



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

**Case #:** ZBA 2014-44

**Date:** June 12, 2014

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 12 Gilman Terrace

**Applicant Name:** Christian Psuik

**Applicant Address:** 12 Gilman Terrace, Somerville, MA 02145

**Property Owner Name:** Shawna MacDonald and Christian Psuik

**Property Owner Address:** 12 Gilman Terrace, Somerville, MA 02145

**Alderman:** Matthew McLaughlin

Legal Notice: Applicant, Christian Psuik, and Owners, Shawna MacDonald and Christian Psuik, seek a Special Permit under SZO §4.4.1 to alter a non-conforming, two-family dwelling through the addition of a second dormer and a rear second-story deck. RB zone. Ward 1.

Dates of Public Hearing: Wednesday, June 18, 2014

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject parcel is 2,909 square feet, located near the corner of Pearl and Walnut streets, just north of City Hall. The structure is a gable-end, two-family dwelling with 2,600 square feet of habitable space. The dwelling has one dormer on the right side or north facade and is in an RB zoning district. There has been no prior zoning relief.
2. Proposal: The proposal is to construct an eight foot dormer on the north roof plane to create head room for a bathroom. This shed dormer will be located behind a small gable dormer, located near the front elevation, and retain four feet from the eaves. The dormer will have a non-combustible glass block to allow light. The proposal is also to construct a second story rear deck, 8.5'x13.5', to be accessible through a new sliding door.



*12 Gilman Terrace, front and rear façades*

3. Green Building Practices: Additional insulation will be installed.

4. Comments:

*Fire Prevention:* Has been contacted and explained a hard wired smoke and carbon monoxide detector will be necessary.

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

*Engineering:* Has been contacted and explained the Engineering Office will need a letter from the design engineer summarizing the work and indicating any potential impacts from the project on stormwater runoff. If no impacts are intended it needs to be stated in the letter and acknowledge that any impacts to abutters or adjacent properties after the fact will be remedied by the owner at no cost to the City. The engineer should also indicate that the sewer service, as well as the city main, is capable of handling increased flows from the addition of the bathroom. This letter, to be kept on file in this office, should be enough to satisfy the engineering requirements.

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

Under SZO §4.4.1, an existing single or two-family dwelling may alter a nonconformity through the granting of a Special Permit. Therefore, due to the location of the proposed dormer and second story rear deck within the right side yard setback, a Special Permit is required.

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 addition of a dormer on the right side roof plan will have a minimal impact on abutters as there will not be a window due to the property line located within 1.5 feet. The second-story rear deck will look onto the adjacent building, but does not negatively affect the adjacent property due to window locations at the rear of the adjacent building. The proposed alterations will allow the occupants to better utilize the interior arrangement of the unit. Alterations will have minimal to no impact on abutters and will retain the character of the building. Other than the right side yard setback and ground coverage (55%), the proposal is in compliance with landscape (35%) pervious area (35%), and floor area ratio (0.89).

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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; 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."

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 dormer on the right side roof plane as well as construct a second-story rear deck. The proposed alterations will minimally impact the streetscape and the abutters while enabling the occupants to better utilize the interior.

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 parcel is located in a Residence B zoning district, just north of City Hall. The surrounding buildings are single, two- and three-family dwellings. The nearby dwellings are predominantly similar gable-ended structures of 2½ stories.

The addition of a second dormer on the right side roof plan will have a minimal impact on abutters as there will only be glass block for light. The rear deck will look to the adjacent dwelling, but will not

negatively impact this structure. The proposed alterations will have minimal to no impact on abutters and will retain the character of the building as well as the streetscape.

5. Housing Impact: The proposal will not create adverse impacts on the stock of existing affordable housing.

6. 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 proposal will preserve the character of the neighborhood as the dormer does not alter the roof form and the deck does not affect character-defining features of the structure.

### 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 to alter a non-conforming, two-family dwelling through the addition of a second dormer and a rear second-story deck. 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 15, 2014)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>June 5, 2013 (June 10, 2014)</td><td>Plot plan submitted to OSPCD</td></tr><tr><td>(June 13, 2014)</td><td>Existing and Proposed Elevations and interior plan submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	May 15, 2014)	Initial application submitted to the City Clerk's Office	June 5, 2013 (June 10, 2014)	Plot plan submitted to OSPCD	(June 13, 2014)	Existing and Proposed Elevations and interior plan submitted to OSPCD
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.												

<b>Design</b>				
2	New siding type and color, roofing, trim, and materials of the dormer shall match or be complimentary to the rest of the existing structure.	BP	Plng.	
<b>Public Safety</b>				
3	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector	
4	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
<b>Final Sign-Off</b>				
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.	

