



CITY OF SOMERVILLE, MASSACHUSETTS
PLANNING BOARD
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MICHAEL A. CAPUANO, ESQ. (ALT.)

Case #: ZBA 2009-13
Date: May 14, 2009
Recommendation: Conditional Approval

PLANNING BOARD REPORT

Applicant Name: Brandee and Chris Hall
Applicant Address: 35 Corinthian Road, Somerville, MA 02144
Property Owner Name: Same
Alderman: Trane

Legal Notice: The Applicant seeks a special permit under §4.4.1 in order to construct a dormer within a non-conforming side yard and to enclose a front porch within a non-conforming front yard.

Zoning District/Ward: Residence A / 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: April 14, 2009

Date(s) of Meetings/Public Hearing: PB: May 7, 2009 / ZBA: May 20, 2009

Dear ZBA members:

At its regular meeting on May 7, 2009 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (3-0) with Kevin Prior and Elizabeth Moroney absent, to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 2,123 sf parcel. There is an existing 2.5 story single-family dwelling on the property.

2. Proposal: The applicant is proposing to enclose a 9' wide by 6' deep portion of the non-conforming front porch. (In addition, the original notice included special permit review for a dormer within a non-conforming side yard, but upon further review and consultation with Inspectional Services, Staff have determined that this dormer could be constructed by-right as it is not in the required side yard.)
3. Nature of Application: Under §4.4.1 of the Somerville Zoning Ordinance (SZO) this alteration would require a Special Permit because the proposed addition would be located in the required front yard. The required front yard is 10' due to the non-conforming front yards of the surrounding structures. The existing non-conforming porch extends to within approximately 5' of the front lot line. The proposed enclosure of this porch would be an extension of that non-conformity, requiring a special permit.
4. Surrounding Neighborhood: This property is located in a Residence A district, which features a residential mix of single- and two-family homes of 2.5 stories. Residential lots in the area are generally between 2000-4000 sf in area and almost all the lots are developed with homes.
5. Green Building Practices: The entry vestibule would add a buffer zone to reduce heat flow in and out of the house. The new front door would increase energy efficiency.
7. Comments:

Alderman: Alderman Trane has been contacted and has not yet provided comments.

Fire Prevention: Deputy Chief Keenan stated "I need more information on this proposal before I can comment. The paperwork submitted does not include a page showing the layout of the existing third floor." Compliance with the fire code will be required prior to final sign-off on the building permit.

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 Board 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, The Board finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The Board finds the design of the enclosed porch to be an appealing addition to the existing structure due to its shape, size and location. The Staff had concern regarding the shift of the doorway off the front façade which would make the building lose its defined front. The applicant was willing to work with Staff to redesign the façade to incorporate an ornate glass window as a focal point to indicate the main entrance and define the front of the house. In addition, a non-historic and unsympathetic bay window would be replaced by two more appropriate double-hung windows on the left side of the porch. These design details

combined with the proposed front porch enclosure and new dormer creates a more interesting structure with more character than previously existed.

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 Board finds the addition to be in accordance with with the purposes of the SZO and of the RA district. The Board finds any impacts to the community from this proposal to be negligible.

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 Board finds that the design of the building is consistent with the character of the neighborhood and the architectural qualities of the house.

III. RECOMMENDATION

Special Permit under §4.4.1

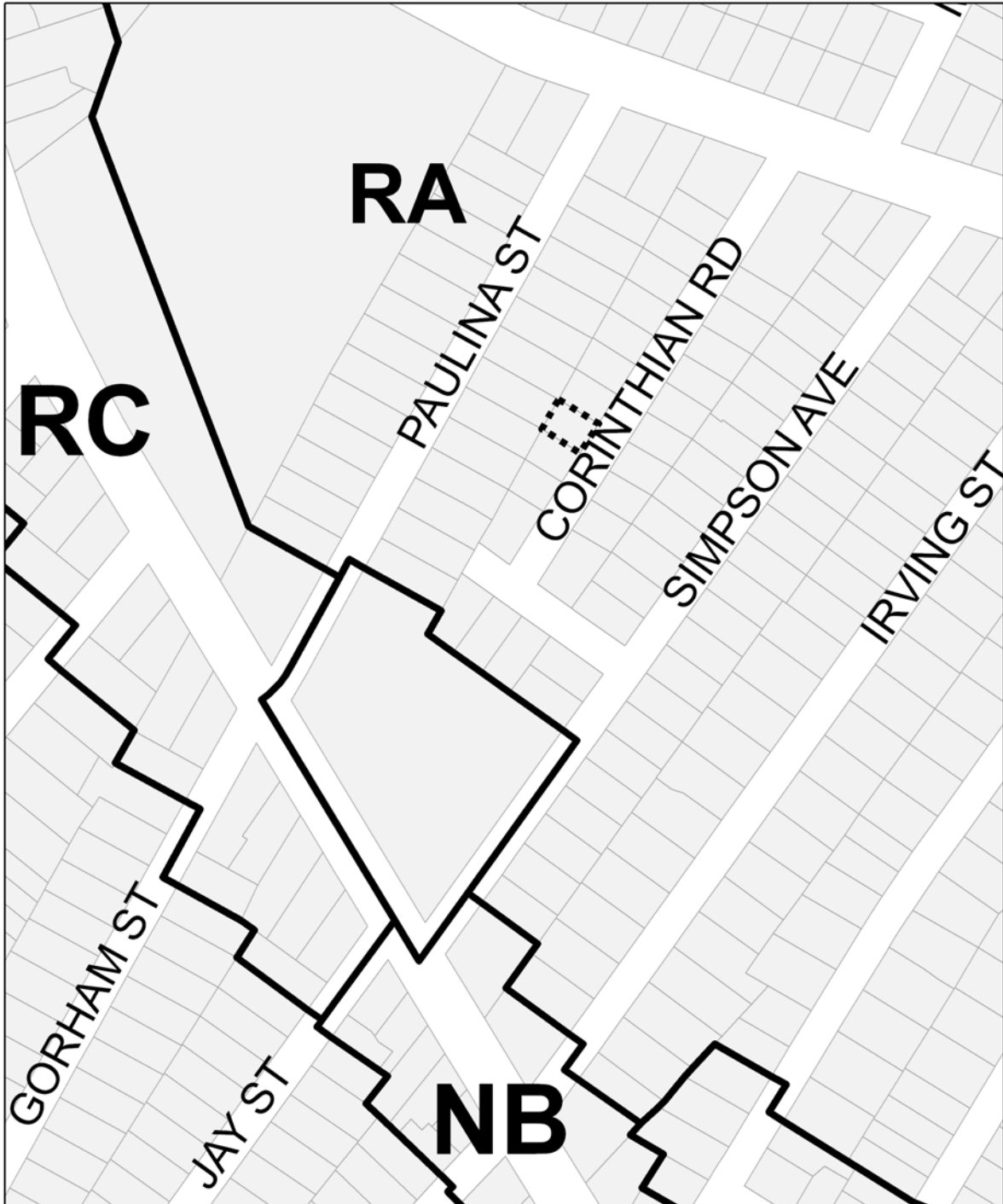
Based on the above findings and subject to the following conditions, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of an approximately 9' by 6' enclosure of a portion of the front porch. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(4/14/09)</td><td>Initial application submitted to OSPCD</td></tr><tr><td>4/14/09 (4/23/09)</td><td>Proposed Plans and Elevations (A0.0, A1.1, A3.1, A3.2, A3.4)</td></tr></table>				Date (Stamp Date)	Submission	(4/14/09)	Initial application submitted to OSPCD	4/14/09 (4/23/09)	Proposed Plans and Elevations (A0.0, A1.1, A3.1, A3.2, A3.4)
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Any changes to the approved plans and elevations that are not <i>de minimis</i> must receive ZBA approval.										
2	Additional materials shall be provided to Fire Prevention upon request and applicant shall meet all required prevention measures.	CO	FP							
3	The ornate first floor window shall be installed as designed on the east elevation. Alterations to the window style require Planning Staff approval.	CO	Plng.							
4	Materials and colors shall be consistent with that of the existing structure.	CO	Plng.							

5	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit 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.	
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Joseph Favaloro
Acting Chairman



35 CORINTHIAN ROAD