



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-53

Date: July 5, 2012

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 278 Cedar Street

Applicant and Property Owner Name: Marianne and Patrick Grenham

Applicant and Property Owner Address: 47 Summit Road, Medford, MA 02155

Agent Name: Richard G. Di Girolamo, Esq.

Agent Address: 424 Broadway, Somerville, MA 02144

Alderman: Sean O'Donovan

Legal Notice: Applicants and Owners, Marianne and Patrick Grenham, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to construct a two story addition at the rear of an existing three-family dwelling. RB zone. Ward 5.

Zoning District/Ward: RB zone / Ward 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: May 23, 2012

Date of Public Hearing: Zoning Board of Appeals – **July 11, 2012**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property consists of a three-family dwelling situated on a 6,416 square foot lot located near the intersection of Cedar Street and Franey Road, one block south of Broadway. The 1½ story wood frame structure has 1,851 square feet of habitable space and a gable roof. The property was recently approved for a new curb cut off of Wilson Avenue at the rear of the lot where four new parking spaces will be added to the property. Combined with the one existing space off of Cedar Street, the lot will have five off-street parking spaces. In 1989, the owner at that time, Jean Campo, applied for zoning relief to subdivide the existing parcel into two smaller lots, along with Variances from the side yard setback, the minimum lot size, and the minimum lot frontage requirement. This application was denied by the Zoning Board of Appeals. In 1993, new owners of the property sought a



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Special Permit for relief from one required off-street parking space to legalize the conversion of a two-family dwelling to a three-family dwelling. This petition was also denied by the Zoning Board of Appeals.

2. Proposal: The subject property slopes downward from front to back as one moves towards the rear of the lot. While the Assessor's Database indicates that the structure is only 1½ stories, the rear of the dwelling acts more as a 2½ story building. There is a garden level unit, a first floor unit that is at grade with Cedar Street, and a second floor unit. The garden level contains a studio apartment and a community laundry area. The first floor contains a three bedroom dwelling unit with a kitchen, dining room, living room, a bathroom, and a study. The second floor is a one bedroom apartment with a living room, kitchen, a bathroom, and access to a private outdoor deck space. All of the units are accessed through a common front door off of Cedar Street. The Applicants are proposing a 575 net square foot rear addition that would increase living space for the garden level and first floor units.

The garden level unit would change from a studio apartment to a one bedroom unit and include a new study. Five new windows and a new doorway would be added to the left side of the structure and one new window would be added to the rear facade, allowing additional natural light to penetrate into the dwelling unit. On top of this proposed garden level unit addition, the first floor unit would add new private outdoor deck space (approximately 240 square feet) and enlarge and shift one of the bedrooms further back into the unit. The existing middle bedroom at the rear of the unit would then become common space and provide access to the new outdoor deck area. The newly created bedroom would have three windows on the left side and one on the rear, along with a door that would provide access directly out onto the private outdoor deck space. As part of these proposed alterations the Applicant has applied for and received permission from the Department of Public Works to install a new curb cut at the rear of the property with access to Wilson Avenue. This new curb cut allows for the addition of four new parking spaces at the rear of the property which will bring the lot into parking compliance as there is already one off-street parking space off of Cedar Street.

3. Nature of Application: This is a residential property within an RB district. The property is currently nonconforming with respect to the minimum lot size, the minimum frontage, and the minimum front, left side, and right side yard setbacks. Alterations to a nonconforming structure, other than a single- or two-family dwelling, requires Special Permit approval prior to filing an application for a Building Permit. The existing setback nonconformities require the Applicant to obtain a Special Permit under Somerville Zoning Ordinance (SZO) §4.4.1 to construct a two story addition at the rear of the existing three-family dwelling.

4. Surrounding Neighborhood: The subject property is located in an RB district near Ball Square, a short distance from the future Ball Square station on the Green Line Extension. The lot is mainly surrounded by residential properties, with two- and three-family properties to the rear and nearby along Cedar Street, but there are also some commercial and multi-family properties in the area as well. The railroad tracks are directly to the south and the project is across the street from Trum Field and the Public Works building on Franey Road. The Community Path is also accessible from Cedar Street, just to the south of the property.

5. Impacts of Proposal: The proposed two story rear addition to the existing structure would not appear to be detrimental to the abutters or the surrounding neighborhood. The proposed addition will maintain the structure's existing side yard setback depths and only extend deeper into the lot towards Wilson Avenue. However, the addition will maintain all other dimensional requirements at the property. This includes landscaping and pervious surface at the property, which will be reduced but still be compliant even with the addition of four off-street parking spaces at the rear of the lot. In fact, these four

new spaces will take a residential use that is nonconforming with regard to parking and make it conforming. This should help to ease the on-street parking situation in the surrounding neighborhood. The alterations to the structure are occurring well back from the street edge at the rear of the property and therefore the changes will not greatly impact the view along the Cedar Street streetscape. There are no character-defining features located at the rear of the building that will be affected by this proposal. Construction impacts will be limited to the rear of the property and the existing structure and vegetation at the site will help to reduce impacts on abutters. Additionally, one side of the property abuts the MBTA Rail Tracks which provide an additional buffer to surrounding neighbors. The property will remain a 1½ story, three-family residential use which is consistent with the surrounding neighborhood. Therefore, only minimal impacts to abutters and the surrounding neighborhood are anticipated once construction is complete.

6. Green Building Practices: None indicated.

7. Comments:

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

Ward Alderman: Alderman O'Donovan has been contacted but has not yet provided comments.

Wiring Inspector: Indicated in an email to Planning Staff Wednesday, June 27, 2012 that smoke detectors, exterior lights and plugs, and interior wiring will all need to meet Electrical Code requirements.



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 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 Permit.
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, Staff finds that the proposed alterations would not be substantially more detrimental to the neighborhood than the existing structure. The proposed addition will maintain the structure's existing side yard setback depths and only extend deeper into the lot towards Wilson Avenue. However, the addition will maintain all other dimensional requirements at the property. This includes landscaping and pervious surface at the property, which will be reduced but still be compliant even with the addition of four off-street parking spaces at the rear of the lot. In fact, these four new spaces will take a residential use that is nonconforming with regard to parking and make it conforming. The property will remain a 1½ story, three-family residential use which is consistent with the surrounding neighborhood.

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; to lessen congestion in the streets; to protect health; 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; and to encourage housing for persons of all income levels."

The proposal is consistent with the purpose of the district (6.1.2. RB – Residence Districts), which is, "To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are 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 proposed rear addition has been designed to be compatible with the characteristics of the built and unbuilt surrounding area. The alterations to the structure are occurring well back from the street edge at the rear of the lot and therefore the changes will not greatly impact the view along the Cedar Street streetscape. The proposed addition will maintain the structure's existing side yard setback depths and only extend deeper into the lot towards Wilson Avenue. There are no character-defining features located at the rear of the building that will be affected by this proposal. The addition should also greatly increase the amount of natural light that will be able to penetrate into the garden level unit through the addition of six new windows. This should greatly improve the habitable space of this dwelling unit. Four additional off-street parking spaces will also be added at the rear of the lot which will take this residential use that is

nonconforming with regard to parking and make it conforming. This should help to ease the on-street parking situation in the surrounding neighborhood. The property will remain a 1½ story, three-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 environmental impacts are anticipated as part of this proposal. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water nor transmission of signals that interfere with radio or television reception are anticipated as part of the project. The proposed addition will maintain the structure's existing side yard setback depths and only extend deeper into the lot towards Wilson Avenue. However, the addition will maintain all other dimensional requirements at the property. This includes landscaping and pervious surface at the property, which will be reduced but still be compliant with the requirements for the RB district, even with the four additional off-street parking spaces that will be added at the rear of the lot. This reduction of landscaping and pervious area should only have a minimal impact, if any, on the stormwater runoff situation at the property.

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.

The resulting traffic and parking impacts on the abutters and the surrounding neighborhood should be minimal and may actually be beneficial. As part of the proposed rear addition, the Applicant has applied for and received permission from the Department of Public Works to install a new curb cut at the rear of the property. This new curb cut allows for the addition of four new parking spaces to be created at the rear of the property which will bring the subject property into parking compliance as there is already one off-street parking space off of Cedar Street. While the new curb cut which provides access to the four new parking spaces will bring additional traffic down Wilson Avenue, the new off-street spaces should help to ease the on-street parking situation in the surrounding neighborhood. The new curb cut will not be detrimental to the pedestrian circulation patterns on Wilson Avenue as Wilson is a dead end street and pedestrian traffic is quite limited on it. There are no curb cuts or parking changes proposed for the existing situation along Cedar Street.

III. RECOMMENDATION

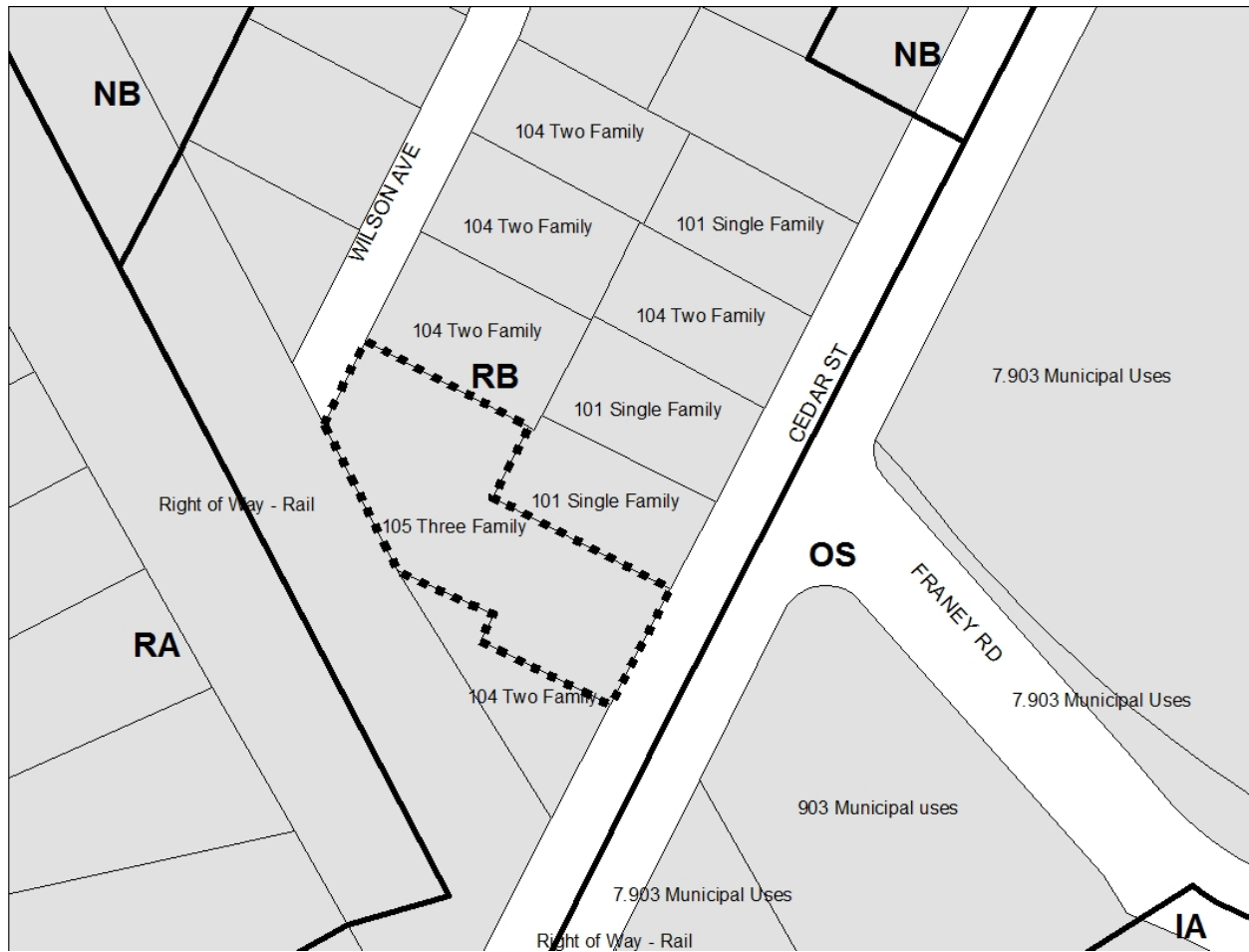
Special Permit under §4.4.1

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 to alter a nonconforming structure under SZO §4.4.1 to construct a two story addition at the rear of an existing three-family dwelling. 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>(May 23, 2012)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>September 21, 2011 (June 25, 2012)</td><td>Plot Plan</td></tr><tr><td>June 1, 2012 (June 25, 2012)</td><td>Existing Floor Plans and Elevations (X1 – X7)</td></tr><tr><td>April 30, 2012 (June 25, 2012)</td><td>Proposed Floor Plans and Elevations (A1 – A7)</td></tr><tr><td>April 30, 2012 (June 25, 2012)</td><td>Building Sections (A8 and A9)</td></tr><tr><td>April 30, 2012 (June 25, 2012)</td><td>Electrical Plans (E1)</td></tr></table>				Date (Stamp Date)	Submission	(May 23, 2012)	Initial application submitted to the City Clerk's Office	September 21, 2011 (June 25, 2012)	Plot Plan	June 1, 2012 (June 25, 2012)	Existing Floor Plans and Elevations (X1 – X7)	April 30, 2012 (June 25, 2012)	Proposed Floor Plans and Elevations (A1 – A7)	April 30, 2012 (June 25, 2012)	Building Sections (A8 and A9)	April 30, 2012 (June 25, 2012)	Electrical Plans (E1)
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Any changes to the approved site plan or elevations that are not de minimis must receive SPGA approval.																		
2	All construction materials and equipment, including dumpsters, 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															
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP															
4	The Applicant or Owner shall install a code compliant fire alarm system.	CO	FP															
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 to DPW standard.	CO	DPW															

6	New siding type and color, roofing, trim, and materials of the addition shall match or be complimentary to the rest of the existing structure.	CO	Plng.	
7	The Applicant or Owner shall install one (1) exterior light fixture and one (1) exterior electrical receptacle for the new outdoor deck space.	CO	Wiring Inspector	
8	The Applicant or Owner shall install the four (4) parking spaces at the rear of the property as shown on the Certified Plot Plan with an OSPCD stamp date of June 25, 2012.	CO	Plng.	
9	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.	



278 Cedar Street