



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: 2014-122
Date: February 26, 2015
Recommendation: Conditional Approval

UPDATED PLANNING STAFF REPORT*

Site: 7 Holts Avenue

Applicant Name: Michelle Hewitt
Applicant Address: 7 Holts Ave, Somerville MA 02143
Owner Name: Michelle Hewitt and Andre Weinstock
Owner Address: 7 Holts Ave, Somerville MA 02143
Alderman: Maryann Heuston

Legal Notice: Applicant, Michelle Hewitt, and Owners, Michelle Hewitt and Andre Weinstock, seek a Special Permit to build an approx. 160 sf two-story rear addition on a nonconforming single-family house. RB zone. Ward 2.

Dates of Public Hearing: January 21, 2015

*Updated for the March 4, 2015 meeting. The second floor of the addition was removed. Additions are underlined, deletions are ~~struck~~.

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 882 net square foot semi-detached single-family house on a 1,466 square foot lot. The house is attached to the single-family house on the abutting lot. The house has two-bedrooms and one-bathroom. There is one window on the neighbor's wall that abuts the subject property.
2. Proposal: The proposal is to demolish the approximately 70 square foot back porch and stair and approximately 56 square foot shed attached to the rear of the house. There would be a ~~2-1-story~~ and basement addition in their place. The addition would enlarge the kitchen on the first floor ~~and slightly enlarge the second floor bedroom~~. The renovation would also address the owner's issues with the layout and safety of the house. The porch door location in the kitchen creates an undesirable traffic flow which

would be addressed with the addition and three stairs would be combined into one. The stairs to the basement are steep and are in poor condition and would be reconfigured with the renovation.

At the February 18 Zoning Board meeting the Board asked that the applicant consider the abutter's request to move the addition to be five feet from their property. The Board asked for the design constraints that were considered if the five foot setback is not possible. The Applicant was not able to move the addition farther from the abutter and the various schemes that were worked through will be discussed at the hearing. The revised plans include removing the second floor of the addition to help to address the abutter's concerns.





*7 Holts Ave –
location of
proposed
addition*

3. Green Building Practices: The new walls and external door will be insulated according to the Energy-star rated recommendations for this region. New windows will be double-glazed. The gas furnace will be replaced with an Energy-star model with 90% or higher efficiency ratings. There will be enhancements to the common firewall between 7 and 9 Holts Avenue. The Applicant will attempt to use FSC-certified wood for the structural framing.

4. Comments:

Fire Prevention: Fire Prevention does not have concerns with the proposed 2-story addition. The Department's only concern is proper fire (smoke/carbon monoxide) protection in the addition.

Ward Alderman: Alderman Heuston spoke at the February 18 hearing and discussed each of the constituents' opinion regarding the case.

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 structure is currently nonconforming with respect to dimensional requirements, including minimum front and side yard setbacks, lot area, lot area per dwelling unit and street frontage.

The addition will extend the house along the nonconforming side yards. As an attached structure, the left side yard setback is 0 feet. The new structure along the property line will be rebuilt with the same dimensions as the existing shed so that the window on the abutter's property is not impacted by the rear addition. The new bulk of the addition has been designed to be 3.5 feet from the side property line and have an angled wall to provide more of a setback than the original proposal. The right side of the addition will extend the house 6.5 feet along the nonconforming setback before tapering back. The right side yard setback is 3.4 feet and the required setback is 8 feet. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

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 addition has been designed with setbacks that minimally impact the neighbor and the ground coverage, landscaped area, pervious coverage and floor area ratio will continue to be conforming to the requirements of the SZO.

The Mayor's Office of Strategic Planning and Community Development has submitted an ordinance to the Board of Alderman to overhaul the current zoning ordinance. The re-advertised date of the legal notice was February 17. Massachusetts General Law 40a, Section 6 states that a zoning ordinance shall apply to a special permit issued after the first notice of the public hearing for such an ordinance. Therefore, staff and boards should evaluate all applications based on the current and proposed ordinances so that there are no issued posed under either ordinance.

Under the proposed zoning ordinance, the house is a paired house building type. The side setback for the party lot line is 0 feet, and 5 feet for the other side lot line. The rear yard setback is 20 feet. In the proposed code, the main body of the house can be expanded to a maximum depth of 48 feet. The proposed addition complies with the depth requirement of the main body of the house. The proposed ordinance would allow for expansion of a main body to be in the required yard setback if the ZBA issued a Special Permit. Therefore the right side at the proposed 3.4 feet would require a Special Permit and if the current application is approved the project would be able to move forward under the current and proposed codes.

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 maintaining the uniquely integrated structure of uses in the City.

The proposal is consistent with the purpose of the Residence B district, which is, “[t]o establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.” The proposal alters the single-family structure for the occupants of the dwelling to use the space.

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 surrounding area is mostly comprised of semi-detached one-, two- and three-family houses. The abutting property has a two story addition and this proposal has been designed to be respectful of that property. The bathroom window on the abutting property will not be impacted by the proposal. The original rear shed dimensions are proposed to be rebuilt as is and the new bulk of the addition was designed to taper at the back to provide air and light into the neighbor's window and stay back 3.5 feet from the property line.

The addition was designed in keeping with the character of the house and maintains a rear yard.

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

The improvements to the single-family dwelling will not significantly impact the affordability of it.

8. 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.*

This property is marked as an area to conserve and the proposal meets this goal.

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	1	1

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 the construction of a rear addition. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>Dec 17, 2014</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Dec 8, 2014 <u>Feb 26, 2015</u></td><td>Plans submitted to OSPCD (Site-1 Existing, Site-2 New, EX1-3 Existing floor plans, EX4-5 Existing Elevations, New1-2 New floor plans, New-3 Roof plan, New-4-5 New Elevations, New 6 West Elevation at common wall)</td></tr></table>				Date (Stamp Date)	Submission	Dec 17, 2014	Initial application submitted to the City Clerk's Office	Dec 8, 2014 <u>Feb 26, 2015</u>	Plans submitted to OSPCD (Site-1 Existing, Site-2 New, EX1-3 Existing floor plans, EX4-5 Existing Elevations, New1-2 New floor plans, New-3 Roof plan, New-4-5 New Elevations, New 6 West Elevation at common wall)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
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	New siding type and color, roofing, trim, and materials of the addition shall match or be complimentary to the rest of the existing structure.	CO	Plng.							
4	<u>Applicant shall install proper fire (smoke/carbon monoxide) protection in the addition as is satisfactory to Fire Prevention.</u>	CO	FP							
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.							

