



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

*PLANNING DIVISION*

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JAMES KIRYLO  
DANA LEWINTER, ALT.

**Case #:** ZBA 2010-34

**Date:** August 5, 2010

**Recommendation:** Conditional Approval

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**PLANNING BOARD RECOMMENDATION**

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**Site:** 415 MEDFORD STREET

**Applicant Name:** Antonio Ferreira

**Applicant Address:** 77 Lilah Lane, Reading, MA 01867

**Property Owner Name:** same

**Property Owner Address:** same

**Alderman:** Pero

Legal Notice: Applicant and Owner, Antonio Ferreira, seeks a Special Permit under SZO §4.4.1 to alter the façade of a non-conforming structure in order to create a new commercial unit within the existing building.

Zoning District/Ward: Residence B

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: 7/14/2010

Date(s) of Public Meeting/Hearing: PB 8/5/10 - ZBA 8/18/2010

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Dear ZBA members:

At its regular meeting on August 5, 2010, the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0, with Joseph Favaloro absent), to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:



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## I. PROJECT DESCRIPTION

1. Subject Property: The subject property is an approximately 3,152 sf lot with a 2,551 nsf commercial building located at the corner of Medford and Sycamore Streets. The building is divided into four storefronts which open onto Medford Street. Uses within the building include a two clothing stores, a convenience store and a juice bar. Three of the stores are roughly the same size and the store at 415B is approximately twice the size of the others.

2. Proposal: Recently the larger store at 415B was rented to a small business owner who only wanted to rent half the space available. After discussions with ISD to meet building code, the applicant split the space with a dividing wall to create two stores. The applicant is proposing to alter the exterior of the structure to install a doorway to provide street access to the new unit.

3. Nature of Application: The existing structure is non-conforming in regards to all set backs, landscaping and parking. The applicant is seeking a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO) to alter the exterior of the non-conforming structure. Under the SZO any alteration to a non-conforming structure other than a one or two family must obtain special permit approval.

There are no specific requirements regarding the number of commercial units within the commercial building. The applicant can divide the structure into any number of commercial units by-right.

4. Surrounding Neighborhood: This property is located in a Residence B district at the corner of Medford Street and Sycamore Street. The area is predominantly residential with some limited retail use in the area. There is 2 hour parking available to customers on-street.

5. Green Building Practices: None

6. Comments:

*Alderman:* Alderman Pero has been contacted and has not yet provided comments.

*Fire Prevention:* Deputy Chief William Lee has been contacted but has not yet provided comments.

## 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."

The Board finds that the doorway to provide access to the new unit would remain in character with the building. The majority of the storefront would remain as glass. The proposed door would require the removal of a small portion of the cement base of the building for the doorway. Any proposed commercial use would need to apply for a special permit to open in this space and would need to address issues such as parking and signage at that time.

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 this use to be consistent with the purposes of the ordinance and that continuing commercial, service and retail uses on this property to be an appropriate use of the land.

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 this use to be consistent with the existing context of the area. The Board finds any negative impacts to the community from the façade alteration would be minimal.

### III. RECOMMENDATION

#### Special Permit under §4.4.1

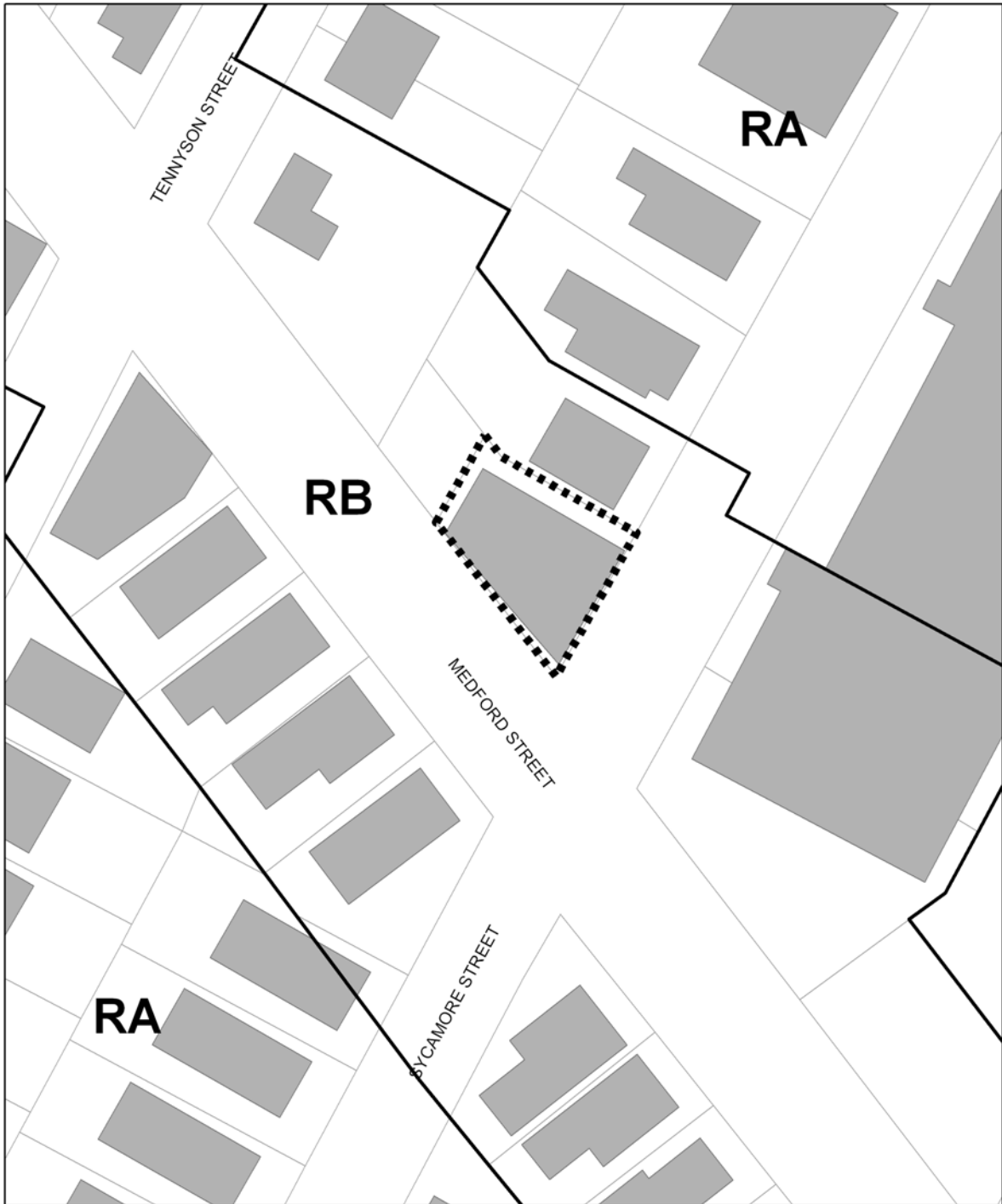
Based on the above findings and subject to the following conditions, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
1	Approval is for the alteration of the exterior to construct a new doorway. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.	

Sincerely,

Kevin Prior  
Chairman

Cc: Applicant/Owner: Antonio Ferreira



**415B MEDFORD ST**