



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2013-37

**Date:** June 13, 2013

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 35 Corinthian Road

**Applicant & Owner Name:** Brandee and Chris Hall

**Applicant & Owner Address:** 35 Corinthian Road Somerville, MA 02144

**Architect Name:** Al Weisz

**Architect Address:** 93 Hudson Street Somerville, MA 02144

**Alderman:** Robert Trane

Legal Notice: Applicant and Owners, Brandee and Chris Hall, seek a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, single-family dwelling by constructing an addition within the existing non-conforming side yard setback. RA zone. Ward 7.

Zoning District/Ward: RA/Ward 7

Zoning Approval Sought: Special Permit per SZO §4.4.1

Date of Application: May 22, 2013

Dates of Public Meeting • Zoning Board of Appeals – June 19, 2013

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is on a 2,123 square foot parcel in a Residential A zoning district. There is an existing 2,186 square foot 2.5 story single-family dwelling on the property. There was prior zoning relief granted in 2009 (Case #ZBA 2009-13) to enclose a 9' x 6' portion of the front porch. Planning Staff signed off on that Special Permit in December of 2009.

2. Proposal: The proposal is to add a rear addition to the home that will add 153 square feet to the footprint of the home. On the first floor, it will accommodate the relocation of the first floor half-bath and



renovation of the kitchen. On the second floor it will allow for the addition of a bedroom. As part of the renovation, the existing rear door will be relocated to the conforming side yard.

3. Nature of Application: The applicant seeks a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, structure by adding an addition within the existing non-conforming side yard setback. The non-conforming side yard is 2'-2" and the proposed addition will expand this non-conformity.

There is no parking relief required. There are three existing bedrooms, per the SZO the parking requirement is 2. The addition of a bedroom maintains a parking requirement of 2 spaces.

4. Surrounding Neighborhood: This property is located in a Residence A district, near Davis Square, which features a residential mix of single- and two-family homes of 2.5 stories. Residential lots in the area are generally between 2,000-4,000 square feet in area and almost all the lots are developed with homes.

5. Impacts of Proposal: There are few impacts to this proposal. The side yard setback will increase in non-conformity. The rear setback will be reduced from 11'-3" to 10'-1". This is the required setback due to a shallow lot. The addition will be located approximately in the middle of the parcel so shadows should not be an issue. The new door and egress on the side yard will be out of the side yard setback. The floor area ratio (FAR) will increase from .61 to .75, the maximum allowed in an RA district.

6. Green Building Practices: New construction will be 2 x 6 framing to allow for more wall insulation. Daylighting principles will be employed in the rooms reducing the need for artificial lighting.

7. Comments:

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

*Engineering:* Engineering requested a utility and grading plan and drainage report be provided. The plan and report should provide an understanding on how the applicant plans to meet the City's stormwater policy. Note: Planning Staff views this as a minor addition because there is a 153 increase in the floor print of the building. A condition of this report is to provide a utility and grading plan and a drainage report as part of the building permit if applicable.

*Ward Alderman:* Has been contacted and 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 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 find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure.

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 prevent the overcrowding of land; and to encourage the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the district, 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."

### **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 for a Special Permit under SZO §4.4.1 to alter an existing, non-conforming, single-family dwelling by constructing an addition within the existing non-conforming side yard setback. 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 21, 2013</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>May 21, 2013 (June 11, 2013)</td><td>Modified plans submitted to OSPCD (X0.0 Existing Site and First Floor Plan)</td></tr><tr><td>June 22, 2009 (June 11, 2013)</td><td>Modified plans submitted to OSPCD (X1.2-Second Floor Plan)</td></tr><tr><td>April 22, 2013 (June 11, 2013)</td><td>Modified plans submitted to OSPCD (The following are existing plans: X3.1-Elevation East, X3.2-Elevation North, X3.3 Elevation West, X3.4-Elevation South)</td></tr><tr><td>June 8, 2013 (June 11, 2013)</td><td>Modified plans submitted to OSPCD (The following are proposed plans: A0.0-Site and First Floor Plan, A1.2 Second Floor Plan, A3.1 Elevation East, A3.2 Elevation North, A3.3 Elevation West, A3.4 Elevation South)</td></tr></table>				Date (Stamp Date)	Submission	May 21, 2013	Initial application submitted to the City Clerk’s Office	May 21, 2013 (June 11, 2013)	Modified plans submitted to OSPCD (X0.0 Existing Site and First Floor Plan)	June 22, 2009 (June 11, 2013)	Modified plans submitted to OSPCD (X1.2-Second Floor Plan)	April 22, 2013 (June 11, 2013)	Modified plans submitted to OSPCD (The following are existing plans: X3.1-Elevation East, X3.2-Elevation North, X3.3 Elevation West, X3.4-Elevation South)	June 8, 2013 (June 11, 2013)	Modified plans submitted to OSPCD (The following are proposed plans: A0.0-Site and First Floor Plan, A1.2 Second Floor Plan, A3.1 Elevation East, A3.2 Elevation North, A3.3 Elevation West, A3.4 Elevation South)
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Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.																
<b>Pre-Construction</b>																
2	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans, stamped by a registered PE in Massachusetts, must be submitted to the Engineering Department for review and approval if applicable.	BP	Eng.													
<b>Construction Impacts</b>																
3	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													

4	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>Miscellaneous</b>				
5	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>				
6	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
<b>Final Sign-Off</b>				
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.	

