



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2013-83

**Date:** July 10, 2014

**Recommendation:** CONDITIONAL APPROVAL

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**PLANNING STAFF REPORT**

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**Site:** 73 Concord Avenue

**Applicant Name:** Ze'ev Mehler & Nathalie Horowicz

**Applicant Address:** 117 We. 132<sup>nd</sup> Street, Unit 1, New York, NY 10027

**Property Owner Name:** Ze'ev Mehler & Nathalie Horowicz

**Property Owner Address:** 117 We. 132<sup>nd</sup> Street, Unit 1, New York, NY 10027

**Agent Name:** Richard Di Girolamo

**Agent Address:** 424 Broadway, Somerville, MA 02143

**Alderman:** Maryann Heuston

Legal Notice: Applicants and Owners, Ze'ev Mehler & Nathalie Horowicz, seek a Special Permit with Site Plan Review under SZO §7.2.a to construct a second principle structure composed of two dwelling units; a Special Permit under SZO §4.4.1 to rehabilitate the nonconforming accessory structure, which includes alterations to window and door openings, and Variances under SZO §9.5.1.a for two spaces of parking relief under SZO §9.11.a to modify the dimensions of the maneuvering aisle. RB zone. Ward 2.

Dates of Public Hearing: **ZBA - Wednesday, July 16, 2014**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject parcel is 4697 square feet and located at the corner of Concord and Marion streets, southwest of Union Square. The existing structures include a 2 1/2 story, single-family dwelling and a two-story c. 1900 barn/stable. There was once a single-story commercial building located directly on the corner. The site is currently conforming with regard to parking due to the length of the curb cut along Concord Avenue. The ground coverage is currently 31% and the pervious/landscape area is approximately 60% of the site. The surrounding Residential B neighborhood is located southwest of Union Square, near Cambridge, and consists of one, two-, and three-family dwellings.



There has been no prior zoning relief.



*73 Concord Avenue: Left photo is the existing single-family dwelling; Right photo is the corner of Concord Ave & Marion St*

2. Proposal: The proposal is to construct a second principle structure for two dwelling units, rehabilitate the ‘historically significant’ barn for parking, and reconfigure access to the site for optimal circulation. The project proposes 47% ground cover, 29% landscape, 39% pervious area, and a floor area ratio of 0.91, which are all compliant with the SZO.

The proposed 2 1/2 story building would be 37’ in height with a pitched roof and a footprint of 785 square feet. The structure has a simple two-bay fenestration on each façade and both units will have a front and side entry. Each two-bedroom unit would be composed of three floors with 900 square feet of habitable space, as well as an unfinished basement for mechanicals and storage. Patios, landscaping, and A/C condensers will be located along each side facade of the new building. The proposed materials are fiber cement clapboards with a composite trim.

The first-story deck that is accessible from the existing single-family dwelling will be substantially reduced in size to allow for the second principal structure. The proposed structure would front onto Concord Avenue with an 8’ setback and a main entrance for each unit. The building would also have a presence along Marion Street with a side entrance for one unit and a new curb cut. Trash will be located behind the existing dwelling.

The ‘historically significant’ barn will be rehabilitated to provide three dimensionally-compliant parking spaces. The rehabilitation would eliminate the window on the side façade, introduce two wood overhead doors, and become entirely sheathed in wood shakes. The Historic Preservation Commission determined the barn ‘historically significant’ and ‘preferably preserved’ in ?? of 2013. The Applicant has signed an MOA with the HPC, which states their intent to rehabilitate.

The circulation of the site would be altered to accommodate parking within the barn. The 18’ curb cut along Concord Avenue would be eliminated and a new 9’ driveway/curb cut would be created along Marion Street. To access the barn for parking, vehicles can maneuver best when access is provided from Marion Street. The driveway would be pervious and a new fence would be located along the property line.

3. Green Building Practices: No green building practices have been identified on the application; however, the Applicant is proposing to rehabilitate the barn for parking. The Historic Preservation Commission determined the barn 'historically significant' and 'preferably preserved' in 2013. The Applicant has signed an MOA with the HPC, which states their intent to rehabilitate.

4. Comments:

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

*Traffic & Parking:* The Applicant is proposing to redevelop an existing single family dwelling and barn by building a new structure containing two townhouses. Parking will be accommodated in the modified existing barn.

The proposed development is located at the intersection of Concord Avenue and Marion Street.

The Applicant has hired a professional Transportation Consultant, Design Consultants Inc. to prepare a Parking Memorandum. This Consulting Firm has submitted a well prepared and professional Parking Memorandum.

The Parking Memorandum states that there is available on-street parking in the area surrounding 73 Concord Ave for the two on-site parking spaces not being provided. Based on the submitted Parking Memorandum, Traffic and Parking does not disagree with this assessment.

In addition the site circulation will be altered in that the curb cut on Concord Ave will be closed. A new 10' curb cut will be created on Marion Street. With the new curb cut, the revised interior circulation/maneuvering aisle appears more suited for the property. Traffic and Parking does not object to either the new curb cut or the revised maneuvering aisle.

Traffic and Parking has no objection to this application.

*Wiring Inspection:* Has been contacted but has not yet submitted comments.

*Lights and Lines:* Has been contacted but has not yet submitted comments.

*Engineering:* Has been contacted but has not yet submitted formal comments, but noted that invert elevations for sewer and drainage connections will be necessary on plans as well as the location of roof gutters and the soil classification.

*Historic Preservation:* The Historic Preservation Commission determined the barn 'historically significant' and 'preferably preserved' in 2013. The Applicant has signed an MOA with the HPC, which states their intent to rehabilitate.

*Design Review Committee:* The project was reviewed by the DRC on 12/19/2013. Their recommendations on the design include:

- All the doors should have a transom
- Each front door should have a porch light
- A landscape plan with more information needs to be submitted for electronic review

*Ward Alderman:* Has been contacted but has not yet submitted comments.

## **II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.2.a) and SPECIAL PERMIT (SZO §4.4.1):**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.
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 with site plan review.”*

Under SZO §7.2, *Principal Structure*, in a Residence B district, no more than one principal structure per lot shall be permitted except by special permit with site plan review.

Under SZO §4.4.1, existing non-conforming structures, including accessory structures, may alter a nonconformity through the granting of a Special Permit. Therefore, due to the location of the barn within the setbacks, a Special Permit is required to alter the fenestration.

A Variance is required under SZO §9.5.1.a for two spaces of parking relief. The existing parking situation is conforming with two spaces due to the length of the existing curb cut. The addition of two units requires the parking to continue to conform with five parking spaces. Creating additional dimensionally compliant parking spaces would effect the quality of the site, through reduced the landscape or eliminating the historic barn, a disappearing building type in the Somerville landscape. For Variance findings, refer to Section III.

A Variance is also required under SZO §9.11.a to modify the dimensions of the maneuvering aisle due to the location of the barn. The existing parking situation does not have a maneuvering aisle; therefore, in order to repurpose the barn for three spaces of covered parking, the maneuvering aisle would need relief from 20' to 15'-6". Enlarging this dimension would require modifications to either the existing dwelling or barn. For Variance findings, refer to Section III.

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 rehabilitation of the barn retains a building type that is quickly disappearing within the City landscape. The relief sought to alter the barn will repurpose the structure for on-site sheltered parking, remove a window within three feet of the property line, and eliminate a safety hazard. Alterations to the barn will have a positive impact on abutters, due to the rehabilitation, and will restore the character of the building.

3. Purpose of District: *The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6".*

The proposal is consistent with the purpose of the RB district, §6.1.2, 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.”

The proposal is to construct a second principal structure for two dwelling units, rehabilitate a historic barn, and create one parking space per unit. The project proposes a use that is compatible with the neighborhood and appropriate to the site. The 2 1/2 story height and simple presence will anchor the corner by connecting the Marion and Concord streetscapes. The project also retains a historic building type.

The site is one mile from the Central Square Transit Station and in 2016, will be less than one mile from the Union Square Transit Station. According to Census Tract data, approximately 28.5% of the local population do not have an automobile and 57.4% of the local population find an alternative mode to get to work.

4. Site and Area Compatibility: *The Applicant has to ensure that the project “(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area”.*

The parcel is located in a Residence B zoning district, southwest of Union Square near Cambridge. The surrounding buildings are single, two- and three-family dwellings. The nearby dwellings are predominantly gable-ended structures of 2½ stories or Mansard roof structures nearing three stories.

The addition of a second principal structure on this parcel, a repurposed barn, and a reduced parking requirement (one space per unit) will enhance the neighborhood as an anchor to this corner and by continuing the rhythm of the streetscapes. The project proposes a structure that is compatible in scale and design with the neighborhood character and immediate nearby structures.

The site is one mile from the Central Square Transit Station and in 2016, will be less than one mile from the Union Square Transit Station. According to Census Tract data, approximately 28.5% of the local population do not have an automobile and 57.4% of the local population find an alternative mode to get to work. A parking study, conducted within 500 feet of the subject parcel, concludes an average of 84 spaces are available during the week mid-day period; 78 spaces are available during the weekday evening period; and 66 spaces are available during the Saturday mid-day period. This study concludes the project is expected to fit the lifestyle and goals of the local community and the City of Somerville.

Traffic and Parking has no objection to this application.

#### *Design Guidelines for Residence Zones §5.2.4*

1. *Buildings should be generally of the same size and proportions as those existing in the neighborhood. This shall apply in cases of multi-family development as well as one-, two-, and three-family units. For example, if relatively small two- and three-family structures are common in a neighborhood where multi-family development is proposed, the multi-family development should be physically broken into components that, from a design perspective, are housed in buildings of similar width, depth, and height as those typically found in the neighborhood.*

The new building would be 37' in height with a pitched roof, which is compatible with the surrounding structures. The footprint is less than 800 square feet and the fenestration is simple.

2. *Use of traditional and natural materials is strongly encouraged (e.g. wood clapboard, wood shingles, brick).*

The structure is proposed to be fiber cement clapboards with a composite trim. These materials are compatible with the existing historic structure and existing building stock as they are regularly used to emulate traditional building materials like wood, are durable, and have a long lifespan.

3. *Additions to existing structures should be consistent with the architecture of the existing structure in terms of window dimensions, roof lines etc.*

This does not apply to the project.

4. *Although additions should not clash with or be incompatible to the existing structure, it is acceptable and even desirable for the new construction to be distinguishable from the existing building, perhaps by maintenance of design elements of the original building that would otherwise be lost (e.g. false rakes, fasciae, and the like).*

This does not apply to the project.

5. *Where practical, new or infill building construction should share the same orientation to the street as is common in the neighborhood. When not contrary to any other zoning law, front and side yards should be of similar dimensions as those typical in the area.*

The proposal will create a presence along both Concord Avenue and Marion Street. The main entrances to each unit will be from Concord Avenue, which has an 8' setback. The adjacent single-family dwelling has almost a zero (0) setback, but the SZO requires an 8' setback for the side yard. The Marion Street elevation has a 15' setback, with a side entrance to one unit and the new curb cut.

6. *Driveways should be kept to minimal width (perhaps a maximum of twelve feet), and be designed so that no vehicle parked on the drive may straddle the public sidewalk in any way. Low barriers or plantings may be required to separate the parking area from the pedestrian space.*

The driveway is proposed to be 9' wide.

7. *Transformers, heating and cooling systems, antennas, and the like, should be located so they are not visible from the street or should be screened.*

The project does not require a transformer; A/C condensers will be located along both side façades and screened with shrubs. All other mechanicals will be located in the basement.

8. *Sites and buildings should comply with any guidelines set forth in Article 6 of this Ordinance for the specific base or overlay zoning district(s) the site is located within.*

This is addressed in Finding 3, "Purpose of the District."

5. Functional Design: *The project must meet "accepted standards and criteria for the functional design of facilities, structures, and site construction."*

The proposal meets the accepted standards and criteria for a functional design. The site plan locates the new structure at the corner of Concord and Marion while the parking will be located at the rear of the lot within the barn. Access to parking will be from a new curb cut along Marion Street, for access behind the proposed structure, which produces the best site circulation. The site design locates the trash at the rear of the existing building near the barn.

6. Impact on Public Systems: *The project will "not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the*

*public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.”*

The approval of a Special Permit with Site Plan Review shall be contingent upon a determination by the City Engineer that no adverse impact on public systems will result from the proposed development. The change in use from a single-family to a three-family residence would not appear to greatly impact the City sanitary sewer system. The pervious and landscape areas would be reduced, but would maintain compliance with the SZO. Planning Staff has proposed a condition that requires the Applicant to demonstrate that the project is in compliance with the City stormwater policy.

The site is one mile from the Central Square Transit Station and in 2016, will be less than one mile from the Union Square Transit Station. According to Census Tract data, approximately 28.5% of the local population do not have an automobile and 57.4% of the local population find an alternative mode to get to work. A parking study, conducted within 500 feet of the subject parcel, concludes an average of 84 spaces are available during the week mid-day period; 78 spaces are available during the weekday evening period; and 66 spaces are available during the Saturday mid-day period. This study concludes the project is expected to fit the lifestyle and goals of the local community and the City of Somerville.

Ultimately, the proposed project will not adversely impact public services and facilities as the development would have minimal impact on public systems, the pervious and landscape areas would be reduced, but maintain compliance with the SZO, and the potential occupants would likely utilize public transportation.

7. 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.”*

Due to the residential nature of the proposed structure, minimal negative environmental impacts are foreseen as a direct result of this development. Noise, smoke and vibration would be minimal to none as a result of the residential use. While there would be appropriate lighting for a residential district, this lighting would be confined as much as possible to the site. Hazardous materials and substances are not part of the proposed use and Staff has conditioned that the appropriate entities be notified to dispose of these materials or substances if unearthed upon demolition or construction.

8. Consistency with Purposes: *“Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections.”*

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 provide for and maintain 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 conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality.”

9. Preservation of Landform and Open Space: *The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”*

The project site previously had a single-story commercial structure located directly on the corner. This is identified on a 1950 Sanborn map. The parcel is flat with no large topographical changes. There will be a new driveway and fence behind the new structure. Along with the barn, these changes will enhance the land. Open spaces are designed with patios, shrubs, and trees. These landscaped areas will be located along the streets cape and corner. The driveway will be composed of pervious pavers.

10. Relation of Buildings to Environment: *The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”*

The proposed building would be located where another structure previously stood. The landscape will be predominantly located along the street edges of the property. The building proposes a 37' height, which is compatible with the two and three-story surrounding buildings, and has a simple fenestration. The architectural details maintain traditional elements that are similar to those along the streetscape. The project proposes a three-family use, which is typical of the neighborhood and the City. While the structure is on a visible corner, the massing and form will also serve to anchor this corner of the streetscape and privatize the rear of the parcel for the occupants.

11. Stormwater Drainage: *The Applicant must demonstrate that “special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and powered area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged, as is use of retention or detention ponds. In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required.”*

While additional review is required of drainage and utility plans, any approval of the Special Permit with Site Plan Review should be conditional upon approval by the City Engineer of such plans and determination that no adverse impact would result to the drainage system from the design of the project. Planning Staff therefore proposes a condition for the Applicant to demonstrate that the project meets the current City stormwater policy and that utility and drainage plans be submitted to the Engineering Department for review and approval.

12. Historic or Architectural Significance: *The project must be designed “with respect to Somerville’s heritage, any action detrimental to historic structures and their architectural elements shall be discouraged insofar as is practicable, whether those structures exist on the development parcel or on*

*adjacent properties. If there is any removal, substantial alteration or other action detrimental to buildings of historic or architectural significance, these should be minimized and new uses or the erection of new buildings should be compatible with the buildings or places of historic or architectural significance on the development parcel or on adjacent properties.”*

The project is designed to retain the single-family dwelling as well as the historically significant barn. The project proposes to alter the circulation of the site in order repurpose the barn, which will become parking. The proposed building will be compatible with the adjacent structures in scale, design, and location.

13. Enhancement of Appearance: *The Applicant must demonstrate that “the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting.”*

The project enhances the natural character and appearance of the City due to the corner location, simple fenestration, and design. The proposed project maintains and anchors this corner of the streetscape through the form and massing of the proposed structure. The landscaped portion of the property will be predominantly located along the streetfront. The project retains the existing historic barn, which is a building type that is quickly diminishing within the City landscape. The parking will be located in the repurposed barn. Wood fencing will be located around the new located driveway behind the new building.

14. Lighting: *With respect to lighting, the Applicant must ensure that “all exterior spaces and interior public and semi-public spaces shall be adequately lit and designed as much as possible to allow for surveillance by neighbors and passersby.”*

The lighting will be appropriate to the proposed residential use and conform to dimensions specified in the SZO. Planning Staff proposes a condition that all exterior lighting, to the extent possible, must be confined to the subject project, cast downward and must not intrude, interfere, or spill onto neighboring properties.

15. Emergency Access: *The Applicant must ensure that “there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”*

Fire access is provided from both Concord Avenue and Marion Streets.

16. Location of Access: *The Applicant must ensure that “the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion.”*

Vehicles entering and exiting the site would do so in a forward manner onto and off of Marion Street. The proposed curb cut is 10’, and a new fence would be located along the new vehicular entrance to the site. The curb cut along Concord Avenue will be removed.

17. Utility Service: *The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”*

The Applicant shall tie into existing City services for electric, telephone and cable. These utility lines shall be placed underground. The project does not require a transformer.

18. Prevention of Adverse Impacts: *The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development.”*

Minimal negative impacts are anticipated as a result of the proposed project and residential use. Landscape and pervious areas are designed and planted to enhance the site as well as this corner of the streetscape. The ground coverage is increased to 47%; the landscape and pervious areas would increase to approximately 29% and 39%, respectively, which are compliant with the SZO. The existing historic accessory structure would continue to be a component of the City’s building stock while being repurposed into an appropriate rehabilitation project.

Due to the residential nature of the proposed structure, minimal adverse impacts with regard to ground cover or machinery as well as from light, air, noise, wind, or temperature are foreseen as a direct result of this development. Noise, smoke and vibration would be minimal to none as a result of the residential use. While there would be appropriate lighting for a residential district, this lighting would be confined as much as possible to the site. Hazardous materials and substances are not part of the proposed use and Staff has conditioned that the appropriate entities be notified to dispose of these materials or substances if unearthed upon demolition or construction.

19. Signage: *The Applicant must ensure that “the size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed buildings.”*

Due to the proposed residential use of the property, conforming signage for a residential district is 12 square feet. There is no signage is proposed.

20. Screening of Service Facilities: *The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”*

The plans indicate that the trash and recycle area would be located behind the existing dwelling. A fence with an abutting driveway are located adjacent to the trash location. A/C condensers would be located along either side of the new structure and screened with plantings. All other mechanicals will be located within the unfinished basement.

21. Screening of Parking:

The parking will be screened due to being located within the rehabilitated barn.

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

The proposal will not create adverse impacts on the stock of existing affordable housing.

22. 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.*

<i>SomerVision Summary</i>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	1	3
<i>Parking Spaces:</i>	2	3

The proposal complies with the SomerVision plan through the addition of 2 dwelling units, the retention and rehabilitation of an historic accessory structure, and through the enhanced corner in the streetscape. The parcel will add one parking space, for one space per unit, and alter the circulation of the site to repurpose the barn.

This neighborhood is very near future transit, so this also fulfills goals for housing near transit. The site is one mile from the Central Square Transit Station and in 2016, will be less than one mile from the Union Square Transit Station. According to Census Tract data, approximately 28.5% of the local population do not have an automobile and 57.4% of the local population find an alternative mode to get to work.

**III. FINDINGS FOR VARIANCES (SZO §9.5.1.a & §9.11.a)**

In order to grant a Variance, the Board 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 shape of the subject parcel as well as the locations of the existing dwelling and historic barn limit the ability to provide more than one parking space per unit, 5 spaces are required total, and a 20’ maneuvering aisle. The existing parking situation is conforming due to the length of the curb cut. The size of the lot (4697 square feet) is not unique to the neighborhood, but is challenging with regard to locating more parking on-site and a 20’ maneuvering aisle, due to the existing structures on the lot. The proposal for a two-family dwelling is an appropriate use to incorporate into the property as this is consistent with the neighborhood and anchors the corner of the streetscape appropriately. The lot size, location of the existing structures, and the proposed quality of the development restricts the ability to build more than one space per unit with a 20’ drive aisle unless the landscape or existing buildings are altered. To create additional on-site parking, more than one space per unit, creates a hardship to the proposed project.

2. The variance requested 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 requested parking relief and reduced maneuvering aisle to 15.5’ is the minimum necessary that would grant reasonable relief to appropriately utilize the subject parcel. This Residence B zoned neighborhood indicates that more than one unit is appropriate. The three-family residential use is by-right and the proposal provides one parking space per unit. Five dimensionally compliant spaces nor a 20’ maneuvering aisle will fit on-site without limiting the quality of the site design and historic structures. The proposed project is consistent with the neighborhood, retains historic structures and anchors the corner of the streetscape, but necessarily requires that a Variance for two spaces of parking relief is the minimum relief to be granted.

3. “The granting of the variance would be in harmony with the general purpose and intent of this Ordinance and would not be injurious to the neighborhood or otherwise detrimental to the public welfare.”

Granting the request for a Variance would be in harmony with the general purpose of the SZO as the parking relief and reduced maneuvering aisle dimensions will balance the requirement for landscape, pervious area, and retention of historic structures. By ensuring that usable open space, preservation, and appropriate infill along the streetscape is part of this proposal, the SomerVision Comprehensive Plan is implemented. Maintaining neighborhoods as places to live, work, play, and raise a family, implies people before cars. The proposed project will be consistent with the existing buildings on Concord Avenue as a two-family structure, will rehabilitate the barn and devise a more appropriate circulation for the site.

**IV. RECOMMENDATION**

**Special Permit with Site Plan Review, Special Permit, & Variances under SZO §7.2.a, §4.4.1, §9.5.1.a, & §9.11.a**

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 with SITE PLAN REVIEW**.

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
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1	Approval is for seek a Special Permit with Site Plan Review under SZO §7.2.a to construct a second principle structure composed of two dwelling units; a Special Permit under SZO §4.4.1 to rehabilitate the nonconforming accessory structure, which includes alterations to window and door openings, and Variances under SZO §9.5.1.a for two spaces of parking relief under SZO §9.11.a to modify the dimensions of the maneuvering aisle. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/Plng.											
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(November 7, 2014)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 1, 2013 (July 10, 2014)</td> <td>Plans submitted to OSPCD (Z-001, A-1, A-2, A-3, &amp; L-1)</td> </tr> <tr> <td>December 26, 2013 (July 10, 2014)</td> <td>Shadow Study submitted to OSPCD</td> </tr> <tr> <td>July 3, 2014 (July 10, 2014)</td> <td>Plans submitted to OSPCD (C-1 &amp; C-2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(November 7, 2014)	Initial application submitted to the City Clerk's Office	August 1, 2013 (July 10, 2014)	Plans submitted to OSPCD (Z-001, A-1, A-2, A-3, & L-1)	December 26, 2013 (July 10, 2014)	Shadow Study submitted to OSPCD	July 3, 2014 (July 10, 2014)	Plans submitted to OSPCD (C-1 & C-2)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.														
<b>Pre-Construction</b>														
2	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Eng											
3	The Applicant will be required to demonstrate that the project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans must be submitted to the Engineering Department for review and approval.	BP	Eng.											
4	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											
<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	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											

7	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>				
8	Applicant shall provide final material samples for siding, trim, windows, and doors (to the Design Review Committee for review and comment and) to Planning Staff for review and approval prior to construction.	BP	Plng.	
<b>Site</b>				
9	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	
10	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete;	CO	Plng.	
11	Two trees must be planted and maintained according to National Nurseryman's Standards, and in accordance with SZO §10.2.2 and §10.6.2;	CO	Plng.	
12	The curb cut along Concord Avenue shall be closed.	CO	Plng.	
<b>Miscellaneous</b>				
14	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
<b>Public Safety</b>				
15	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
16	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened.	Electrical permits & CO		
17	Notification must be made, within the time period required under applicable regulations, to the Massachusetts Department of Environmental Protection (DEP) if there is any release of oil, hazardous materials, or regulated hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.	CO	OSE/FP/BOH	
18	The suspected underground fuel tanks on this site must be removed under the supervision of the Fire Prevention Bureau. Permits will be required for these removals.	CO	FP	
19	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.	CO	Plng.	
20	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OSE	

21	<p>Because of the history of the site and the intended use, the Applicant shall, prior to issuance of any foundation permit and/or any building permit for the project, provide to the Planning Department and the Inspectional Services Division:</p> <p>a) a copy of the Response Action Outcome (RAO) Statement, signed by a Licensed Site Professional (LSP) and filed with DEP, verifying that a level of no significant risk for the proposed residential use has been achieved at the site; or</p> <p>b) if remediation has not reached the RAO stage, a statement signed by an LSP describing (i) the management of oil and hazardous materials/waste at the site, including release abatement measures intended to achieve a level of no significant risk for residential use at the site, treatment and storage on site, transportation off-site, and disposal at authorized facilities, (ii) a plan for protecting the health and safety of workers at the site, and (iii) a plan for monitoring air quality in the immediate neighborhood.</p>	Foundation Permit	Plng/ISD	
<b>Final Sign-Off</b>				
22	<p>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.</p>	Final sign off	Plng.	

