



CITY OF SOMERVILLE, MASSACHUSETTS

PLANNING BOARD

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Case #: 2008-19

Site: 460 Medford Street

Date: May 1, 2008

Recommendation: Conditional Approval

PLANNING BOARD REPORT

Applicant Name: Shakeel Hossain

Applicant Address: 52 Dover Street, Somerville MA

Property Owner Name: same

Alderman: O'Donovan

Legal Notice: Applicant/Owner, Shakeel Hossain, seeks a Special Permit under 4.4.1 to construct two dormers, an entrance door, a deck on the second story, and alterations to an existing door and patio.

Zoning District/Ward: RB / 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: April 7, 2008

Date(s) of Public Hearing: ZBA May 7, 2008

Date of Decision: N/A

Vote: N/A

Dear ZBA members:

At its regular meeting on May 1, 2008 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0), to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:

I. PROJECT DESCRIPTION

1. Subject Property: The property is a three-family dwelling on an approximately 4,000 square foot lot. The structure is wood framed and previously had vinyl siding. It is approximately 3,486 square feet

and is 32 feet in height. The property is currently vacant and undergoing renovations. It is located on the corner of Medford and Bartlett Streets.

2. Proposal: The proposal is to construct a dormer and entrance door on the Bartlett Street side of the structure. Other proposed changes are to alter an existing dormer and entrance on the Medford Street façade and add a deck on an existing one-story structure. Additionally the Applicant would like to add two skylights, and alter two existing windows in the rear of the property. All of the changes are within the existing footprint of the house.

3. Nature of Application: The structure is currently nonconforming with respect to dimensional requirements. The proposal impacts the nonconforming front, side and rear yards. These existing nonconformities require 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 nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5.”

4. Surrounding Neighborhood: The surrounding neighborhood features homes of similar scale. Many of the houses along Medford Street have front porches. There is a bus stop in front of the house and the Applicant would like to construct another entrance on the side of the house to provide a more private doorway.

5. Landscaping: The current yard is mostly bare soil. The site plan shows that the existing trees will be preserved and it also shows new plantings.

6. Impacts on Abutting Properties: The renovated siding and landscaping would improve the appearance of the structure. The reconfigured windows in the rear of the property would give more privacy between this house and the abutting house. The proposed deck along Medford Street is similar in use to other front porches along this street and the Board does not foresee concerns with it given that this is a fairly busy street. The Board also does not expect the dormers and entrance alterations to affect abutters.

5. Green Building Practices: none

6. Comments:

Fire Prevention: “In addition to the fire protection devices, etc. already on the plans, we would require fire alarm horn/strobe units and manual fire alarm pull stations in the common areas of all levels including the basement. We would also require that an outside strobe or light be installed on the front of the building that will activate if the sprinkler system or fire alarm system activates.”



460 Medford Street – View from Medford Street



View from Bartlett Street

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 Permits.

The Applicant has provided the required information.

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 Applicant requires a special permit under §4.4.1 of the SZO. Under §4.4.1, "The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building."

To the extent possible for a nonconforming structure, the proposal complies with the standards of the SZO and does not increase any nonconformity. The Board finds that the proposal would not be substantially more detrimental to the surrounding neighborhood than the existing structure.

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."

As shown in the plans, the proposal is consistent with the purposes of the Ordinance, including "to conserve the value of land and structures", and would not change the use of the structure, which is consistent with the purposes of the RB district.

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."

As shown in the plans, the design is compatible with the remainder of the structure and the surrounding neighborhood.

III. RECOMMENDATION

Special Permit under §4.41

Based on the above findings, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The Board finds that this application complies with the requirements for granting a special permit as set forth under §5.1.4 and that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure.

Although the Planning Board is recommending approval of the requested Special Permit, the following conditions should be added to the permits:

(See updated conditions in memo to ZBA dated May 16, 2008)

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	Approval is to construct a dormer and entrance door, alter an existing dormer and entrance, add a deck on existing one-story structure, add two skylights, and alter two existing windows. This approval is based upon the following application materials and the plans submitted by the Applicant and/or its contractor:	BP/CO	Plng.									
	<table><tr><th>Date</th><th>Submission</th></tr><tr><td>April 7, 2008</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>April 8, 2008</td><td>Modified plans submitted to OSPCD (plot plan, site plan - A01, floor plans -A)</td></tr><tr><td>April 22, 2008</td><td>Modified plans submitted to OSPCD (Elevations -A)</td></tr></table>				Date	Submission	April 7, 2008	Initial application submitted to the City Clerk’s Office	April 8, 2008	Modified plans submitted to OSPCD (plot plan, site plan - A01, floor plans -A)	April 22, 2008	Modified plans submitted to OSPCD (Elevations -A)
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April 22, 2008	Modified plans submitted to OSPCD (Elevations -A)											
Any changes to the approved site plan or elevations must receive ZBA approval.												
2	In addition to the fire protection devices, etc. already on the plans, we would require fire alarm horn/strobe units and manual fire alarm pull stations in the common areas of all levels including the basement. We would also require that an outside strobe or light be installed on the front of the building that will activate if the sprinkler system or fire alarm system activates.	CO	FP									
3	Landscaping shall be installed and maintained in compliance with the American Nurserymen’s Association Standards.	Perpetual	Plng. / ISD									
4	The Applicant shall screen the air conditioning units in the front yard.	CO	Plng. / ISD									
5	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 of concrete.	CO	DPW									
6	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.	Sign-off	Plng.									

Sincerely,

Kevin Prior, Chair

Cc: Applicant/Owner: Shakeel Hossain

