



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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DANA LEWINTER, ALT.

Case #: ZBA 2011-16

Date: March 3, 2011

Recommendation: Conditional Approval

PLANNING BOARD RECOMMENDATION

Site: 75 Wallace Street

Applicant and Property Owner Name: Daniel and Jenny Stodolsky

Applicant and Property Owner Address: 13 Park Avenue, Somerville, MA 02144

Agent Name: Jon Lannan

Agent Address: 59 Pearson Road, Somerville, MA 02144

Alderman: Rebekah Gewirtz

Legal Notice: Applicants and Owners Daniel and Jenny Stodolsky, seek a special permit to alter a nonconforming structure under SZO §4.4.1 to revise window openings on the north, east, and south elevations and to alter the roof line and add a roof deck at the second level in the rear of an existing single-family residence. Included in this project is a by right, two story addition in the southern corner of the home. RA zone.

Zoning District/Ward: RA Zone / Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: February 8, 2011

Dates of Public Meeting • Hearing: Planning Board **3/3/11** • Zoning Board of Appeals **3/16/11**

Dear ZBA members:

At its regular meeting on March 3, 2011 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:



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I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 4,197 square foot lot with a single-family residence situated on it near the intersection of Wallace Street and Broadway. The structure has 2,211 square feet of habitable space. The residence is 2.5 stories with a gable roof, not including the basement level.

2. Proposal: The Applicant is performing a gut renovation of the entire house including a small, by right, two story addition. As part of this project, the Applicant is proposing to revise window openings on the north, east, and south elevations. On the front (north side) of the residence, two windows on the left side that are setback from the streetscape would be removed and replaced with two, smaller Queen Anne style windows. On the east side of the structure, there are currently four larger windows and one, smaller Queen Anne style window. These will all be removed and replaced with seven smaller windows. The largest proposed window on this side will be a double hung window that will provide emergency egress from the bedroom on the first floor. The four, vertical style windows will open from side to side with a crank, but they will contain an intermediate horizontal mullion to mimic the appearance of double hung windows. The two windows on the right side of the eastern façade will be awning style windows and will open from the bottom. On the rear façade (south side), an existing, narrow double hung window will be replaced with two larger double hung windows, side by side and a second, smaller double hung window will also be added. This window reconfiguration on the structure will allow for greater space efficiency with regard to the bathroom fixtures on the first and second floors as well as to provide added privacy to the bathrooms and the walk-in closet on the second floor. It should also be noted that all windows in the home will be converted from a 2-over-1 double hung style to a 1-over-1 double hung style, unless specified otherwise above.

The Applicant is also proposing to alter the roof line and add a roof deck at the second level in the rear of dwelling. The existing hip roof and gabled roof in the rear of the structure are both failing structurally. The Applicant is proposing to make the existing hip roof a flat roof and to make the gabled roof flat as well to create a roof deck that can be accessed from the master bedroom via a new door opening and accompanying window. No stairs are proposed from this deck to the ground as is currently the case with the existing second story deck. Included in this project is a by right, two story addition that will be placed in the southern corner of the home which will replace the existing second story deck with a concrete patio area underneath. The addition will allow for more space on the first and second floors, as well as for a portion of the proposed roof deck to be situated.

3. Nature of Application: This is a residential property within an RA district. The structure is currently nonconforming with respect to the side yard setback (northeast side) and the rear yard setback (southeast side) of the property. The existing nonconformities require the Applicant to obtain a special permit under Somerville Zoning Ordinance (SZO) §4.4.1 revise window openings on the north, east, and south elevations and to alter the roof line and add a roof deck at the second level in the rear of the existing single-family residence. As part of the project, the Applicant is also going to build a by right, two story addition in the southern corner of the home.

4. Surrounding Neighborhood: This property is located in a RA district. The structures in the surrounding neighborhood consist predominantly of a mixture of single- and two-family dwellings between 2 and 3 stories. There are also a few three-family homes in the neighborhood as well.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as the proposed window and roof reconfigurations would not appear to be detrimental to the immediate abutters or the surrounding area. The massing forms, fenestration, and exterior trim details are in the same style as the existing single- and two-family dwellings in the neighborhood. The work to be performed under the requested special permit would add minimal construction activity to the extensive renovations to the

home that will already be occurring. The Board has included conditions in this special permit to help alleviate the potential dust, noise, and air quality issues that may arise from the construction processes. The character of the original house will remain intact and the Applicant is proposing to install siding on the entire dwelling that matches the original materials found under the composite shingles. Furthermore, as the Applicant is only reconfiguring window openings and roof lines within the existing nonconforming setbacks on the northeast and southeast sides of the property, they would not worsen the existing nonconformities of the structure. There are no anticipated negative impacts from the proposal.

6. Green Building Practices: The building envelope and mechanical systems will be exceptionally efficient. Upon project completion, the new structure will also be using low flow fixtures.

7. Comments: Although the plans submitted by the Applicant show that there are three trees located in the rear of the property, upon conducting a site visit, Staff found that there were now only two trees located in the rear of the lot. The Board would like to ensure that these two remaining trees are preserved and has included a condition as part of this special permit to achieve this.

Fire Prevention: Have been notified and are awaiting comments.

Ward Alderman: Alderman Gewirtz has been notified but has not provided comments at this time.

Historic Preservation: Please see the attached memorandum from Historic Preservation Planner Kristi Chase regarding the project.



Existing Conditions



Existing Conditions

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.
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.

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 “promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels.”

The proposal is consistent with the purpose of the district (6.1.1. RA - Residence Districts), which is, “To establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.”

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 project is compatible with the characteristics of the surrounding area. The Applicant is proposing to reconfigure window openings on three sides of the home, to flatten the existing, structurally failing, hip and gable roofs in the rear of the home, and to install a roof deck that will be accessed from the second floor master bedroom. The property will remain a 2.5 story, single-family residential use which is consistent with the surrounding neighborhood.

5. Adverse environmental impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

No adverse impacts are anticipated from this project. The structure will remain a 2.5 story, single-family dwelling and will continue to be used for residential purposes. While the number of window openings on the eastern side of the structure will be increasing, the total square footage of window openings will actually be decreasing which should in turn provide additional privacy the residents of 75 Wallace Street and the neighbors to the east.

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**. Furthermore, the Planning Board recommends the following conditions.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes														
1	Approval is to alter a nonconforming structure under SZO §4.4.1 to revise window openings on the north, east, and south elevations and to alter the roof line and add a roof deck at the second level in the rear of an existing single-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	PIng.															
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(February 8, 2011)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>February 7, 2011 (February 22, 2011)</td><td>Drawing Set Intended for Zoning Board of Appeals Cover Sheet</td></tr><tr><td>November 30, 2010 (February 22, 2011)</td><td>ZBA-1, ZBA-4, ZBA-6, ZBA-7</td></tr><tr><td>March 7, 2011 (February 22, 2011)</td><td>ZBA-2</td></tr><tr><td>September 3, 2010 (February 22, 2011)</td><td>ZBA-3</td></tr><tr><td>February 20, 2011 (February 22, 2011)</td><td>ZBA-5, ZBA-8, ZBA-9</td></tr></table>				Date (Stamp Date)	Submission	(February 8, 2011)	Initial application submitted to the City Clerk’s Office	February 7, 2011 (February 22, 2011)	Drawing Set Intended for Zoning Board of Appeals Cover Sheet	November 30, 2010 (February 22, 2011)	ZBA-1, ZBA-4, ZBA-6, ZBA-7	March 7, 2011 (February 22, 2011)	ZBA-2	September 3, 2010 (February 22, 2011)	ZBA-3	February 20, 2011 (February 22, 2011)	ZBA-5, ZBA-8, ZBA-9
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Any changes to the approved site plans, elevations, or use that are not <i>de minimis</i> must receive SPGA approval.																		
2	The Applicant shall meet the Fire Prevention Bureau’s requirements.	CO	FP															
3	All existing details such as eaves, brackets, moldings, and rake returns shall be restored or replicated.	CO	PIng.															
4	Existing and new façades shall receive new painted cedar clapboards and trim to match the original materials found under the composite shingles.	CO	PIng.															
5	The two remaining trees in the rear of the property shall be retained.	CO	PIng.															
6	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P															

7	To the maximum extent feasible the Applicant will utilize strategies during construction to mitigate dust and control air quality, to minimize noise and to implement a waste recycling program for the removed debris.	During Construction	OSE/ISD	
8	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.	

Sincerely,



Kevin Prior
Chair

Cc: Owners and Applicants: Daniel and Jenny Stodolsky
Agent: Jon Lannan



75 Wallace Street

To: Planning Division
From: Kristi Chase, Preservation Planner, and
Brandon Wilson, Executive Director
RE: Staff Recommendations 2/24/11

HPC 11.18 – 75 Wallace Street

Applicants: Daniel and Jenny Stodolsky

Historic and Architectural Significance

Davis Square is a well-preserved early twentieth century commercial district. It is currently a thriving center of mixed uses, incorporating many commercial businesses, restaurants, offices, entertainment venues, and houses. Its earliest phase of notable residential development, a suburban building boom, occurred from 1865-1873. It happened largely in anticipation of and the subsequent introduction of the Lexington and Arlington Branch of the Boston and Maine Railroad to the area in 1870-1871.

This house has not been surveyed and is not a designated property. Preliminary map and Directory research done by the Staff finds that this Italianate style house was constructed before 1874 according to the Hopkins Atlas of that year. The owner is shown to be Alexander Miller, a tinplate worker. The 1874 City Directory shows the address as 26 Wallace Street.



Existing Conditions

This house has been reasonably well-maintained but does need repair of rotting and damaged soffit, fascia and eave details.

Recommendations

Many of the proposed changes to the house, such as siding replacement with clapboard follow HPC Design Guidelines for appropriate alterations and are extremely welcome. These Guidelines recognize that alterations are made as a response to changing conditions and if done with respect, can enhance a property.

As to the roof and dormer, HPC Guidelines for roofs state that one should:

1. Preserve the integrity of the original or later important roof shape.
2. Retain the original roof covering whenever possible. If the property has a slate roof, conserve the roof slates. Slate is a near-permanent roofing material, and deterioration is generally caused by rusted roofing nails.
3. Whenever possible, replace deteriorated roof covering with material that matches the old in composition, color, size, shape, texture and installation detail.

4. Preserve the architectural features that give the roof its distinctive character, such as cornices, gutters, iron filigree, cupolas, dormers and brackets. Downspouts should be inconspicuously located and should be painted to match the color of the siding.
5. New dormers will be permitted if they are related to the forms, proportions, size and arrangement of existing windows, and constructed in matching materials and colors. If possible, new dormers should be confined to the rear of the house.

As can be seen in the Guidelines noted above the alteration of the roof and windows on the rear ell are less appropriate. Generally changing a roof pitch is not recommended, depending on visibility. This does not appear to be a particularly visible alteration. Cross gable dormers should have the same pitch as the roof.

HPC Guidelines for windows:

1. Retain original and later important door and window openings where they exist. Do not enlarge or reduce door and window openings for the purpose of fitting stock window sash or doors, or air conditioners.
2. Whenever possible, repair and retain original or later important window elements such as sash, lintels, sill, architraves, glass, shutters and other decorative elements and hardware. When replacement of materials or elements is necessary, it should be based on physical or documentary evidence.

Ideally on a front facade, an obscuring glass might be used in place of the existing clear glass in the sash and the size of the window sash and casing should not be altered. However given the intended use of the rooms behind the affected windows and their distance from the street, alternatives could be used. In the proposed re-use of a small “Queen Anne” piano window and a reproduction of the same, the windows could be read as illuminating a stairway located in an enclosed porch. This would be a quite feasible and a reasonable way to deal with privacy issues and might have been used historically.

Staff finds that these changes are basically in-keeping with HPC Design Guidelines and recommends approval.