



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-55

Date: July 10, 2014

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 22-24 Hamlet Street

Applicant & Owner Name: Boris & Alexander Kuritnik

Applicant & Owner Address: 187 Green Street Jamaica Plain, MA 02130

Agent: Rich Di Girolamo

Agent Address: 424 Broadway Somerville, MA 02145

Alderman: Bob McWatters

Legal Notice: Applicant and Owners, Boris & Alexander Kuritnik, seek a Special Permit per SZO §4.4.1 to expand a nonconforming structure and SZO §4.5.1 to expand a nonconforming use to enlarge an existing 4 unit building from 1 bedroom units to 3 bedroom units. RA Zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals - July 16, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is an existing 4-family on a 7,776 square foot lot. All four units are 1-bedroom units. The 2-story mansard has an FAR of .31 and footprint of 1,770 square feet. The lot has 58% landscape and permeable area. There is a driveway on the south side of the property that can park cars in tandem. There is an existing shed (most likely illegal) in the rear of the property near the side lot line.

2. Proposal: The proposal is to add a large addition to the rear of the property to make all four units 3-bedroom units. The addition will be a mansard to match the existing roof type. The shed will be demolished. The front of the property will be landscaped with hedges, lawn, and perennials. The rear of the property will have a small lawn, deciduous and coniferous trees, and permeable parking areas. The



driveway will now lead to four parking spaces in the rear of the property. The site will have a board fence with a lattice topper on the side and rear lot lines.

3. Green Building Practices: None listed on the application.

4. Comments:

Fire Prevention: Fire Prevention has been contacted but has not provided comments at this time.

Engineering: Engineering reviewed the civil plans and has not requested additional items, standard engineering conditions are recommended as part of a conditional approval.

Ward Alderman: Alderman McWatters has been contacted but has not provided comments at this time.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1 & §4.5.1):

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."*

Per SZO §4.4.1 lawfully existing nonconforming structure may be enlarged, extended, renovated, or altered by Special permit. Section 4.5.3 of the SZO allows expansion of lawfully existing nonconforming uses by Special Permit. The addition requires a Special Permit under both sections because it is a structural change to a 4-family structure and an expansion of use.

No parking relief is required as part of this application. The current parking requirement is 6 spaces. The new parking requirement for 3 bedrooms is 8 spaces. Section 9.4 of the SZO requires additions to be compliant when the current parking layout is nonconforming. Two additional spaces are required and 4 are being provided. One will be for each unit. No visitor parking is required.

In considering a special permit under §4.4 and 4.5 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 provide for and maintain the uniquely integrated structure of uses in the City; to conserve

the value of land and buildings; to preserve the historical and architectural resources of the City; and to encourage housing for persons of all income levels.

The purpose of the district 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.” This proposal is consistent with the intent for residential uses in the district and will maintain the existing four unit building.

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 immediate neighborhood is predominantly residential, with a mix of single- and two-family homes. The surrounding homes are typically 2½ story structures with gable/hip and mansard roofs and a variety of dormer types. The property does back up to a high rise residential structure owner by the Housing Authority.

There are little to no impacts to the proposal. The design is compatible with the neighborhood and existing property.

5. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

Post construction the site will be more conforming to the parking requirement than the current building.

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

The proposal will replace 1 bedroom units with 3 bedroom units. It can be assumed that the condition of this property and the size of the units (averaging 615 net square feet) made them affordable. However, 4, 3-bedroom units of modest size are proposed in place. These units can expand affordable housing options for families.

7. 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.*

Three bedroom units in this location versus one bedroom units will increase the diversity of housing type.

III. RECOMMENDATION

Special Permit under §4.4.1 & §4.5.1

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 to expand a nonconforming structure and use to enlarge an existing 4 unit building from 1 bedroom units to 3 bedroom units. 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 20, 2014</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>(July 9, 2014)</td><td>Modified plans submitted to OSPCD (A-000 Cover, Z-001 Site Context, SHD Shadow, Landscape Plan, Plan of Land Existing Conditions, Plan of Land Proposed Conditions, EX-100 Existing Plans, EX-101 Existing Plans, EX-300 Existing Elev, A-010 Site Plan, A-100 Basement & First Floor Plan, A-101 Second Floor & Roof Plans, A-111 Perspectives, A-300 Elev, A-301 Elev, A-303 Perspectives)</td></tr></table>				Date (Stamp Date)	Submission	May 20, 2014	Initial application submitted to the City Clerk’s Office	(July 9, 2014)	Modified plans submitted to OSPCD (A-000 Cover, Z-001 Site Context, SHD Shadow, Landscape Plan, Plan of Land Existing Conditions, Plan of Land Proposed Conditions, EX-100 Existing Plans, EX-101 Existing Plans, EX-300 Existing Elev, A-010 Site Plan, A-100 Basement & First Floor Plan, A-101 Second Floor & Roof Plans, A-111 Perspectives, A-300 Elev, A-301 Elev, A-303 Perspectives)
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Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.										
Pre-Construction										
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/reports must be submitted to the Engineering Department for review and approval.	BP	Eng.							
Construction Impacts										

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	
Design				
5	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction.	BP	Plng.	
6	The pediment above the front doors shall be maintained.	CO	Plng.	
7	The dormer windows on the mansard addition shall match in detail to the existing structure. Detail plans to be submitted to Planning Staff for review.	BP	Plng.	
8	An exterior light and electrical receptacle is required for the first level of the porch.	Final sign off	Wiring Insp	
Site				
9	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards; and in accordance with SZO §10.2.2 and §10.6.2	Perpetual	Plng. / ISD	
10	Applicant will resubmit landscaping plan showing trash barrel area with screening.	CO	Plng.	
Miscellaneous				
11	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	
Public Safety				
12	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
13	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.	
Final Sign-Off				
14	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.	

