



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION STAFF

GEORGE PROAKIS, *DIRECTOR OF PLANNING*
LORI MASSA, *SENIOR PLANNER*
DAN BARTMAN, *SENIOR PLANNER*
AMIE HAYES, *PLANNER*
MELISSA WOODS, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2013-71-R1(7/2014)
Date: August 14, 2013
Recommendation: Denial

PLANNING STAFF REPORT

Site: 104 Holland Street

Applicant Name: R & R Capital Investments, LLC
Applicant Address: 8 Museum Way #608, Cambridge MA 02141
Property Owner Name: R & R Capital Investments, LLC
Property Owner Address: 8 Museum Way #608, Cambridge MA 02141
Alderman: Katjana Ballantyne

Legal Notice: Applicant/Owner R+R Capital Investments, LLC seek a revision to Special Permit ZBA 2013-71 under SZO §5.3.8 to change the material and pervious coverage of the driveway/walkways. The original Special permit was under SZO § 4.4.1 was to alter the nonconforming 3-family structure. Zone RC. Ward 7.

Dates of Public Hearing: Zoning Board of Appeals August 20, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 4,613 net square foot triple decker on a 3,931 square foot lot. The Zoning Board approved a Special Permit in 2013 to make alterations to the structure keeping its use as a three-family dwelling. The roof decks that were originally proposed were been removed from the plans because the Zoning Board of Appeals was not supportive of them. The rear yard was to remain a parking area but the pavement was marked on the plan as to be changed from bituminous concrete to pervious pavers.

[illegible]

II. FINDINGS FOR REVISION TO SPECIAL PERMIT (SZO §4.4.1):

The following findings for a special permit under §5.1.4 were used to evaluate the revision request.

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."

A revision to a special permit is allowed if the final signoff and certificates of occupancy have not yet been issued which is the case for this project. Changes that are not de minimis must go back to the permit granting authority for approval. Staff deemed this revision to be greater than the de minimis requirements under §5.3.8 and the request is before the ZBA for a public hearing. The driveway makes up a large percentage of the site, 23%, and the site improvement work contributed to the overall support for the redevelopment of the triple-decker.

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 revision is not consistent with the City's comprehensive plan, SomerVision. One of the plan's policies is to protect neighborhoods from the adverse environmental impacts of decisions made by individual property owners. An action step is to reduce impervious surfaces and meet the pervious requirement. The request is counter to this goal.

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 asphalt driveway will continue to allow stormwater to runoff of the site into the City's combined sewer system instead of natural percolation of stormwater into the ground. Other negative impacts of asphalt are the contribution to the heat island effect and the aesthetic of pavement over pavers.

III. RECOMMENDATION

Revision to Special Permit under §5.3.8

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **DENIAL** of the requested REVISION. Planning staff recommends that the asphalt driveway is removed and replaced with a pervious surface as was shown on the approved plan.

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.

