



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-82
Date: October 11, 2012
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 221 Willow Avenue, Unit # 1

Applicant Name: Paula Dowd
Applicant Address: 407 Highland Avenue, Somerville, MA 02144
Property Owner Name: Frank and Barbara Pisano
Property Owner Address: 221 Willow Avenue, Somerville, MA 02144
Agent Name: Jessica Aull
Agent Address: 15 Harrison Avenue, Cambridge, MA 02140
Alderman: Rebekah Gewirtz

Legal Notice: Applicant Paula Dowd and Owners Frank and Barbara Pisano, seek a Special Permit under SZO §4.4.1 for relief from the provisions of SZO §8.5.E to finish a portion of the basement to add additional living space to an existing two-family residence. RA zone. Ward 6.

Zoning District/Ward: RA Zone / Ward 6
Zoning Approval Sought: Special Permit under SZO §4.4.1
Date of Application: September 18, 2012
Date of Public Hearing: Zoning Board of Appeals – **October 17, 2012**

I. PROJECT DESCRIPTION

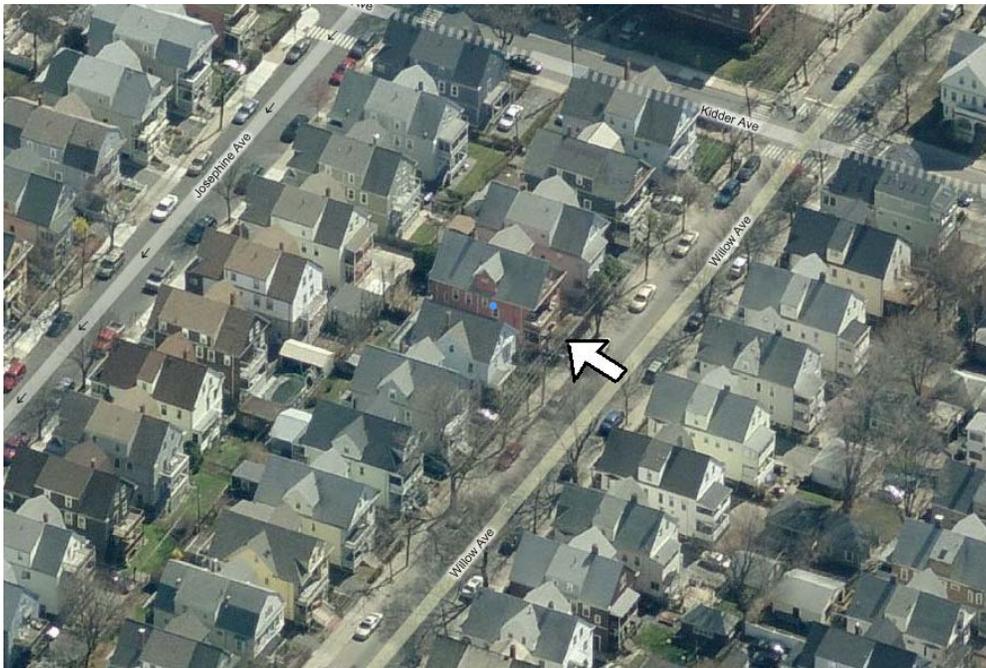
1. Subject Property: The subject property is a two-family dwelling on a 3,360 square foot lot near Ball Square on Willow Avenue between Broadway and Kidder Avenue. The property has 3,307 square feet of living space and the structure is 2½ stories in height with a gable roof. There are gable dormers on the left and right side elevations, but the right side gable dormer is slightly bigger than the left one. The building is located in a RA District and abuts similar residential properties on either side. In August of 2012, the property was awarded zoning relief by the Zoning Board of Appeals (ZBA 2012-64) to expand the existing gable dormer on the left side of the two-family dwelling to create a new bathroom on the third floor.



2. Proposal: The existing unfinished basement space in the building is split into two storage areas, one for Unit # 1 and one for Unit # 2. The Applicant is proposing to finish a portion of the basement storage space for Unit # 1 to create additional living space in the dwelling. The existing unfinished storage space consists of concrete floors and walls with a ceiling height of 7'1". The proposal would take approximately half of the unfinished storage space for Unit # 1, about 188 square feet, and convert it into an exercise area and finished storage space. The basement walls and ceiling would be framed, insulated, and covered with sheetrock. Electrical outlets, recessed lighting, and a small storage closet would also be added to the space. A finished dividing wall with a door would be installed to separate the proposed finished basement space from the remainder of the unfinished basement storage area. There are no changes being proposed to the exterior of the building as all alterations would be internalized in the basement.

3. Nature of Application: This is a residential property within an RA District. The existing lot is nonconforming with regard to the minimum lot size and the minimum frontage for the district. The minimum lot size in the RA district is 10,000 square feet, well above the property's 3,360 square feet, and the parcel's 42 feet of frontage is under the district minimum of 50 feet. The structure on the property is currently nonconforming with respect to several dimensional requirements including its Floor Area Ratio (FAR) and its front and left side yard setbacks. The property is also nonconforming with regard to off-street parking as there is only one (1) on-site parking space while three (3) spaces are required under the SZO (Somerville Zoning Ordinance). Under SZO §4.4.1, alterations to the nonconforming aspects of two-family dwellings may only occur via Special Permit. Since the Applicant is proposing to add living space in the unfinished basement area of the structure and increase the building's already nonconforming FAR from 0.99 (a maximum of only 0.75 is allowed in the RA District) to 1.04, these alterations require the need for Special Permit approval from the Zoning Board of Appeals for relief from SZO §8.5.E.

4. Surrounding Neighborhood: The property is located in an RA District. The immediate neighborhood is almost exclusively residential and is comprised of mostly two-family dwellings and with a few three-family dwellings nearby. The majority of the neighborhood is composed of gabled structures that are 2½ stories in height with dormers.



5. Impacts of Proposal: There will be minimal, if any, impacts to the surrounding neighborhood as a result of this proposal. With construction impacts limited to the basement level of the structure, no significant disruption to the neighborhood is anticipated during the renovation. The new additional living space for Unit # 1 would only be used as an exercise area for the residents and as storage space for larger items. There are no changes being proposed to the exterior of the structure and the proposed use of the space would mostly likely not generate any negative impacts for surrounding neighbors or the occupants of Unit # 2. This proposed new living space would most likely not be noticeable to surrounding neighbors nor would it have any impact to the Willow Avenue streetscape as there are no changes being proposed to the exterior of the structure. Therefore, the proposed additional living space in the basement would not appear to be detrimental to the immediate abutters or the surrounding area. There do not appear to be any anticipated negative impacts from the proposal. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood.

6. Green Building Practices: None indicated.

7. Comments:

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

Ward Alderman: Alderman Gewirtz has been notified but has not yet provided comments.

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



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 Permit.
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 does not find that the alterations proposed would be substantially more detrimental to the neighborhood than the existing structure. Construction impacts will be limited to the interior of the building and therefore no significant disruption to the neighborhood is anticipated during the renovation. This proposed living area would most likely not be noticeable to surrounding neighbors nor would it have any impact to the Willow Avenue streetscape as there are no changes being proposed to the exterior of the structure. The proposed additional living space in the basement would not appear to be detrimental to the immediate abutters or the surrounding area and therefore, there are no anticipated negative impacts from the proposal. The property will remain a 2½ story, two-family residential use 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 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 protect health; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to encourage housing for persons of all income levels."

The proposal is also 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."

Minimal, if any, impacts are anticipated from the Applicant's proposal to finish a portion of the existing basement to create an exercise area and finished storage space for larger items. This proposed living area would most likely not be noticeable to surrounding neighbors nor would it have any impact to the Willow Avenue streetscape as there are no changes being proposed to the exterior of the structure. The proposed additional living space in the basement would not appear to be detrimental to the immediate abutters or the surrounding neighborhood. The property will remain a 2½ story, two-family residential use 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, 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 property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood.

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	<p>Approval is for relief under the provisions of SZO §4.4.1 and SZO §8.5.E. to finish a portion of the basement to create an exercise room (additional living space) in an existing two-family residence. 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>(September 18, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 9, 2011 (October 1, 2012)</td> <td>Plot Plan</td> </tr> <tr> <td>(October 1, 2012)</td> <td>Existing Basement Plan</td> </tr> <tr> <td>(October 1, 2012)</td> <td>Proposed Basement Plan</td> </tr> </tbody> </table> <p>Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(September 18, 2012)	Initial application submitted to the City Clerk's Office	August 9, 2011 (October 1, 2012)	Plot Plan	(October 1, 2012)	Existing Basement Plan	(October 1, 2012)	Proposed Basement Plan	BP/CO	ISD/Plng.	
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2	All construction materials and equipment must be stored on-site. 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	The Applicant shall not use the finished basement space as a bedroom, sleeping area, or similar room type.	CO	FP/Plng.											
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	Plng.											



221 Willow Avenue, Unit # 1