



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2014-68  
**Date:** August 14, 2014  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 99 Wallace Street

**Applicant Name:** John Tucci  
**Applicant Address:** 2 Martin St. Burlington, MA 01803  
**Property Owner Name:** Elizabeth Johnston  
**Property Owner Address:** 99 Wallace St. Somerville, MA 02144  
**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant, John Tucci, and Owner, Elizabeth Johnston, seek a Special Permit per SZO §4.4.1 to expand a nonconforming sideyard by adding a rear addition. RA Zone. Ward 6.

Dates of Public Hearing: Zoning Board of Appeals – August 20, 2014

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a single family on a 2,938 square foot lot. The house is 2 ½ stories with a rear deck and shed.
2. Proposal: The proposal is to demolish the existing basement entrance, patio, and shed in order to construction a rear addition. The addition will be 2 stories tall with a flat roof. It will extend to the width of the home and be 11'-7" deep. The property will have a paved patio instead of the rear deck. The addition will accommodate a family room on the first floor and larger bedrooms on the second floor.
3. Green Building Practices: The addition will have energy efficient windows and insulation.
4. Comments:



*Fire Prevention:* Smoke and carbon monoxide detectors will be required.

*Engineering:* The project must comply with the small projects checklist, the Applicant should meet with Engineering staff prior to applying for a building permit.

*Ward Alderman:* Alderman Gewirtz has been contacted and has no comments at this time.

## **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."***

Per SZO §4.4.1 lawfully existing one- and two-family dwellings, which are nonconforming with respect to dimensional requirements, may be enlarged, expanded, renovated, or altered by special permit. To extend a nonconforming side yard of 2.2' requires a 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.

### **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; and to encourage the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the district, 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."***

This property is located in a RA district. The structures in the surrounding neighborhood consist predominantly of a mixture of single- and two-family dwellings between 2 and 3 stories. The Broadway corridor and Powderhouse Circle are near the property. The corridor and circle have a higher density including some commercial uses.

There are little to no impacts of the proposal. The addition will not be visible from the streetfront and complies with the other dimensional requirements. In Somerville, additions get smaller towards the rear of the property line this design.

5. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

This project will have no impact on the existing affordable stock of Somerville.

6. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	1	1
<i>Affordable Units:</i>	0	0
<i>Commercial Sq. Ft.:</i>	0	0
<i>Estimated Employment:</i>	0	0
<i>Parking Spaces:</i>	1	1
<i>Publicly Accessible Open Space:</i>	0	0

This project will have no impact on the SomerVision goals but will allow a property owner to make minor modifications to their property.

**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	Approval is for a Special Permit per SZO §4.4.1 to expand a nonconforming side yard by adding a rear addition. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ PIng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>July 17, 2014</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>(August 11, 2014)</td> <td>Modified plans submitted to OSPCD (Existing Plot Plan, Proposed Plot Plan, Existing First, Second, and Third Floor, Foundation Plan, Proposed First and Second Floor, Existing Rear, Right, and Left Elevation, Proposed Rear, Right, and Left Elevation)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	July 17, 2014	Initial application submitted to the City Clerk's Office	(August 11, 2014)	Modified plans submitted to OSPCD (Existing Plot Plan, Proposed Plot Plan, Existing First, Second, and Third Floor, Foundation Plan, Proposed First and Second Floor, Existing Rear, Right, and Left Elevation, Proposed Rear, Right, and Left Elevation)
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Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.										
<b>Pre-Construction</b>										
2	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans/reports must be submitted to the Engineering Department for review and approval.	BP	Eng.							
<b>Construction Impacts</b>										
3	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							
4	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							
<b>Design</b>										
5	The addition should match in material to the existing home and be painted to coordinate or match the existing home.	BP	PIng.							
<b>Site</b>										
6	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	PIng./ ISD							

<b>Miscellaneous</b>				
7	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
<b>Public Safety</b>				
8	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
<b>Final Sign-Off</b>				
9	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	Ping.	

