



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**PLANNING DIVISION**

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FREDERICK J. LUND, *SENIOR DRAFTSMAN*

**Case #:** ZBA 2010-09  
**Date:** February 17, 2010  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 18 Forster Street

**Applicant Name:** Timothy Darr & Charlotte Davis  
**Applicant Address:** 18 Forster St, Somerville MA 02143  
**Property Owner Name:** same  
**Agent Name:** Noel Clarke  
**Agent Address:** 19 Montrose St, Somerville MA 02143  
**Alderman:** Sean O'Donovan

Legal Notice: Applicants & Owners, Timothy Darr & Charlotte Davis, seek a Special Permit under SZO §4.4.1 to construct a 50± sf addition within the nonconforming side and rear yard setbacks (8.5.H & 8.5.I).

Zoning District/Ward: RA / 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: February 10, 2010

Dates of Public Meeting • Hearing: Planning Board 3/4/10 • Zoning Board of Appeals 3/17/10

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 2,640 square foot corner lot at the corner of Forster Street and Tennyson Street. On the property is a single-family dwelling that is 2 ½ stories, with a one-story addition that wraps around one side and the rear of the house. The house is set back 9 feet from Forster Street, and 19 feet from Tennyson Street.

2. Proposal: The proposal is to construct two new one-story additions onto the existing one-story portion of the house, with 31 square feet in the side yard and 19 square feet in the rear yard. The side



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yard addition will fill in a notch in the existing one-story portion of the house, allowing for a larger kitchen, while the rear yard addition will allow for a garden shed to be attached to the existing house. The additions will also require reconfiguring the windows, including a new window on the front-facing one-story portion of the house, and a new door into the dining room from the rear landing. These exterior changes would allow the owner to construct a larger kitchen and new pantry.



18 Forster: (top) front view, (bottom) orthogonal view



3. Nature of Application: The structure is currently nonconforming with respect to minimum lot size, side yard and rear yard setbacks.

The proposed side yard addition would extend the nonconforming side yard setback by an additional length of 7.52 feet, and extend the existing nonconforming rear yard setback by an additional 4.50 feet. These existing nonconformities requires the Applicant to obtain a special permit under §4.4.1 of the SZO.

4. Surrounding Neighborhood: The structures in the surrounding neighborhood are predominantly one, two and three-family homes of 2.5 or 3 stories with wood construction.

5. Impacts of Proposal: The alterations will give the entire one-story portion of the structure a more contemporary style, complete with different window types and different siding, than the main portion of the structure. However, as this one-story portion of the structure most likely is a later addition, this material and style change will only serve to highlight the differences between the original house and the one-story portion. The character of the original house remains intact. The additions would not appear to be detrimental to the immediate abutters or the surrounding area. Furthermore, as they only extend existing non-conforming setbacks, they would not worsen the existing nonconformities of the site and structure.

6. Green Building Practices: Energy star appliances, roof rainwater collected for garden use, low-e glass windows.

7. Comments:

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

*Ward Alderman:* Has been contacted but has not 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 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 proposed additions would not be substantially more detrimental to the neighborhood than the existing structure. Staff will condition that, shall the owner choose to remove the vinyl siding on the remainder of the house, that the owner either restore the original siding under the vinyl or that it be replaced with materials similar to the addition (hardiboard with azek trim, or similar products), painted to match the addition, and retain the architectural character of the original house.

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 providing for and maintain the uniquely integrated structure of uses in the City. It is consistent with the purpose of the RA district, by preserving and enhancing this one-family home.

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 style of the house would remain consistent with other structures on the street. The additions meet the general design expectations for the neighborhood. The contemporary design of the addition is different but complimentary to the traditional style of the house. Staff will require the owner to match colors and materials if the vinyl siding on the main house is removed.

**III. RECOMMENDATION****Special Permit under §4.4.1**

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

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of two additions totaling approximately 50 square feet. 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>(2/10/2010)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>2/9/2010 (2/10/2010)</td><td>Plans submitted to OSPCD (plot plan plus architectural plans A.01 – A.04)</td></tr></table>				Date (Stamp Date)	Submission	(2/10/2010)	Initial application submitted to the City Clerk's Office	2/9/2010 (2/10/2010)	Plans submitted to OSPCD (plot plan plus architectural plans A.01 – A.04)
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Any changes to the approved site plans and/or elevations that are not <i>de minimis</i> must receive ZBA approval.										
2	Shall the owner choose to remove the vinyl siding on the remainder of the house, that the owner shall either restore the original siding that is under the vinyl or replace it with solid durable materials similar to the addition (Hardiboard with Azek trim, or similar products), while retaining the architectural character of the original house. At that time, the house shall be painted to match the addition. The owner shall meet with Planning Staff for project review and approval before removing the siding.	Continuous	Plng.							
3	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.							

