



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-36

Date: June 13, 2013

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 17 Fremont Ave

Applicant Name: Stephanie Hirsch and Joseph Calzaretta
Applicant Address: 17 Fremont Avenue, Somerville, MA 02143
Property Owner Name: same
Agent Name: Josh Safdie
Agent Address: 145 Central Street, Somerville, MA 02145
Alderman: Maryann M. Heuston

Legal Notice: Applicant/Owners Stephanie Hirsch & Joseph Calzaretta seek a Special Permit under SZO §4.4.1 to alter a nonconforming single-family house by adding a small addition in the front and by altering an accessory structure roof and windows.

Zoning District/Ward: RB District / Ward 2

Zoning Approval Sought: Special Permit SZO §4.4.1

Date of Application: May 21, 2013

Dates of Public Hearing: Zoning Board of Appeals June 19, 2013

I. PROJECT DESCRIPTION

1. **Subject Property:** The subject property is a one-family dwelling on an approximately 2,358 square foot parcel. The structure is 1 ¾ stories and approximately 970 net square feet with a .41 floor area ratio.

The subject property has not received prior zoning relief.



2. Proposal: Applicant and Owners, Stephanie Hirsch and Joseph Calzaretta, propose to construct an addition of approximately 24 square feet in the front of the structure to the right of the porch, add new windows, door, canopy, and deck in the rear, and alter the roof and windows of an accessory structure in the rear.

The Applicants propose to extend a one-story portion of the structure on the right side of the front porch that will be under the existing porch roof. The proposed addition will bring the front exterior wall approximately six feet towards the street and will be in-line with the existing doorway. The Applicants propose to use the front addition as a ½ bathroom and modify the existing first floor layout by constructing a new coat closet in the foyer and install built-in shelving in the living room.

The footprint of the proposed porch will increase and the steps will encroach into the rear yard setback, which is the driveway, preventing the existing one parking space from being used. As a result of the proposed porch, the one provided parking space will be eliminated. The Applicant/Owner does not have a car, but when they did have one, they found it very difficult to get into the driveway because of the narrow width of the dead end street. The Applicant/Owner is hoping to facilitate more interactions with their neighbors via their porch design. The stairs will be of wood construction; therefore future homeowners will be able to disassemble the stairs easily.

The Applicants also propose to remove an existing one-story rear addition in the rear that is separating from the main structure, which is currently used as space for a mudroom and a storage room. The Applicants propose to construct a trapezoidal deck 14' 9" in length by 12' 9" in width, approximately 166 square feet, which will abut the rear façade of the building. The deck will be approximately 3' 2" above grade.

The Applicants are also proposing to alter the accessory structure in the rear. The Applicants propose the following alterations to the accessory structure: install a new standing seam metal shed roof, install two windows to the rear elevation, two windows to each side elevation, and remove one existing window, and install two double doors on the front elevation. The existing accessory structure will be used for hobbies, storage, and other uses incidental to the existing structure.



17 Fremont Avenue

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements including front and side yard setbacks, minimum frontage, and minimum lot size. In accordance with the Somerville Zoning Ordinance (SZO) §4.4.1, a nonconforming single family dwelling may increase a nonconforming dimension through Special Permit approval. Since the current front yard setback is 5.8 feet, constructing an addition on the front of the structure is an alteration that

requires Special Permit approval. The front addition will continue the nonconforming 8.7 feet right side yard setback.

The deck will continue the nonconforming 2.7 foot side yard but it will have a conforming rear yard setback of greater than 10 feet.

An accessory structure can extend within any side or rear yard but not closer than three feet from any side or rear lot line. The existing accessory structure is only 2.5 feet from the rear lot line and the proposal maintains the nonconforming distance to the rear lot line. Since the accessory structure is closer than three feet to the rear lot line and is not made of fireproof construction, the alterations to the accessory structure will require Special Permit approval.

4. Surrounding Neighborhood: The structure is located in a Residence B district and is adjacent to Lincoln Park and the Argenziano School. The surrounding properties are predominantly single-family dwellings; however there are multi-family dwellings along Washington St.

5. Impacts of Proposal: The proposed alteration to construct an addition in the front, a deck in the rear, and alter an accessory structure will not be detrimental to the structure.

The proposed one story addition in the front of the house will allow the Applicants/Owners to create a ½ bathroom on the first floor and will enhance the design by providing a smoother façade by bringing the right side of the porch in line with the bay to the left of the porch. The alterations of the existing accessory structure in the rear will not generate any additional impacts on neighbors or park users.

6. Green Building Practices: Green building practices included on the application indicate that the new deck and re-cladding of the accessory structure will be executed with the recycled and renewable materials.

7. Comments:

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

Ward Alderman: Has been contacted 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 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 proposal to construct an addition, a deck, and alter an accessory structure will enable the homeowners to create a new

½ bathroom and better use outdoor space in their back yard without a great deal of impact to the exterior form of the house.

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 conserve the value of land and buildings; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the Residence B 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. "

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 proposal has been designed to be compatible with the built and unbuilt surrounding area. The proposal will increase the existing building footprint by 182 square feet. The addition in the front will not encroach farther into the front yard than the current entry door on the front porch. The front porch will remain as a prominent feature of the house.

The removal of the one story addition in the rear and the construction of a deck will not encroach on the rear yard setback; therefore, will not generate any impacts on neighbors or park uses nor will the alterations of the existing accessory structure in the rear.

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 to construct an addition of approximately 24 square feet in the front of the structure to the right of the porch, add new windows, door, canopy, and deck in the rear, and alter the roof and windows of an accessory structure in the rear. 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>July 2, 2012</td><td>Plot/site plan submitted to OSPCD (A0.0)</td></tr><tr><td>June 4, 2013</td><td>Floor plans and elevations submitted to OSPCD (A1.1, A1.2, A2.1, A2.2, X1.1, X1.2, and X2.1)</td></tr></table>				Date (Stamp Date)	Submission	(May 21, 2013)	Initial application submitted to the City Clerk’s Office	July 2, 2012	Plot/site plan submitted to OSPCD (A0.0)	June 4, 2013	Floor plans and elevations submitted to OSPCD (A1.1, A1.2, A2.1, A2.2, X1.1, X1.2, and X2.1)
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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	An exterior light and electrical receptacle is required for the first level of the deck.	Final sign off	Wiring Inspector									
3	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP									
4	The Applicant/Owner shall not construct the front porch stairs in a manner that encroaches farther into the right side yard setback than the current existing structure.	Final sign off	Plng.									

5	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.	
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