



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-109

Date: December 4, 2014

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 50 Harrison Street

Applicant & Owner Name: Alex Van Praagh

Applicant & Owner Address: 95 Anterim Street Cambridge, MA 02139

Alderman: Maryann Heuston

Legal Notice: Applicant and Owner, Alex Van Praagh, seeks a Special Permit per SZO §4.4.1 to alter a nonconforming structure by enlarging basement windows. RB Zone. Ward 2.

Dates of Public Hearing: Zoning Board of Appeals – December 10, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 2 ½ story home on a 2,435 square foot lot. The property is a two-family.
2. Proposal: The proposal is to alter the windows on the nonconforming side and front yard on the basement level to accommodate living area in the basement and to add a dormer on the nonconforming side yard.
3. Green Building Practices: None listed on the application.
4. Comments:

Fire Prevention: Fire protection has been contacted and has no objections to the proposal.

Ward Alderman: Alderman Heuston has been contacted and has no comments at this time.



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."*

The subject property is nonconforming on the front and side yards. Per SZO §4.4.1 lawfully existing one- and two-family dwellings which are nonconforming with respect to dimensional requirements may be enlarged, expanded, renovated, or altered by Special Permit. The dormer is 7'-2" from the property line and 8'-0" is required. The main body of the house is 2'-3" from the property line. The front setback is 7.1' from the property line and 15' is required.

There are other by-right alterations being done to the property including a rear egress, side porch, and window changes on the driveway side of the home. The finished basement will increase the FAR to .9 when 1.0 is allowed in the district.

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

The proposal is consistent with the purpose of the district, 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 surrounding neighborhood is a mix of one-, two-, and three-family homes near Beacon Street on the Cambridge/Somerville line. The area has close proximity to the services at Washington and Beacon Streets and the neighborhoods beyond by walking, biking, and public transit.

There are little to no impacts of the proposal. The front window will be landscaped to give privacy from the street. The dormer is modest and held significantly back from the side lot line.

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

It can be assumed that the condition of this property made the existing units affordable. However, the renovation will increase the bedroom count and make the units more desirable for families which will expand affordable housing options for families.

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 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.*

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	2	2
<i>Affordable Units:</i>	0	0

The proposal will not significantly affect the SomerVision tracking numbers but will allow for modest changes in an area to be conserved.

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 the new and enlarged basement windows and a dormer. 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>November 6, 2014</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>December 4, 2014</td><td>Modified plans submitted to OSPCD (Plot Plan, A1.0 – Basement Plan, A1.3 – Third Floor Plan, A1.4 – Roof Plan, A3.3 – Side Elev, A3.4 – Rear Elev)</td></tr></table>				Date (Stamp Date)	Submission	November 6, 2014	Initial application submitted to the City Clerk’s Office	December 4, 2014	Modified plans submitted to OSPCD (Plot Plan, A1.0 – Basement Plan, A1.3 – Third Floor Plan, A1.4 – Roof Plan, A3.3 – Side Elev, A3.4 – Rear Elev)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
2	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							
3	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							
Site										
4	Landscaping should be installed and maintained in compliance with the American Nurserymen’s Association Standards;	Perpetual	Plng. / ISD							
5	Applicant will supply landscape screening to provide privacy for the front basement window.	CO	Plng							
Miscellaneous										
6	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										
7	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP							
Final Sign-Off										

8	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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