS HISTORICAL COMMISSION  
ROYLSTON STREET  
MA 02116

Spring Hill

213



SOMERVILLE

23 Porter Street

Name \_\_\_\_\_

Present residential

Original residential

Construction

ca. 1850

visual analysis

Gothic Revival / rural

Architect \_\_\_\_\_

Exterior Wall Fabric clapboard

Outbuildings \_\_\_\_\_

Major Alterations (with dates) window

sash

Condition good/fair

Moved \_\_\_\_\_ Date \_\_\_\_\_

Acres 13,630 sq. ft.

Setting Similar to #22 Porter with large side yard, although landscaping has deteriorated on this property, rural quality on residential suburban street

Carole Zellie - 1980

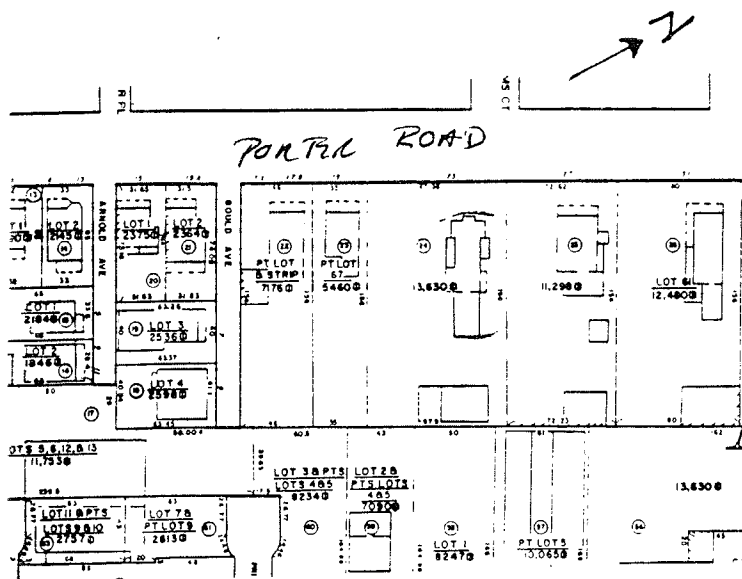
Recorded by Gretchen Schuler - 1988

Somerville Historic

Organization Preservation Commission

Date May, 1988

Sketch Map: Draw map showing property's location in relation to nearest cross streets and/or geographical features. Indicate all buildings inventoried property and nearest intersection(s). Indicate north



Reference \_\_\_\_\_

Discrepancy \_\_\_\_\_

Scale \_\_\_\_\_

## NATIONAL REGISTER CRITERIA STATEMENT (if applicable)

### **ARCHITECTURAL SIGNIFICANCE** Describe important architectural features and evaluate in terms of other buildings within the community.

The asymmetrical plan with steeply pointed gables is characteristic of the Gothic cottages drawn by Andrew J. Downing in his popular Cottage Residences of 1850. The house is sited on the slope, facing south for the once fine vistas looking to Cambridge. It has been slightly altered with the addition of a second story balustrade over the enclosed side entrance porch. Some of the fenestration of this house has been slightly altered, only in sash configuration.

### **HISTORICAL SIGNIFICANCE** Explain the role owners played in local or state history and how building relates to the development of the community.

Once divided into large agricultural tracts for Charlestown residents, Spring Hill evolved into a prime residential neighborhood of Somerville from the mid 1800s. Its topography lent itself to well drained soil for agriculture and to fine vistas for the residential subdivisions that began with George Brastow's 1843 rectilinear plan for 72 house lots on Spring Hill. With the exception of early farmhouses and the first Greek Revival double houses, the first houses built in the Spring Hill subdivisions were substantial single family homes built on ample lots. By the 1870s, with the expansion of the industries on Milk Row (now Somerville Avenue), and the horsecar and later the streetcar on Summer Street from Union to Davis Square came the expanded development of this area with smaller single-family worker's housing and attached rowhouses and larger tenements, built near the bottom of the hill on small court or terrace streets.

Porter and Linden Streets were subdivided in 1844 having been the estate of A. Brackett. Porter Street, an original rangeway, has a number of pre-1855 between Elm and Summer Streets. The Downing-Style cottages at #22 and #23 were probably built at the same time and once both had well-designed side yards. This is evident at #22. #23 retains its large side lot, however the landscaping has not been maintained.

### **BIBLIOGRAPHY and/or REFERENCES**