



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

**PLANNING DIVISION**

**STAFF**

GEORGE PROAKIS, *PLANNING DIRECTOR*

LORI MASSA, *SENIOR PLANNER*

ADAM DUCHESNEAU, *PLANNER*

DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2011-84

**Date:** November 23, 2011

**Recommendation:** Conditional Approval

---

**PLANNING STAFF REPORT**

---

**Site: 173 Central Street**

**Applicant Name:** Out of the Woods Construction & Cabinetry, Inc.

**Applicant Address:** 15 Ryder Street, Arlington, MA 02476

**Property Owner Name:** James and Van Loc Doran

**Property Owner Address:** 173 Central Street, Somerville, MA 02143

**Alderman:** Walter Pero

**Legal Notice:** Applicant Out of the Woods Construction & Cabinetry, Inc. and Owners James and Van Loc Doran seek a special permit to alter a nonconforming structure under SZO §4.4.1 to remove an existing rear deck/porch and install a 35 sf cantilevered bay window. RA zone. Ward 4.

**Zoning District/Ward:** RA zone / Ward 4

**Zoning Approval Sought:** Special Permit under SZO §4.4.1

**Date of Application:** November 1, 2011

**Date of Public Hearing:** Zoning Board of Appeals – **November 30, 2011**

---

**I. PROJECT DESCRIPTION**

1. **Subject Property:** The subject property is a 4,856 square foot lot with a two-family residence situated on it at the intersection of Central Street and Browning Road. The structure currently has 3,221 square feet of habitable space and is 2½ stories high, not including the basement level, with a gable roof.

2. **Proposal:** The Applicant is proposing to remove an existing 160 square foot, second story deck/screened-in porch at the rear of the two-family dwelling and to install in its place a 35 square foot cantilevered bay with five windows. The existing deck/screened-in porch covers the top of the two parking spaces at the rear of the property and is supported by two tall columns in the driveway. The screened-in porch area is 106 square feet and the deck area is 54 square feet. The proposed cantilevered



**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)**



bay would be 3.5 feet deep and 10 feet wide and have three window openings on the rear façade and one on either side.

3. Nature of Application: This is a residential property within an RA district. The structure is currently nonconforming with respect to minimum lot size and minimum left side and rear yard setbacks. The existing left side and rear yard setback nonconformities require the Applicant to obtain a special permit under Somerville Zoning Ordinance (SZO) §4.4.1 to alter a nonconforming structure to remove the existing rear deck/screened-in porch and install a 35 square foot cantilevered bay on the existing two-family residence.

4. Surrounding Neighborhood: This is a residential property located in an RA district. The surrounding area is comprised of a mixture of single-, two-, three-, and multi-family homes between 2½ and 3 stories.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as the proposed new cantilevered bay would not appear to be detrimental to the immediate abutters or the surrounding area. The proposed new cantilevered bay would not be visible from Central Street, but it would be visible from Browning Road which abuts the property on its left side. Noise at the property would be reduced because the outdoor deck/screened-in porch will be replaced with the enclosed bay that will limit sound to the inside of the dwelling. The proposal will also increase the rear yard setback from roughly one foot to 14.1 feet and the removal of the columns from the driveway will allow for more space to maneuver vehicles when parking. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood. Therefore, there are no anticipated negative impacts from the proposal.

6. Green Building Practices: The Applicant has indicated that closed-cell foam insulation will be used in the project.

7. Comments:

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

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



Existing Conditions:  
Front View of 173 Central Street



Existing Conditions: Left Side and Rear View of 173 Central Street

## II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1, 5.1):

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 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, Staff finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposed new cantilevered bay would not be visible from Central Street, but it would be visible from Browning Road which abuts the property on its left side. Noise at the property would be reduced because the outdoor deck/screened-in porch will be replaced with the enclosed bay that will limit sound to the inside of the dwelling. The proposal will also increase the rear yard setback from roughly one foot to 14.1 feet providing an additional buffer to the neighbor at the rear of the property. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood. Therefore, there are no anticipated negative impacts from the proposal.

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 "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 secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; and to encourage the most appropriate use of land throughout the City.”

The proposal is also consistent with the purpose of the district (6.1.1. RA - Residence Districts), which is, “To establish and preserve quiet neighborhoods of one- and two-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 project is compatible with the characteristics of the surrounding neighborhood. The proposed new cantilevered bay would not be visible from Central Street, but it would be visible from Browning Road which abuts the property on its left side. Noise at the property would be reduced because the outdoor deck/screened-in porch will be replaced with the enclosed bay that will limit sound to the inside of the dwelling. The proposal will also increase the rear yard setback from roughly one foot to 14.1 feet providing an additional buffer to the neighbor at the rear of the property. The structure will remain a 2½ story two-family dwelling and will continue to be used for residential purposes, 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 from this project. 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 proposal. The structure will remain a 2½ story, two-family dwelling and will continue to be used for residential purposes.

### **III. RECOMMENDATION**

#### **Special Permit under §4.4.1, 5.1**

Based on 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 remove an existing rear deck/porch and install a 35 square foot cantilevered bay. 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>(November 1, 2011)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>October 5, 2011 (November 14, 2011)</td><td>Plot Plan</td></tr><tr><td>November 10, 2011 (November 14, 2011)</td><td>Existing Side and Rear Elevations</td></tr><tr><td>October 24, 2011 (November 14, 2011)</td><td>Proposed Side and Rear Elevations</td></tr></table>				Date (Stamp Date)	Submission	(November 1, 2011)	Initial application submitted to the City Clerk’s Office	October 5, 2011 (November 14, 2011)	Plot Plan	November 10, 2011 (November 14, 2011)	Existing Side and Rear Elevations	October 24, 2011 (November 14, 2011)	Proposed Side and Rear Elevations
	Date (Stamp Date)				Submission									
	(November 1, 2011)				Initial application submitted to the City Clerk’s Office									
	October 5, 2011 (November 14, 2011)				Plot Plan									
	November 10, 2011 (November 14, 2011)				Existing Side and Rear Elevations									
October 24, 2011 (November 14, 2011)	Proposed Side and Rear Elevations													
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.														
2	The Applicant shall meet the Fire Prevention Bureau’s requirements.	Final Sign Off	FP											
3	New siding type and color, roofing, and materials of the proposed cantilevered bay shall match those on the existing structure.	CO	Plng.											
4	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.											





**173 Central Street**