



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

*PLANNING DIVISION*

**PLANNING BOARD MEMBERS**

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JOSEPH FAVALORO  
ELIZABETH MORONEY  
JAMES KIRYLO  
DANA LEWINTER, ALT.

**Case #:** ZBA 2010-57  
**Date:** October 21, 2010  
**Recommendation:** Conditional Approval

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**PLANNING BOARD RECOMMENDATION**

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**Site:** 29 & 33 Ward St

**Applicant Name:** Scott Flanagan

**Applicant Address:** 33 Ward St

**Property Owner Name:** same

**Alderman:** Maryann Heuston

Legal Notice: Applicant and Owner Scott Flanagan seeks a special permit (SZO §4.4.1) to allow the expansion of an existing three-car garage by constructing a second level for use as a workshop and adding a 10 foot two-story addition to accommodate a stairway.

Zoning District/Ward: BA Zone / Ward 2

Zoning Approval Sought: SZO §4.4.1

Date of Application: 9/27/10

Dates of Public Meeting • Hearing: Planning Board 10/21/10 • Zoning Board of Appeals 11/3/10

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Dear ZBA members:

At its regular meeting on October 21, 2010 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, Elizabeth Moroney, and Dana LeWinter absent, to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:



**CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143**  
**(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722**  
**[www.somervillema.gov](http://www.somervillema.gov)**



## I. PROJECT DESCRIPTION

1. Subject Property: The subject property, 29 Ward Street, is a 3,500 sf lot on which is a two and one-half story dwelling and a concrete block garage. The garage is constructed along the property line in the rear and hangs two feet over the property line onto 33 Ward Street. Both properties are owned by the Applicant.
2. Proposal: The proposal is to expand an existing three car garage by constructing a second level and a ten foot extension on the left side. The addition would be approximately 1,000 sf. The proposed use of the space is for a personal workshop. The Applicant is proposing that the siding for the front and left side of the structure be hardie-plank. The material and openings for the rear and right side of the structure will be dictated by building code to be of fireproof construction.



3. Nature of Application: The garage structure is currently nonconforming with respect to the rear yard setback. The proposal extends the nonconformity with the addition of ten feet on the left side of the garage and an additional story. Due to the existing nonconformities of the structure the Applicant must obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

The addition will not create any new nonconformities with ground coverage, landscaped area, floor area ratio or building height requirements. Two structures are allowed on a lot in the BA zoning district.

4. Surrounding Neighborhood: The abutting properties are comprised of commercial uses. There is a metal, 15 foot structure to the rear and a 1 ½ story factory building to the left side of the site. There is a small Residence B zoning district with residential houses across the street.

5. Impacts of Proposal: There are no foreseen negative impacts from the proposal since the abutting properties are commercial and there is a metal structure to the rear of the garage. The two subject properties are owned by the same person and the tenants are aware of the proposal.

6. Green Building Practices: None.

7. Comments:

*Fire Prevention:* "The proposed addition and second floor workshop at 29 & 33 Ward Street, if it is for the purpose of woodworking, will require a complete sprinkler system as required by M.G.L. Chapt. 148, section 26, with a code compliant fire alarm system to be monitored by a licensed central station fire alarm company."

*Ward Alderman:* Has been contacted but has not provided comments.

*Historic Preservation:* The garage is a circa 1927 concrete block garage of which there are thousands in the City. Staff are not concerned with alterations to the structure.

## **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. Many of the structures in the area are constructed along the rear property line as is proposed and the addition will not exceed any of the other dimensional requirements.

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 maintaining the uniquely integrated structure of uses in the City. The proposal is also consistent with the purpose of the district, as the workshop would be useful for the residential use as well as fit with the commercial uses surrounding the site.

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.”

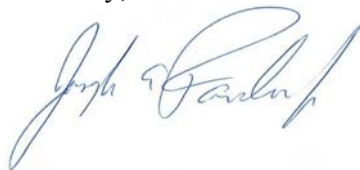
The structure is built to be compatible with the surrounding area. The structure would be slightly higher than the metal structure that abuts it. The siding of clapboard proposed for the front and left side is consistent with the residential property and the rear and rights side materials will be dictated by the building code. A proposed condition is for the Applicant to add brackets under the cantilever to aesthetically balance the second story.

**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 expansion of a garage for a personal workshop. 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>9/27/10</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>8/3/10 (10/19/10)</td><td>Plans submitted to OSPCD (Site Plan)</td></tr><tr><td>7/2/10 (10/19/10)</td><td>Pplans submitted to OSPCD (A-O elevations and floor plans)</td></tr></table>				Date (Stamp Date)	Submission	9/27/10	Initial application submitted to the City Clerk’s Office	8/3/10 (10/19/10)	Plans submitted to OSPCD (Site Plan)	7/2/10 (10/19/10)	Pplans submitted to OSPCD (A-O elevations and floor plans)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.												
2	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP									
3	The Applicant shall place brackets under the cantilever to aesthetically balance the second story.	CO	Plng.									
4	The rear and right side elevations will be dictated by the MA State Building Code.	Building Permit	ISD									
5	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,



Joseph Favaloro  
Acting Chair

Cc: Applicant/Owner: Scott Flanagan

