



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

*PLANNING DIVISION*

**STAFF**

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ADAM DUCHESNEAU, *PLANNER*

DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2012-25

**Date:** April 12, 2012

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 280 Broadway

**Applicant Name:** Amos G. Winter

**Applicant Address:** 49 Roseland Street, Apt. 6, Cambridge, MA 02139

**Property Owner Name:** Fred Camerato

**Property Owner Address:** 342B River Street, Newton, MA 02465

**Alderman:** Tony Lafuente

Legal Notice: Applicant Amos G. Winter and Owner Fred Camerato, seek a Variance under SZO §5.5 for relief from the minimum side yard setback under SZO §8.5.H, relief from the minimum rear yard setback under SZO §8.5.I, and relief from the dimensional requirements of SZO §6.1.22.G.5 to install a second means of egress from the second story of the rear structure at the property. CCD 55 zone. Ward 4.

Zoning District/Ward: CCD 55 zone / Ward 4

Zoning Approval Sought: Variance under SZO §8.5.H, §8.5.I, §6.1.22.G.5, and §5.5

Date of Application: March 21, 2012

Dates of Public Hearing: Zoning Board of Appeals – **April 18, 2012**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 12,944 square foot lot with two principal structures located near the intersection of Broadway and Sargent Avenue. The structure at the front of the lot is a three story, six unit residential building with 4,070 square feet of living space. The structure at the rear of the lot is a two story, two unit commercial condominium building with 2,092 square feet of usable square feet with two garage parking spaces on the first floor.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143

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2. **Proposal:** The Applicant is proposing to renovate the existing rear, two unit commercial condominium building into one residential dwelling unit which he would occupy. The first floor of the structure would remain as is with two garaged parking spaces and the living space would all be located on the second floor. The new residential dwelling unit would have two bedrooms, a living room, a dining room, a kitchen, an office, two bathrooms, and a laundry area. The exterior of the structure would remain the same with the exception of a new egress door proposed from the second floor on the left side of the structure. This door would open out to a steel stairway that would descend down along the left side of the building and wrap around to the back of the structure where it would meet the ground. The stairs would be four feet wide which would still leave three feet of space for access around the left side of the building. The Applicant is not proposing any other changes to the exterior of the structure, nor any changes to the existing six unit residential building at the front of the lot.

3. **Nature of Application:** The property is located in the Corridor Commercial District 55 (CCD 55). Any time an Applicant wishes to establish a residential unit in either of the Corridor Commercial Districts, CCD 55 or CCD 45, it requires Special Permit approval. Additionally, alterations to an existing or approved façade other than a one-for-one replacement require a Special Permit under SZO §6.1.22.D.5.a with findings giving consideration to the Design Guidelines of SZO §6.1.22.H. The Special Permit Granting Authority (SPGA) in the CCD 55 district is the Planning Board. The Applicant went before the Planning Board on Thursday, April 5, 2012 to request these Special Permits. During the hearing it was brought to the attention of the Planning Board by the Treasurer/Collector's Office that the property had outstanding tax issues from 2011 and 2012 and, while the Planning Board stated that they were entirely in support of the project, the Board desired these tax issues to be resolved before they moved to vote on the project. As a result, the Planning Board continued the case to their next meeting on Thursday, April 19, 2012. As of Friday, April 6, 2012, the very next day, these outstanding tax issues had been resolved. Since the outstanding tax issues have now been addressed, it is anticipated that the Applicant will receive approval for both of the requested Special Permits for the proposed project at the Planning Board's next hearing.

However, to implement the actual stairway on the left and rear sides of building would also require a Variance because the rear building at the property is nonconforming with regard to the side and rear yard setbacks for the district. Any construction that increases these existing nonconforming side and rear yard setbacks in a CCD district would require a Variance as stated in §6.1.22.B. Variances in a CCD district need Zoning Board of Appeals approval. Therefore, the Applicant is now before this Board seeking a Variance under SZO §5.5 for relief from the minimum side yard setback under SZO §8.5.H, relief from the minimum rear yard setback under SZO §8.5.I, and relief from the dimensional requirements of SZO §6.1.22.G.5 to install a second means of egress from the second story of the rear structure at the property.

4. **Surrounding Neighborhood:** The property is located in a CCD 55 district on Broadway in an area which consists of a mix of residential and commercial uses. Behind the property and on its sides is an RB district which contains two-, three-, and multi-family dwellings. At the front of the property on the Broadway streetscape, the property abuts small retail uses on either side. Commercial, restaurant, and retail uses are located in the area across Broadway and for blocks on either side of the property. Most of the structures in the area are between 2½ and 3 stories in height.

5. **Impacts of Proposal:** The proposed change of use for the rear building from a two unit commercial condominium building to a single unit residential dwelling will not be detrimental to the direct abutters or the surrounding neighborhood. The residential use is consistent with the surrounding area, which is residential in nature on three sides of the subject property containing two-, three-, and multi-family dwellings. The exterior of the structure would remain the same with the exception of a new egress door proposed from the second floor on the left side of the structure. This door would open out to a

steel stairway that would descend down along the left side of the building and wrap around to the back of the structure where it would meet the ground. This proposed new egress door and stairway for egress purposes would also not be detrimental to the abutters or the surrounding neighborhood. The design of the stairway is simple and does not impact the overall design of the rear structure or infringe upon the neighboring properties. The Applicant is not proposing any other changes to the exterior of the structure, nor any changes to the existing six unit residential building at the front of the lot. The rear building will remain a two-story structure with garage spaces on the first floor and therefore, there are no anticipated negative impacts from the proposal. Planning Staff does have concerns about the existing parking spaces shown on the Amended Site Plan and are proposing a condition to ensure that all of the spaces on the lot are of a conforming nature.

6. Green Building Practices: None indicated.

7. Comments:

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

*Ward Alderman:* Alderman Lafuente has been contacted but has not yet provided comments. However, it should be noted here that Alderman Lafuente spoke in favor of the project at the Thursday, April 5, 2012 Planning Board hearing.

*Historic Preservation:* Stated the following to Planning Staff in a memorandum dated March 29, 2012 (referenced attachments are included with this Staff Report):

**HPC 12.028 – 280 Broadway**

Applicant: Amos G. Winter and Fred Camerato, Owner

Historic and Architectural Significance

This carriage house/stable has received major alterations since the building was originally surveyed. See attached Form B for the original form and significance of the building. Due to these alterations much of the original historic value has been lost.

Proposed Work and Recommendations

5.4.6.7 of the Zoning Ordinance clearly states that building and landscape design shall be in harmony with the prevailing character and scale of buildings in the neighborhood.

The proposed changes will not affect the historic integrity of the building or the existing streetscape.



Existing Two Unit Commercial Building at the Rear of the Property



Existing View of Rear Structure from the Broadway Streetscape





Existing View of Left Side of Rear Structure  
(At Left)

Existing View of Rear Façade of Rear Structure (Below)



**II. FINDINGS FOR VARIANCE (Dimensional Requirements of §8.5.H, §8.5.I, and §6.1.22.G.5)**

In order to grant a Variance the Zoning Board of Appeals must make certain findings and determinations as outlined in §5.5.3 of the SZO.

1. “There are special circumstances relating to soil conditions, shape or topography of land or structures which especially affect such land or structures but not affecting generally the zoning district in which it is located, causing substantial hardship, financial or otherwise.”

The existing rear structure at the property is nonconforming with regard to the side and rear yard setbacks required of a structure in the CCD 55 district that abuts a residential district. To construct any kind of external stairway on the sides or rear of the rear building, even one that would only serve for fire escape purposes and as a second means of egress from the second floor, would require a Variance. The existing internal stairs land directly in front of the front door, making an external stairway on the front of the structure not beneficial for safety purposes. Additionally, from an aesthetic point of view, an external stairway on the front of the rear structure would not look pleasing. It is also not feasible or practical to demolish a portion of the existing structure to construct a second means of egress as-of-right. To construct an as-of-right external second means of egress would require one side of the structure to be torn down and pulled back at least seven feet on any side to allow enough clearance to construct a code compliant stairway. Additionally, the creation of a second internal stairway or creating a fire-rated hallway on the first floor which used the existing internal stairway for a fire escape from the second floor would not be safe and would be cost prohibitive as well. Therefore, Planning Staff finds that there are special circumstances related the structures at the property that are causing a hardship to the Applicant that is not generally affecting the zoning district in which the property is located.

2. “The specific variance as may be granted by the Board is the minimum variance that will grant reasonable relief to the owner, and is necessary for a reasonable use of the building or land.”

The external stairway that the Applicant is proposing to construct would require the minimum Variance necessary to meet building code and to provide a safe, secondary means of egress from the proposed residential unit. The external stairway would be the minimum width permissible for an egress stairway. The Applicant is proposing a four foot wide external, steel stairway that would descend down the left side of the rear building and wrap around the back of the structure where it would meet the ground. Without a second means of egress, the existing rear structure at the property could not be used for a residential unit. Additionally, an internal fire-rated corridor on the first floor that would lead to a second egress door on the first floor would not make sense structurally, financially, spatially, or safety-wise. The existing internal stairway lands at the front of the building by the front door and creating a fire-rated hallway away from the front door to the side or rear of the building for a fire escape would not make sense or improve the fire safety situation in the building. The proposed external stairway from the second floor creates the safest and most efficient second means of egress from the proposed living space on the second floor. The rear building, which was renovated as commercial condominiums, has been vacant since its conversion, most likely due to its greatly recessed location off of the Broadway streetscape. The Applicant would like to make reasonable use of this structure by renovating it to create a residential unit for himself, but requires this second means of egress to make the space habitable. Therefore, Planning Staff finds that the requested Variance is minimum necessary to make reasonable use of this existing structure.

3. “The granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of the nearby buildings, the Board, in making its findings, shall take into account the number of persons residing or working in such buildings or upon such land, and the present and probable future traffic conditions.”

The proposed external stairway that would be created as a result of this Variance would not be detrimental to the Somerville Zoning Ordinance or the surrounding neighborhood. The stairway would only require a minimal four foot Variance from the dimensional requirements of the district to construct the external stairway on the left side and rear of the rear structure. The stairway would only be used as a secondary means of egress from the second floor of the proposed single-family unit in which the Applicant would be living. The primary egress would be through the front of the building and one would use the existing internal stairway to get to and from the habitable space on the second floor. The proposed steel external stairway would make the structure much safer in the event of a fire. Additionally, there are other means of secondary egress similar to this style in the surrounding neighborhood. The stairway would not negatively impact the neighbors on the side or rear of the property either. Furthermore, the proposed project meets the purpose of the Corridor Commercial District to “recognize that such corridors present opportunities for an active mix of uses while also addressing development challenges posed by smaller lots and nearby residential development....” Therefore, Planning Staff finds that the creation of this steel external stairway would not be substantially more detrimental or injurious to the public or the surrounding neighborhood than the existing structure.

### III. RECOMMENDATION

#### **Variance under §5.5.3 from the Dimensional Requirements of §8.5.H, §8.5.I, and §6.1.22.G.5**

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

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 relief from the minimum side yard setback under SZO §8.5.H, relief from the minimum rear yard setback under SZO §8.5.I, and relief from the dimensional requirements of SZO §6.1.22.G.5 to install a second means of egress from the second story of the rear structure at the property. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.																					
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(March 21, 2012)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>June 23, 2010 (March 27, 2012)</td><td>Amended Site Plan</td></tr><tr><td>April 20, 2010 (March 27, 2012)</td><td>Units Plan (Units 1, 2, 3, 4, 5, 6, 7, &amp; 8)</td></tr><tr><td>May 11, 2011 (March 27, 2012)</td><td>Units Plan (Units 7 &amp; Unit 8)</td></tr><tr><td>(March 27, 2012)</td><td>First Floor Plan</td></tr><tr><td>(March 27, 2012)</td><td>Second Floor Plan (Demo Plan)</td></tr><tr><td>(March 27, 2012)</td><td>Second Floor Plan (New Floor Plan)</td></tr><tr><td>(March 27, 2012)</td><td>Egress Plan</td></tr><tr><td>March 15, 2012 (March 27, 2012)</td><td>Left Side Elevation, Rear Elevation, and Isometric View (Sheets 1, 2, and 3)</td></tr></table>				Date (Stamp Date)	Submission	(March 21, 2012)	Initial application submitted to the City Clerk’s Office	June 23, 2010 (March 27, 2012)	Amended Site Plan	April 20, 2010 (March 27, 2012)	Units Plan (Units 1, 2, 3, 4, 5, 6, 7, & 8)	May 11, 2011 (March 27, 2012)	Units Plan (Units 7 & Unit 8)	(March 27, 2012)	First Floor Plan	(March 27, 2012)	Second Floor Plan (Demo Plan)	(March 27, 2012)	Second Floor Plan (New Floor Plan)	(March 27, 2012)	Egress Plan	March 15, 2012 (March 27, 2012)	Left Side Elevation, Rear Elevation, and Isometric View (Sheets 1, 2, and 3)
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March 15, 2012 (March 27, 2012)	Left Side Elevation, Rear Elevation, and Isometric View (Sheets 1, 2, and 3)																							
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.																								
2	Applicant shall comply with Fire Prevention Bureau’s requirements.	CO	FP																					
3	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties or the night sky.	CO	Plng.																					

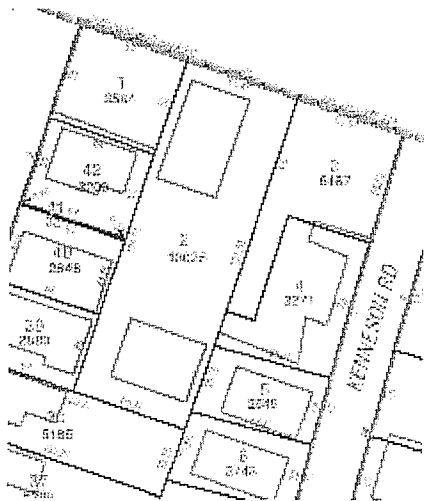
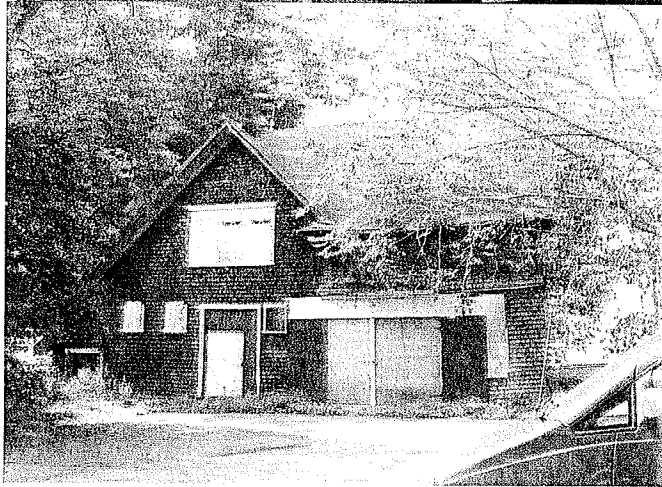
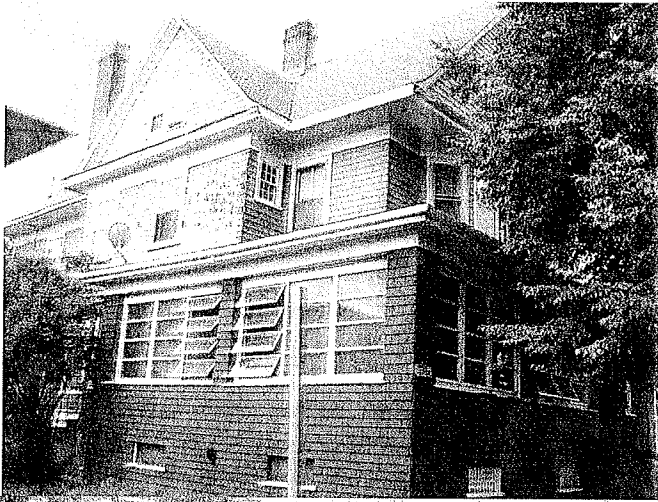


4	The Applicant or Owner shall remove the pavement markings for the parking spaces numbered 10, 11, 14, 15, and 16 as shown on the Amended Site Plan.	CO	Plng.	
5	The Applicant or Owner shall ensure that the areas on the left side, right side, and rear of the structure that will contain the new dwelling unit will all meet the definition of "Landscaping" under Section 2.2.81 of the Somerville Zoning Ordinance.	CO	Plng.	
6	No vehicles shall be parked outside of the designated parking spaces on the lot or in the garages.	Perpetual	ISD	
7	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.	



# FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION  
MASSACHUSETTS ARCHIVES BUILDING  
220 MORRISSEY BOULEVARD  
BOSTON, MASSACHUSETTS 02125



Assessor's Number	USGS Quad	Area(s)	Form Number
71-B-2	Boston North		

Town Somerville

Place (neighborhood or village) Winter Hill

Address 280 Broadway  
Historic Name Elbridge G. Davis House  
Uses: Present 6-Family  
Original 1 Family Residence

Date of Construction 1901

Source Engineering Department Sewer Records

Style/Form House: Shingle/ Colonial Revival / Cross Gable

Carriage House: Shingle / Cross Gable

Architect/Builder Unknown

Exterior Material:

Foundation Granite Block

Wall/Trim Wood Shingle

Roof Slate

Outbuildings/Secondary Structures

Shingle Style Carriage House

Major Alterations (with dates)

Porch enclosed, 1960s

Condition Good

Moved ☒ no ☐ yes Date

Acreage 13,025 SF

Setting House is located between two single story commercial blocks on a major road near Foss Park; carriage house is set well back from the street against the lot line.

Recorded by Kristi Chase  
Organization Historic Preservation Commission  
Date (month / year) November, 2005

# INVENTORY FORM B CONTINUATION SHEET

[SOMERVILLE ]

[280 BROADWAY ]

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Recommended for listing in the National Register of Historic Places.

*If checked, you must attach a completed National Register Criteria Statement form.*

*Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.*

## ARCHITECTURAL DESCRIPTION:

*Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.*

**House:** 280 Broadway, sandwiched between two single story commercial blocks, is a fine example of the Shingle Style homes constructed along Broadway at the beginning of the 20<sup>th</sup> century. Shingle style is characterized by the extensive use of wood shingles right up to the corners of the buildings emphasizing the massing of a building. Shingle Style buildings are often asymmetric and picturesque.

Located on the south side of Broadway, the cross-gabled 2 ½-story three-bay-by-four-bay shingle style house rises from a granite block foundation. A wrap around front porch with shingled posts and enclosed by louvered windows circa 1980 is punctuated by a Colonial Revival pediment over the entry at the top of a short flight of brick steps. The entry is located at the west end of the porch, where a modern door is inset. As is common on the many turn of the twentieth century houses built in the shingle style in Somerville, the Davis House exhibits Colonial Revival details in the fenestration and use of decorative elements such as the pediment on the porch over the entry and the leaded glass in the foyer on the west side of the building. The windows contain predominantly multi-pane upper sash, either in a diamond or regular configuration, over single pane sash. A belt course marks the floors at the rear and sides of the house. Symmetrical bays on the front façade enliven the second floor under deep eaves with simple soffits. A triple window with diamond panes is centered on the third story attic. The missing trim would have been the same as that found on the carriage house.

**Carriage House:** While compact, rising only 1-½ stories from its granite foundation, the cross-gabled building has all the hallmarks that exemplify the Shingle Style. Plain shingles tautly cover the entire building except where pierced by windows or doors. The shingles cover the brackets and fill the returns of the eaves with a flare. The eave closest to Kenneson Road drops several feet lower than where the eave meets the lower body of the building, where the stable and carriage area would have been located. The eave returns are filled in with shingles and are supported by shingled brackets. A triple window with diamond panes is located in the center of the gable. Beneath it is a wide door. Two small windows are located to the east and then a low door, that appears to be original, sits near the corner of the building. Another small window is located to the west of the door beneath the gable. The windows and doors have a simple stepped casing, while the lintels, belt course, and fascia match the house. Windows also have the same sash pattern as the house, multi-pane upper sash over single pane lower sash. The stable door appears to have been on rollers under the belt course on the main façade. A dormer (other end of the cross gable) can be glimpsed from Kenneson Road emerging from the side of the building.

This is an exemplary Shingle Style structure with intact identifying features, including continuous wood shingle-cladding uninterrupted at the corners, an asymmetrical façade with irregular, steeply pitched roof with interesting gables and multi-level eaves. The structure displays a high level of architectural integrity. This building is also the only known Shingle Style carriage house in the City. There are numerous out buildings of Vernacular and Italianate Styles, several Second Empire structures, and a few Queen Anne Style barns and carriage houses, but no other Shingle Style outbuildings have been located to date.

This house was built along a busy streetcar line. Given this fact and that the City Atlases note numerous livery stables were located throughout the City, the carriage house would not have been a necessity, but rather a luxury, and emblematic of the high style of the house and carriage house.

# INVENTORY FORM B CONTINUATION SHEET

[SOMERVILLE ]

[280 BROADWAY ]

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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## HISTORICAL NARRATIVE

*Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.*

While the ownership of the land is tied to Albert Kenneson and family until 1900, the building in question is associated with Elbridge Davis, whose occupation in the City Census records is noted as "ice cream."

Albert Kenneson was a Town Selectman during the Civil War. His son Albert Henry is commemorated as one of the fallen soldiers on the Civil War Monument at the Milk Row Cemetery. Father Kenneson had a thriving dairy business due to its prime location on Broadway, a notably well traveled road between Boston and areas to the north and west. According to the 1874 Hopkins and 1895 Bromley maps, numerous buildings were owned by Kenneson off Broadway at the corner of Walnut Street. The dairy industry was a major source of income in the City for over two centuries. Other dairy companies, H. P. Hood, Whiting, Noble, Francis S. Cummings, Seven Oaks, Herlihy, National, and C. A. Woodbury Dairies, to name a few, also flourished in the City.

According to the sewage records of the City's Engineering Department, Elbridge Davis built the structures that were completed in 1901. While not much is known about Elbridge Davis, he was wealthy enough to construct a large Shingle/Colonial Revival house and carriage house on a good-sized lot near the Saxton Foss Park, then a prominent place of relaxation. The City Directories give his occupation as "ice cream". His business was originally located at 83 Main Street in Charlestown and was also known as E.G. Davis & Son at 20 Summer Street at the base of Vinal Avenue. City Directories list him as residing at 280 Broadway until 1915; then his wife Alice remained there until 1925. His daughter Amelia lived in the house until 1933, at which point the house seems to have been divided up into a two-family. In 1946, the current owner, J. Vartabedian, was given a building permit to convert the carriage house into a three-family dwelling. In 1981, Kenneson Realty Corporation turned the house into six apartments.

## BIBLIOGRAPHY and/or REFERENCES

Vincent J. Scully Jr. *The Shingle Style and the Stick Style: Architectural Theory and Design from Downing to the Origins of Wright*, revised edition. New Haven: Yale University Press, 1971.

Roger Reed and Greer Hardwicke, *Carriage house to Auto House: A Guide to Brookline's Transportation Buildings to 194*. Brookline, MA: Brookline Preservation Commission, Department of Planning and Community Development, 2002.

City of Somerville Engineering Department, and Inspectional Services Division Records

City of Somerville Directories

G.M. Hopkins, *Atlas of Somerville*, 1876

Sanborn, *Atlas of Somerville*, 1925

☒ Recommended for listing in the National Register of Historic Places. *If checked, you must attach a completed National Register Criteria Statement form.*

The Commission found on November 15, 2005 that the carriage house meets the criteria for National Register Eligibility due to its architectural merit as a fairly pure example of the Shingle Style, for its associations with the City's dairy industry that thrived from the earliest days of Somerville into the twentieth Century, and for its associations with the pre-automotive era.