



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-76
Date: October 11, 2012
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 146 Hudson Street

Applicant Name: Hudson St, LLC
Applicant Address: 25 Doty Avenue, Danvers, MA 01923
Property Owner Name: Hudson St, LLC
Property Owner Address: 25 Doty Avenue, Danvers, MA 01923
Agent Name: Richard G. Di Girolamo, Esq.
Agent Address: 424 Broadway, Somerville MA 02145
Alderman: Sean O'Donovan

Legal Notice: Applicant/Owner, Hudson Street, LLC, seek a Special Permit under SZO §4.4.1 to alter a structure on a nonconforming lot to construct 3 dwelling units in an approx 5,200 sf building and 6 parking spaces.

Zoning District/Ward: RB / 5

Zoning Approval Sought: Special Permit under §4.4.1

Date of Application: September 11, 2012

Dates of Public Hearing: Zoning Board of Appeals October 17, 2012

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 6,460 sf lot on which sits a 1 ½ story single-family house and a 5 car concrete block garage at the rear of the property. There is a 9 foot shared driveway that leads to the rear of the property. Approximately half of the driveway is located on the subject parcel and half is located on the abutting parcel. The deed states that the passageway is to be kept open for passage.



*146 Hudson St – view from street (top left),
garages at rear of property (top right),
shared driveway (middle left), rear façade
and neighboring building (middle right),
aerial view (bottom).*

2. Proposal: The proposal is to build a three-family dwelling with six parking spaces in the rear of the property. It includes keeping a portion of the existing foundation and demolishing the rest of the house and the garage. The house will be three-stories with a gable roof and approximately 5,700 sf in size.

Each unit will occupy a floor of the house and the basement will include a living room for the first floor unit as well as storage for all three units. The units will have two-bedrooms and two-bathrooms. There will be two decks off of each unit and a patio in the front yard and left side yards for the first floor unit.

Landscaping will surround the building and provide a buffer between the cars and the abutting properties to the southeast. There will be a brick paver walkway from the parking lot along the building to the side door. Access to all three units is possible from the side or front door. There will be a trash enclosure behind the building.

3. Nature of Application: The lot size is nonconforming at 6,260 sf, the minimum required parcel size is 7,500 sf. The existing structure is also nonconforming in terms of the side yard setbacks. Lawfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5.

The proposed building and site complies with the dimensional requirements and parking requirements except for lot size. The building massing and density is below the Zoning Code's maximum allowed dimensions. The floor area ratio is 0.89 and the maximum allowed is 1.0. The ground coverage is 29.6% and the Code allows up to 50% coverage. The setbacks comply with a 15 foot setback in the front, 58.1 feet setback in the rear yard, and 9.2 feet on each side yard which is allowed due to the narrow width of the lot. The number of stories is 3, which is allowed and the height is 5 feet less than the limit of 40 feet. The proposed lot area per dwelling unit is 2,153 sf and the minimum in the district is 1,500 sf.

The site will be conforming to the dimensional requirements except for lot size as noted above. The landscape requirement is 25% and the pervious surface requirement is 35%. The site complies with 32.4% landscaping and 35% pervious surfaces.

Finally, the parking requirements are met. Three two-bedroom units require 1.5 parking spaces per unit for a total of 5 spaces. The proposal includes 6 spaces.

4. Surrounding Neighborhood: The surrounding area is comprised of residential properties on Hudson Street and a mix of commercial, residential and institutional (Fire Substation) behind the property along Highland Avenue. There is a multi-family, 4-story residential building to the left of the property and a 2 ½ story house with a small front and square bay in the front of the house.

5. Impacts of Proposal: The house and garage on the lot are in disrepair and a redevelopment of the site will improve its condition. The proposed structure has many elements that are typical in the City of Somerville's housing stock. The structure is slightly taller than the typical 2 ½ story house but there will be a gable roof with a typical pitch, an open front porch that is similar to the neighboring house, shed dormers with significant pitch that start well below the peak of the roof, and a square bay. The long nature of the building is broken down by having a 12 foot section of the west façade recessed and decks projecting from the recessed area. The east façade will have a square bay projecting at the rear of the property. Finally, the roof peak of the rear 20% of the building will be below the height of the roof peak for the front portion of the building.

The closest building to the proposed structure is a 6-unit building that the Zoning Board approved in 2003. The building has decks in the side yard that will be close to the proposed structure. The side of the proposed structure abutting the decks will not contain decks so privacy is not anticipated to be a concern.

The intensity of the residential use will increase with the addition of two units; however, despite the increase in the number of units, the number of parking spaces will only increase by one. The amount of pavement and impervious surface on the site will not increase as a result of this proposal.

6. Green Building Practices: None listed on the application form.

7. Comments:

Fire Prevention: The building will require a code compliant fire alarm and sprinkler system. Landscaping in the front and side yard shall not block access to the left side of the building.

Historic Preservation: The owner of the property signed a Memorandum of Agreement with the Historic Preservation Commission during their review of the demolition approval. The parties agree that the new building should be set back from the street and in line with the other buildings on the street. It should be constructed with traditional elongated window proportions and relatively thick/deep window casings and sills to give more definition to the building. Porches should be open.

Wiring Inspector: The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. An exterior light and electrical receptacle is required for the first floor of porches and an electrical receptacle is required for the upper levels.

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

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 existing house and garage on the lot are in disrepair and a redevelopment of the site will improve its condition. The new structure will be more in compliance with the dimensional requirements. The existing structure has nonconforming side yards. The proposed structure will be much larger than the existing structure; however, it will meet all of the dimensional and parking requirements for the RB district except for minimum lot size. The structure will continue to be for residential use and the increase in intensity from one to three units will not be detrimental in a neighborhood of one-, two-, three-, and multi-family homes. The parking requirement will be met and the amount of impervious coverage on the lot will not increase.

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 providing for and maintaining the uniquely integrated structure of uses in the City and encouraging the most appropriate use of land throughout the City.

The proposal for a three-family dwelling is also consistent with the purposes of the RB and RC zoning districts that encourage three-family homes.

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 proposed structure has many elements that are typical in the City of Somerville's housing stock. The structure is slightly taller than the typical 2 ½ story house but there will be a gable roof with a typical pitch, an open front porch that is similar to the neighboring house, shed dormers with a significant pitch that start well below the peak of the roof, and a square bay. The long nature of the building is broken down by have a 12 foot section of the west façade recessed and decks projecting from the recessed area. The east façade will have a square bay projecting at the rear of the property. Finally, the roof peak of the rear 20% of the building will be below the height of the roof peak for the front portion of the building.

The closest building to the proposed structure is a 6-unit building that the Zoning Board approved in 2003. The building has decks in the side yard that will be close to the proposed structure. The side of the proposed structure abutting the decks will not contain decks so privacy is not anticipated to be a concern.

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.

The vehicular and pedestrian circulation will not change as a result of this proposal. The shared driveway will still be in use to access the parking spaces in the rear of the property and the front door of the house will provide access to all three units.

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 alteration of a nonconforming structure to construct a three-family dwelling. 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>Sept 11, 2012</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>Jan 20, 2012</td><td>Plot Plan</td></tr><tr><td>Aug 28, 2012</td><td>Plans submitted to OSPCD (Street View 1*, 3D Model Context*) *basement front door location is not in revised location</td></tr><tr><td>Oct 5, 2012</td><td>Modified plans submitted to OSPCD (Z-1 zoning compliance, A-2 & A-3 floor plans, A-4 & A-5 elevations)</td></tr><tr><td>Oct 11, 2012</td><td>Modified plans submitted to OSPCD (Z-2 zoning compliance, A-1 Arch Site Plan)</td></tr></table>				Date (Stamp Date)	Submission	Sept 11, 2012	Initial application submitted to the City Clerk’s Office	Jan 20, 2012	Plot Plan	Aug 28, 2012	Plans submitted to OSPCD (Street View 1*, 3D Model Context*) *basement front door location is not in revised location	Oct 5, 2012	Modified plans submitted to OSPCD (Z-1 zoning compliance, A-2 & A-3 floor plans, A-4 & A-5 elevations)	Oct 11, 2012	Modified plans submitted to OSPCD (Z-2 zoning compliance, A-1 Arch Site Plan)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.																
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3	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 must be submitted to the Engineering Department for review and approval.	BP	Eng.	
4	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
5	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	
6	The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
7	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	
8	A landscape plan shall be submitted to Planning Staff for review and approval. The plan shall include at least one tree to satisfy the requirement for one tree for each 1,000 sf of required landscaped area under SZO §10.3 and the landscaping shall not block access to the left side of the structure.	CO	Plng.	
9	A code compliant fire alarm and sprinkler system shall be installed.	CO	FP	
10	An exterior light and electrical receptacle is required for the first level decks and an electrical receptacle is required for the upper floor decks.	Final sign off	Wiring Inspector	
11	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	

12	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.	Perpetual	ISD	
13	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.	

