



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

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION STAFF

GEORGE PROAKIS, *DIRECTOR OF PLANNING*
LORI MASSA, *SENIOR PLANNER*
AMIE HAYES, *PLANNER*
MELISSA WOODS, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2013-90
Date: January 16, 2014
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 50-52 Whitman Street

Applicant & Owner Name: Deborah Flaschen
Applicant & Owner Address: 180 Clyde Street Brookline, MA 02467
Architect Name: Richard Nilsson
Architect Address: 411A Highland Ave Somerville, MA 02144
Alderman: Katjana Ballantyne

Legal Notice: Applicant and Owner, Deborah Flaschen, seek a Special Permit per SZO §4.4.1 to expand a nonconforming FAR by finishing the basement. RA Zone. Ward 7.

Dates of Public Hearing: Zoning Board of Appeals – January 22, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,614 square foot lot with a 1,375 gross square foot group residence home. The use is by-right and is a federally protected use. The existing structure is 2 ½ stories. There has been no prior zoning relief.
2. Proposal: The proposal is to expand the living area/net square footage of the home by finishing the basement. The basement will have 3 bedrooms, a bathroom, and laundry area. There have been by-right renovations already completed at the property.
3. Green Building Practices: All renovations will be in compliance with the stretch energy code including new insulation and new high-efficiency gas boilers. The bathroom fixtures will be low-flow. Interior finish selections include rapidly renewable bamboo and cork flooring.



4. Comments:

Fire Prevention: Has been contacted but has no comments at this time.

Engineering: Has been contacted but has no comments at this time.

Ward Alderman: Has been contacted but 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."

The Applicant is seeking a Special Permit under SZO §4.4.1 to expand the living area in the basement. The existing net floor area is 3,598 square feet which makes the Floor Area Ratio 1.0. An FAR of .75 is the maximum in the district. To make the basement livable space will increase the net floor area to 4,530 square feet and increase the FAR to 1.25, essentially expanding the nonconformity.

There is no parking relief associated with this application. Per SZO §9.4 when the previous and new use require the same number of parking spaces, then no additional parking spaces are required.

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, "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 encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality."

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."

Whitman Street runs parallel with Broadway and Powderhouse Boulevard. The area is a mix of one-, two-, and three-family dwellings of similar style. The area is just south of Tufts University and is a mix of rental properties and owner-occupied homes/condos.

There are little to no impacts associated with the proposal. The expansion of square footage is kept within the existing footprint.

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 FAR by finishing the basement. 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>December 12, 2013</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>January 10, 2014</td> <td>Modified plans submitted to OSPCD (AG002-Project Information, AF101-Code Review, AG102-Code Review, AE100-Basement Plan)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	December 12, 2013	Initial application submitted to the City Clerk’s Office	January 10, 2014	Modified plans submitted to OSPCD (AG002-Project Information, AF101-Code Review, AG102-Code Review, AE100-Basement Plan)
	Date (Stamp Date)				Submission					
December 12, 2013	Initial application submitted to the City Clerk’s Office									
January 10, 2014	Modified plans submitted to OSPCD (AG002-Project Information, AF101-Code Review, AG102-Code Review, AE100-Basement Plan)									
Any changes to the approved plan that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
2	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							

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	
Miscellaneous				
4	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	
Public Safety				
5	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
6	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.	

