



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-51

Date: July 5, 2012

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 7 Cedar Street Place

Applicant and Property Owner Name: Joseph R. & Kerri A. Macaluso

Applicant and Property Owner Address: 11 Putnam Road, Acton, MA 01720

Alderman: Sean O'Donovan

Legal Notice: Applicants and Owners Joseph R. & Kerri A. Macaluso seek a Special Permit under SZO §4.4.1 to construct a bathroom addition onto the rear of an existing nonconforming single-family structure. RB zone. Ward 5.

Zoning District/Ward: RB zone / Ward 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: June 4, 2012

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

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a single-family dwelling on a 3,523 square foot lot located east of Porter Square near Cambridge. The building is 2½ stories in height with a gable roof and contains 2,274 square feet of living space. The property is located on a flag-shaped parcel and is situated behind another house which faces Cedar Street. The narrow entrance from Cedar Street is the front of the property, which only allows for six feet of frontage in the front yard. It is located within a RB residential district. The subject property has not received any prior zoning relief.

2. Proposal: Applicants and Owners, Joseph R. & Kerri A. Macaluso, propose to alter their single-family dwelling by constructing a first floor bathroom onto the rear of the building. The bathroom addition would increase the Net Floor Area of the structure by 112 square feet and the Gross Floor Area of the footprint of the building by 130 square feet. This would result in a slight increase of the Floor Area Ratio (FAR) from 0.65 to 0.68, which is still well below the RB maximum FAR of 1.0. The



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bathroom addition will be located between the existing house and existing garage in an area that is currently a brick patio. The bathroom will be attached to the main dwelling and will be approximately six inches away from the front side of the garage.

The proposal includes some minimal demolition work on the primary structure, siding, sheathing, and excavation to allow for proper foundation depth. The bathroom will be nine feet seven inches deep by ten feet seven inches wide, and allow space for a full bathtub/shower and two sinks. The bathroom addition will be approximately sixteen feet tall and will be located 3.4' from the side property line. Two 3' x 2.5' awning windows will be installed in the center of the right side façade of the bathroom addition for natural light. The exterior will be constructed with siding to match the existing house and 25 yr architectural shingles on the gable roof of the addition.

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements including the side yard setbacks, minimum lot size, landscaped area, and pervious area. Under Somerville Zoning Ordinance (SZO) §4.4.1 nonconforming single-family dwellings may only perform alterations to their nonconforming aspect through a Special Permit. As the proposal extends into the right side yard setback and decreases landscaped area from 10% to 6.5% square feet, the bathroom addition may only occur after the Applicant first obtains a Special Permit.



Left: 7 Cedar Street Place, Front and Left Side Façades

Right: 7 Cedar Street Place, Left Side and Rear Façades



Left: 7 Cedar Street Place, Rear Façade and Garage

Right: 7 Cedar Street Place, View From Cedar Street, Primary and Left Side Façade

4. Surrounding Neighborhood: The subject property is located in an RB district within Ward 5, east of Porter Square and on the other side of Cedar Street from the John F. Kennedy Elementary School. The building abuts residential properties of similar style, size, and scale on all sides in the neighborhood. A majority of the surrounding residences are single- and two-family dwellings with some three-family dwellings in the area as well. Most structures in the neighborhood are between 2½ and 3 stories in height.

5. Impacts of Proposal: The proposed bathroom expansion at the rear of the building will not be detrimental to the existing structure or the surrounding neighborhood. The design of the expansion for the proposed bathroom is similar to the existing design. There are no character-defining features that will be affected by this proposal and the addition will not be visible from Cedar Street. This proposal will slightly enlarge the overall footprint of the building but the FAR will only increase from 0.65 to 0.68. The bathroom addition will have a minimal impact to abutters and the surrounding neighborhood as the proposal will only be visible to one neighbor directly north of the subject property. The addition will be shielded from the front of the property by the existing house, from the back of the property by the existing garage, and from the south side of the property by shrubbery. The proposed addition will remove approximately 130 square feet of landscaped area, most of which is currently a brick patio, which is a slight reduction from 10% to 6.5% of total landscaped area on the lot. The 112 square foot brick patio that will be removed as part of the bathroom addition should only have a minor effect on stormwater runoff at the site. However, because the property is already nonconforming with respect to landscaped area, this reduction also triggering the need for a Special Permit.

6. Green Building Practices: None

7. Comments:

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

Ward Alderman: Has been contacted and in an email to Staff on Wednesday, June 20, 2012 Alderman O'Donovan stated that he supports this application.

Wiring Inspector: Has been notified but has not yet provided comments.

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 find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The design for the expansion of the bathroom is similar to the design of the existing structure and there are no character-defining features that will be affected by this proposal. The proposal will also not be visible from Cedar Street. The proposal will minimally enlarge the overall footprint of the building but the FAR will only increase from 0.65 to 0.68. The bathroom addition will have a minimal impact to abutters and the surrounding neighborhood as the proposal will only be visible to one neighbor directly north of the subject property. The addition will be shielded from the front of the property by the existing house, from the back of the property by the existing garage, and from the south side of the property by shrubbery. The proposed addition will remove approximately 130 square feet of landscaped area, most of which is currently a brick patio, which is a slight reduction from 10% to 6.5% of total landscaped area on the lot. The 112 square foot brick patio that will be removed as part of the bathroom addition should only have a minor effect on stormwater runoff at the site. However, because the property is already nonconforming with respect to landscaped area, this reduction also triggering the need for a Special Permit.

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 "promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; and to encourage the most appropriate use of land throughout the City."

The general concept of adding a bathroom addition to an existing single-family residence in this location is consistent with the purpose of the RB 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 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 bathroom addition has been designed to be compatible with the built and unbuilt surrounding area. The façade of the bathroom will match the existing house. There are no character-defining features that will be affected by this proposal and proposed addition will not be visible from Cedar Street. This proposal will minimally enlarge the overall footprint of the building but the FAR will only increase from 0.65 to 0.68.

The bathroom addition will only have a minimal impact to abutters and the surrounding neighborhood as the proposal will only be visible to one neighbor directly north of the subject property. The addition will be shielded from the front of the property by the existing house, from the back of the property by the existing garage, and from the south side of the property by shrubbery.

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 from 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 Applicant is only adding a 112 net square foot addition and the reduction in landscape area will primarily be due to the loss of an existing brick patio. Therefore there should only be a minimal impact on stormwater runoff, and there are no anticipated negative impacts from this proposal. The structure will remain a 2½ story, single-family dwelling and will continue to be used for residential purposes in an RB district.

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 alter a nonconforming structure under SZO §4.4.1 to construct a bathroom addition onto the rear of an existing single-family dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/PIng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(June 4, 2012)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>June 6, 2011 (June 21, 2012)</td><td>Certified Plot Plan</td></tr><tr><td>May 31, 2012 (June 21, 2012)</td><td>Title Page (T-1), Zoning Plan (Z-1), and Floor & Elevation Plans (A-1)</td></tr></table>				Date (Stamp Date)	Submission	(June 4, 2012)	Initial application submitted to the City Clerk’s Office	June 6, 2011 (June 21, 2012)	Certified Plot Plan	May 31, 2012 (June 21, 2012)	Title Page (T-1), Zoning Plan (Z-1), and Floor & Elevation Plans (A-1)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	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									
3	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP									
4	New siding type and color, roofing, trim and materials of the new addition shall match or be complimentary to the rest of the existing structure.	CO	PIng.									
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	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	PIng.									



7 Cedar Street Place