



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2011-46

Date: June 16, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 167-169 Holland Street

Applicant Name: Tufts University

Applicant Address: 47 Winthrop St, Medford, MA (Attn: Dick Reynolds)

Property Owner Name: same

Property Owner Address: same

Agent Name: Martin A Oppenheimer

Agent Address: Tufts University, Ballou Hall, the Green, Medford MA

Alderman: Robert Trane

Legal Notice: Applicant/Owner Tufts University seek a special permit under SZO §4.4.1 to alter a nonconforming structure to install two entry canopies at the service and day care entrances.

Zoning District/Ward: RA/RC Ward 7

Zoning Approval Sought: Special Permit SZO §4.4.1

Date of Application: May 20, 2011

Dates of Public Hearing: Zoning Board of Appeals June 22, 2011

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 137,227 square foot parcel on which is a three-story bricking building that is owned by Tufts for administrative employee offices (TAB building). The City of Somerville Senior Citizens Center and Tufts University Day-care is also located in the building. The building is generally open from 9am to 5pm and there are approximately 200 employees in the building.

There are currently canopy structures at the main entrance of the building on Holland Street and the entrance on the northwestern side of the building.



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The subject property received a special permit in June of 1986 for Tufts University to add mezzanine floors, construct a parking structure providing basketball courts on the roof deck and landscaping surrounding the grounds.

2. Proposal: The southeastern portion of the TAB building is currently being restored including re-pointing the bricks and adding entrance canopies to protect the following doors from weather. One of the doors is the service entrance for deliveries and the canopy would be 3 feet by 4 feet. The other door is the daycare entrance and the canopy would be 9 feet by 9 feet. Both of these entrances are located on the southeastern side of the building. The new canopies will be similar in design, material and color to the existing canopies at the main entrance and northwestern entrance. The frame of the canopies will be steel and the top will be a flat corrugated metal piece. There will be light fixtures projecting light down from the canopies. The canopy at the main entrance will be reduced in length slightly because the overhang interferes with trucks going by. The canopy is currently damaged because it was hit by a truck.

167 Holland St: Existing Entry Canopies



3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including landscaped area, building height, and setbacks for the attached Powderhouse School building.

The proposed entry structures would not affect the nonconforming aspects of the building. The structures would be more than 8 feet from the side yard and the change to the front canopy is not within the 15 foot front yard. Lawfully existing nonconforming structures other than one- and two-family dwellings may only be altered by special permit under §4.4.1 of the SZO.

4. Surrounding Neighborhood: The surrounding area is comprised of single-, two-, and three-family homes, a municipal building, a park, and Teele and Davis Squares.

5. Impacts of Proposal: The canopies are not anticipated to have negative impacts. They are not located within close proximity to the property lines. The canopies will compliment the existing structures as they will have a consistent design to the existing canopies at other entrances.

6. Green Building Practices: There are none listed on the application form.

7. Comments:

Ward Alderman: Alderman Trane does not have an issue with the entry canopies as long as they do not impact parking on the site. Staff let the Alderman know that the canopy structures will not impact the parking on the site.

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 find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The canopies will be over existing entrances and will not be within the required setback for the district.

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 conserving the value of land and buildings and the purpose of the residential districts in making an upgrade to this institutional building that convenient to the residents.

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 canopies will compliment the existing structures as they will have a consistent design with the existing canopies at other entrances of the building. The front entrance canopy will be cut back slightly to allow for trucks to pass more easily; however, the design of the canopy will not change.

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 addition of 2 entry canopy structures on the southeastern side of the building and for alteration to the canopy structure on the southwestern side of the building. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>May 20, 2011</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>Feb 15, 2011 (Jun 16, 2011)</td><td>Plans submitted to OSPCD (site plan and details SD1.1; floor plans A1.1-2; elevations - south A2.2, - east A2.3; plans, elevations and sections of canopies A4.1-2)</td></tr></table>				Date (Stamp Date)	Submission	May 20, 2011	Initial application submitted to the City Clerk’s Office	Feb 15, 2011 (Jun 16, 2011)	Plans submitted to OSPCD (site plan and details SD1.1; floor plans A1.1-2; elevations - south A2.2, - east A2.3; plans, elevations and sections of canopies A4.1-2)
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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	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.							

