



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2016-16

**Date:** March 16, 2016

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 7 Gould Avenue

**Applicant Name:** Alex Van Praagh

**Applicant Address:** 95 Antrim #3, Cambridge MA, 02139

**Owner Name:** Alex Van Praagh

**Owner Address:** 95 Antrim #3, Cambridge MA, 02139

**Agent Name:** NA

**Agent Address:** NA

**Alderman:** Robert McWatters

**Legal Notice:** Applicant & Owner, Alex Van Praagh seek a Special Permit to modify a nonconforming structure by adding a second level rear addition. RB zone. Ward 3.

**Dates of Public Hearing:** March 16, 2016

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**I. PROJECT DESCRIPTION**

1. **Subject Property:** The subject property is a 2,535 sf lot located between Gould and Arnold Avenues, both private ways. The lot contains a 1,338 sf two-family structure. The front portion of the structure is 1-1/2 stories with a gabled roof and contains one dwelling unit. The rear portion of the structure is a single story with a flat roof and contains the second dwelling unit. The property slopes down approximately 5' from the front to the rear.



Aerial view of property



Street view of property (front/Gould)



Street view of property (rear/Arnold)

2. Proposal: The proposed addition would add approximately 1,200sf of floor area, and convert both units from two-bedroom to three-bedroom units. The geometry of the front portion of the house would remain relatively unchanged, while a 1-1/2 story addition would be added on top of the existing flat roofed rear portion of the existing structure, and a portion of the basement would be finished. One unit would be split between the basement and the first floor, the second unit would share the second and third floors. The portion of the basement in the rear of the lot would not count as a story as the ceiling height is less than 5' above the average finished grade abutting the building.

3. Green Building Practices: None listed in application.

4. Comments:

*Ward Alderman*: Alderman has been contacted

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4; 9.13):**

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."*



The structure is currently nonconforming with respect to the following dimensional requirements: front yard, rear yard, and side yard setbacks.

The current front yard setback is 9', 10' is required. The front yard setback will be reduced to 4.7' by the addition of a front porch. The current rear yard setback is approximately 2.2', 20' is required. The rear yard setback will not be impacted. The side yard setback is currently 11.5' on one side, and 2.5-3.6' on the other. 8' is required for 2-1/2 story buildings. The side yard setback will not be impacted on the 2.5-3.6' side, but the side yard on the 11.5' side will be reduced to 8' where the stair comes down from the second unit. The rear of the structure will be made taller on both the nonconforming side yard and rear yard. This alteration to a nonconforming structure requires 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 one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

In considering a special permit under §4.4 or 4.5 of the SZO, Staff find 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 The purposes of the Ordinance are 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 provide adequate light and air; to prevent the overcrowding of land; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; to protect and promote a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the district, which is, RB - Residence Districts. To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.

The existing two units of two bedrooms each required a total of 3 parking spaces. By adding two bedrooms the parking requirement increased to a total of 4 spaces. Previously there was no on-site parking. The proposal includes two parking spaces in the side yard on permeable paver, leaving 2 required spaces not accounted for through onsite parking. Per SZO Section 9.13, projects that require 6 or fewer parking spaces may modify the parking standards by Special Permit, as such this project requires a Special Permit for two spaces of parking relief. The provision of 2 spaces of parking relief will not cause detriment to the surrounding neighborhood through any of the following criteria: increase in traffic volumes, increased traffic congestion due to queuing of vehicles, change in the type of traffic, reduction in on-street parking, or unsafe conflict of motor vehicle and pedestrian traffic.

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."*

*Surrounding Neighborhood:* The surrounding neighborhood contains a mix of residential structures ranging from 1-1/2 to three stories, of various cladding materials and architectural styles, many with numerous additions and nonconforming front yard and side yard setbacks.

*Impacts of Proposal (Design and Compatibility):* The proposed addition significantly increases the size of the structure; however, it does so in a thoughtful and sensitive way that breaks up the overall massing, and actually brings the structure closer to the scale of the surrounding buildings. The detailing, materials and architecture of the proposal will be a significant improvement over the existing structure, and will help improve the overall character of both Gould and Arnold Avenues. If approved, the proposal will transform a relatively nondescript home into one of the nicer homes in the neighborhood, and will hopefully serve as an example to other developers and contractors that will do work in the area.

\*(See example of applicant's previous development work in Somerville on last page of Staff Report)

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.*

*Impacts of Proposal (Environmental):* No adverse impacts on the surrounding area anticipated as a result of excessive noise, illumination, glare, dust smoke or vibration, or from emissions of noxious materials, or pollution of water ways or ground water, or interference with radio or television signals.

6. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

*Impacts of Proposal (Circulation):* No traffic congestion or potential for accidents are anticipated as a result of this structure.

7. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

8. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

9. Impact on Affordable Housing: *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to*

*how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

### III. RECOMMENDATION

#### Special Permit under §4.4; 9.13

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

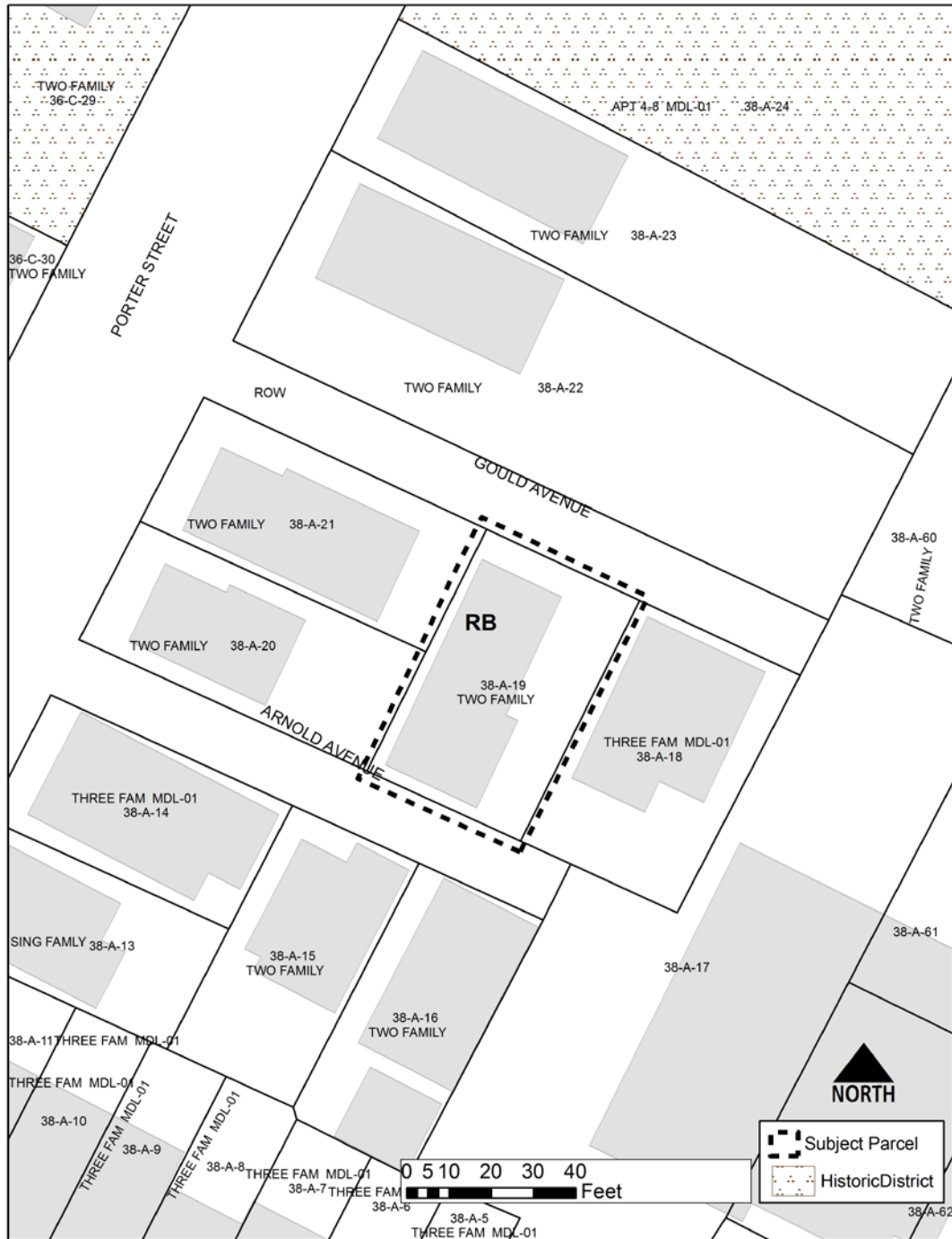
The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the Special Permit to modify a nonconforming structure. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Pln g.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>February 10, 2016</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>March 3, 2016</td><td>Plans submitted to OSPCD (1-18)</td></tr></table>				Date (Stamp Date)	Submission	February 10, 2016	Initial application submitted to the City Clerk’s Office	March 3, 2016	Plans submitted to OSPCD (1-18)
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	March 3, 2016				Plans submitted to OSPCD (1-18)					
Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.										
Pre-Construction										
2	The Applicant shall submit a proposed drainage report, stamped by a registered PE in Massachusetts that demonstrates compliance with the City’s stormwater policy.	BP	Eng.							
3	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	BP	Eng							

4	New sanitary connection flows over 2,000 GPD require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy is issued.	BP	Eng.	
<b>Construction Impacts</b>				
5	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
6	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Cont.	Plng.	Deed submitted & application formed signed
7	The Applicant shall at their 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 to DPW standard.	CO	DPW	
8	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	
<b>Design</b>				
9	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction.	BP	Plng.	
10	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector	
<b>Site</b>				
11	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
12	The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
<b>Public Safety</b>				
13	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	

**Final Sign-Off**

14	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.	
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**47 Harrison Street,  
Somerville**

Redesign of exterior and  
landscape of two-family home.

Alex Van Praagh Design/Build