



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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MATTHEW ARCHER, *INTERM*

Case #: ZBA 2011-57

Date: October 13, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 13 Robinson Street

Applicant Name: Alice Grossman

Applicant Address: 13 Robinson Street, Somerville, MA

Property Owner Name: Same

Property Owner Address: Same

Agent Name: None

Alderman: Sean T. O'Donovan

Legal Notice: Applicant and owner, Alice Grossman, seeks a Special Permit under SZO §4.4.1 to convert the existing roof over the first floor wing into a deck and add stairs on the rear of an existing one family residence. RA zone. Ward 5.

Zoning District/Ward: RA zone / ward 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: July 5, 2011

Dates of Public Meeting • Hearing: Zoning Board of Appeals - **August 3, 2011**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is 3200 square foot lot with a single family residence situated on Robinson Street between Central Street and Bartlett Street. The residence is 2 ½ stories high, not including the basement level, with a gable roof.

2. Proposal: As part of this project, the Applicant is proposing to remove the existing rear 15 ½ foot wide by 6 foot deep roof, gutters, downspouts, and roof framing in order to replace it with a 15 ½ foot wide by 6 foot deep mahogany deck over a rubber roof. The corner of the asphalt roof that extends around the building to the other side will be removed, but only for installation of the deck, and will



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be replaced as is. The deck will be surrounded by 4x4 cedar posts that are connected together by 3/8" diameter cables that will be spaced 5" apart. There will be a copper flashing that connects the rubber roof to the drip edge of the eave. To access the deck a new 3 foot wide by 6 ½ foot tall door will be installed as well as a new double hung 3 foot wide by 4 ½ foot tall window to the right of the door.

3. Nature of Application: This is a residential property within an RA district. The structure is currently nonconforming with respect to the minimum side yard setback since the setback is 1 foot and the requirement is 7'2" with the reduction allowed for narrow lots. The existing side yard setback nonconformity requires the applicant to obtain a special permit under Somerville Zoning Ordinance (SZO) §4.4.1 to alter the nonconforming structure to construct a deck on the second floor of the existing single-family residence.

4. Surrounding Neighborhood: This property is located in an RA district. The surrounding area is comprised of a mixture of single-, two-, three-, and multi-family homes between 2½ and 3 stories.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhoods as the proposed deck in the rear of the dwelling would not appear to be detrimental to the immediate abutters or surrounding area. The addition of the deck, window and door on the rear façade will have a minimal impact as it is not visible from the public way and would not alter the streetscape in any manner. The property will remain a 2 ½ story, single family residential use, which is consistent with the surrounding neighborhood. Therefore, there are no anticipated negative impacts from the proposal.

6. Green Building Practices: None indicated on the application form.

7. Comments:

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

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

Wiring Inspector: The Applicant shall install a new exterior light fixture and a new exterior electrical receptacle for each of the levels of the new outdoor deck space in compliance with the National Electrical Code 2011.



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 find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The new deck, window, and door are all located in the rear of the existing structure and will not be visible from the Robinson Street right-of-way. The property will remain a 2 ½ story, single family residence, which is consistent with the surrounding neighborhood.

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; providing adequate light and air; conserving the value of land and buildings; encouraging the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the district (6.1.1. RA - Residence Districts), which is, "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."

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. The addition of the deck, window and door on the rear façade will have a minimal impact as it is not visible from the public way and would not alter the streetscape in any manner. The property will remain a 2 ½ story, single family residence, 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. 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 structure will remain a 2½ story, single family dwelling and will continue to be used for residential purposes.

III. RECOMMENDATION

Special Permit under §4.4.1, 5.1

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	Approval is to alter a nonconforming structure under SZO §4.4.1 to replace a roof with a deck in the rear 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>(July 5, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>July 1, 2011 (July 15, 2011)</td> <td>Modified existing and proposed deck plans, site plan, demolition plan, and elevations submitted to OSPCD (A1 & A2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(July 5, 2011)	Initial application submitted to the City Clerk's Office	July 1, 2011 (July 15, 2011)	Modified existing and proposed deck plans, site plan, demolition plan, and elevations submitted to OSPCD (A1 & A2)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.										
2	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
3	The Applicant shall install a new exterior light fixture and a new exterior electrical receptacle for each of the levels of the new outdoor deck space in compliance with the National Electrical Code 2011.	CO	Wiring Inspector							
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.							

