



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2012-64  
**Date:** August 9, 2012  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 221 Willow Avenue

**Applicant and Property Owner Name:** Frank Rocci

**Applicant and Property Owner Address:** 19 Oldham Road, Arlington, MA 02474

**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant and Owner Frank Rocci seeks a Special Permit under SZO §4.4.1 to alter and expand a dormer on the left side of the existing nonconforming two-family structure. RA zone. Ward 6.

Zoning District/Ward: RA Zone / Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: July 17, 2012

Date of Public Hearing: Zoning Board of Appeals – **August 15, 2012**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a two-family dwelling on a 3,360 square foot lot near Ball Square on Willow Avenue between Broadway and Kidder Avenue. The property has 3,007 square feet of living space. The structure is 2½ stories in height with a gable roof. There are gable dormers on the left and right side elevations, but the right gable dormer is bigger than the left. The building is located in a Residence A district and abuts similar residential properties on either side.

There has been no prior zoning relief offered to this property.

2. Proposal: The Applicant, Frank Rocci, proposes to expand the existing gable dormer on the left side of this two-family dwelling to create a new bathroom. The expansion to the existing gable dormer will be a shed dormer attached to the right side of the existing gable dormer. The current dormer is



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approximately 7'-6" in width and extends almost to the ridgeline of the house. The face of the dormer is 11 feet in height to the peak of the gable and includes one small window.

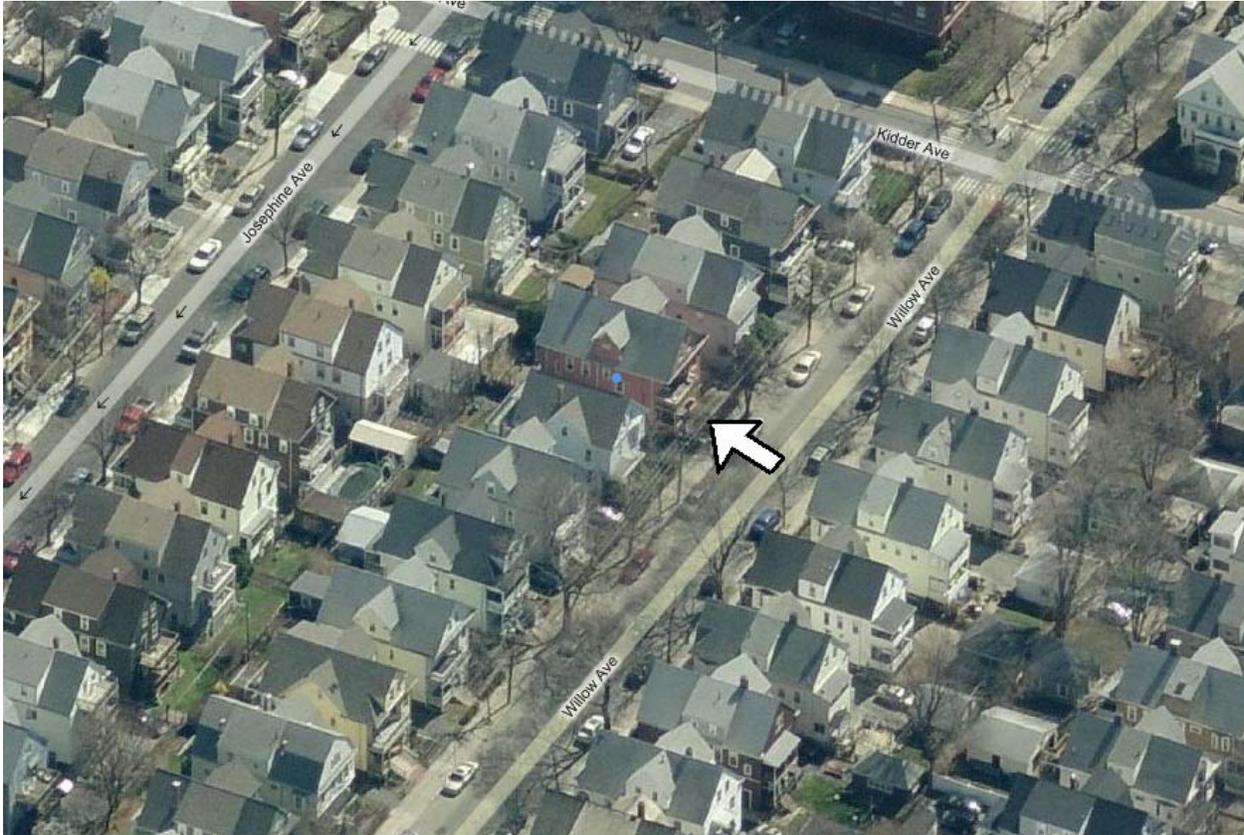
The extension of the dormer will add an attached shed dormer approximately nine feet in width, closer to the front façade of the existing structure. The face of the proposed shed dormer will be approximately six feet high. The new shed dormer will allow space for the construction of a new master bathroom and will include a full size window on the face of the dormer. The usable square footage of the property will increase by 51 square feet (from 3,307 square feet to 3,358 square feet) and the floor area ratio (FAR) will increase from 0.98 to 0.99. The dormer will not consist of more than 50% of the roof and it is more than three feet from either gable end.



*Left: 221 Willow Avenue, primary and left side elevation, showing existing left side gable dormer to be expanded.*

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements including the floor area ratio (FAR) and left side yard setback. Under the Somerville Zoning Ordinance (SZO) §4.4.1, alterations to the nonconforming aspects of a two-family dwelling may only occur via Special Permit. Currently, the left side yard setback is approximately 2.6 feet and the minimum required by the SZO for a 2½ story building is a minimum of eight feet. Although the SZO allows for a reduction in the width of side yard setbacks for lots less than 50 feet wide, the subject parcel does not meet the five foot minimum width requirement for side yard setbacks. The subject dwelling also presently has an FAR of 0.98 which exceeds the 0.75 FAR maximum for an RA district. Therefore, the Applicant is also seeking a Special Permit for relief from the provision of SZO §8.5.E to increase the FAR from 0.98 to 0.99.

4. Surrounding Neighborhood: The immediate neighborhood is predominantly residential and is comprised of a mixture of mostly two-family and a few three-family dwellings. The majority of this neighborhood is composed of gabled structures that are 2½ stories in height with dormers. The three dwellings to the right of 221 Willow Avenue all contain shed dormers larger than the Applicant's proposal on their left side elevations. The visibility of the expanded dormer will be minimal due to the proximity and height of the buildings.



5. Impacts of Proposal: An expansion of the left side dormer would not be detrimental to the existing structure or the surrounding neighborhood. A modification to this dormer would have a minimal impact to the abutters and the streetscape as the dormer already exists and the narrow side yard will reduce visibility of the dormer from the streetscape. The proposal does not alter character defining features of the building. The Applicant worked with Planning Staff to create the most appropriate dormer expansion design, and Staff believes that the design of the current proposal is the best fit for the neighborhood compared to suggested alternative designs.

6. Green Building Practices: The Applicant indicated that “water will be supplied by a tankless system”.

7. Comments:

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

*Wiring Inspector:* Has been contacted but has not yet provided comments.

*Ward Alderman:* In an email to Staff on August 7, 2012, Alderman Gewirtz acknowledged the proposal.

**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 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The dormer is not expected to impact the house adjacent to the nonconforming side yard. While Staff does not encourage shed dormers extending from the apex of a roof, Staff finds the design acceptable as the dormer is an extension of an existing form, does not compose more than 50% of the slope of the roof, and is placed more than three feet from either gable end. The increase in the Floor Area Ratio is negligible as the dwelling already exceeds the maximum FAR of 0.75 allowed in a RA district.

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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; and to preserve and increase the amenities of the municipality."

The proposal is consistent with the purpose of the district (6.1.1 RA– Residence Districts), which is, "[t]o 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 expansion of the dormer has been designed to be compatible with the built and unbuilt surrounding area and land uses. The form of the building would remain consistent with other structures along the street and in the neighborhood. The dormer is not expected to impact the streetscape or the surrounding neighborhood as the dormer is already minimally visible. The proposed shed dormer would be smaller and less obtrusive than the shed dormers on many neighboring houses.

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 as part of this proposal. No new glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water, nor transmission of signals that interfere with radio or television reception are anticipated as part of the proposal. The existing structure will remain a two-family residential building in an RA District.

**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	<p>Approval is for relief from the provision of SZO §8.5.E. (FAR) and to alter a nonconforming structure under SZO §4.4.1 to expand an existing dormer on the left side of a two-family dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(July 17, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 9, 2011 (August 6, 2012)</td> <td>Certified Plot Plan submitted to OSPCD</td> </tr> <tr> <td>July 16, 2012 (August 6, 2012)</td> <td>Floor plans and Elevations submitted to OSPCD (A1, A2A, A2B, A3, A4, A5, A6, &amp; A7)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(July 17, 2012)	Initial application submitted to the City Clerk's Office	August 9, 2011 (August 6, 2012)	Certified Plot Plan submitted to OSPCD	July 16, 2012 (August 6, 2012)	Floor plans and Elevations submitted to OSPCD (A1, A2A, A2B, A3, A4, A5, A6, & A7)	BP/CO	ISD/PIng.	
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2	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									
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP									
4	New siding type and color, roofing, trim, and materials of the dormer expansion shall match or be complimentary to the rest of the existing structure.	CO	PIng.									

5	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	
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.	



**221 Willow Avenue**