



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2013-68

**Date:** May 15, 2014

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 6 Marion Street

**Applicant & Owner Name:** Jason Calvert & Lorraine McGuinness

**Applicant & Owner Address:** 6 Marion Street Somerville, MA 02143

**Agent Name:** Richard Di Girolamo

**Agent Address:** 424 Broadway Somerville, MA 02145

**Alderman:** Maryann Heuston

Legal Notice: Applicant and Owners, Jason Calvert and Lorraine McGuinness, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure by adding dormers and making window and door alterations. RB zone. Ward 2.

Dates of Public Hearing: Zoning Board of Appeals – May 21, 2014

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 2 ½ story, 2-family home on a 1,642 square foot lot. The home is typical of Somerville, there is a narrow sideyard and a conforming sideyard with a driveway on the opposite side.
2. Proposal: The proposal is to add 2 dormers to the property. The dormers are centrally located and will be 17' long. The left side dormer will have 3 windows. The dormer on the right side of the home will not have any windows but will have 2 skylights. This is due to building code regulation that does not allow new windows within 3' of the property line without fire suppression. There is also an existing stair to access the third floor. To improve the head height in the stairwell, the dormer cannot be pushed back without reconfiguring the existing stair.

In addition to the dormers, the gable roofline of the house will be extended back over the existing rear addition. Part of the additional space created will be used for a bedroom. The bedroom will have a new, trapezoidal shaped window. The other portion will be left open for a partially roofed deck. The space on the 3<sup>rd</sup> floor will maintain the existing bedroom count. The only change to the front of the home is a new window on the third floor with a transom.



*6 Marion Street – Existing Conditions*

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

4. Comments:

*Fire Prevention*: Fire Prevention has been contacted but has no comments at this time.

*Engineering*: Engineering has been contacted but has no comments at this time.

*Ward Alderman*: Alderman Heuston has been contacted but 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."*

Per SZO §4.4.1 nonconforming 2-family structures may be enlarged, expanded, renovated, or altered by special permit. Adding a dormer to the nonconforming right side of the dwelling and the extension of the roofline require a Special Permit. The dormer on the left sideyard is by-right.

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 provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; and to provide adequate light and air.

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 subject property is located in an RB zone just south of Union Square. The surrounding neighborhood is predominantly residential comprised of single-, two-, and three-family dwellings. Most of the structures in this area are between 2½ and 3 stories in height with gable, mansard, or flat roof styles.

There are little to no impacts of the proposal. The Applicant and Architect have worked with Planning Staff to reduce the size of the dormers to better maintain the existing building type. Although, Planning Staff does not generally support the creation of dormers without windows this is an exceptional condition because of the existing interior stair layout. The dormer is setback from the front of the home and will be minimally visible from the street. A condition of this report is that the Applicant submit for Planning Staff review and approval a revised right elevation articulating a window-like pattern on the windowless dormer.

There are three conditions proposed as part of this report to assure it's site and area compatibility. The first is that the proposed third story window on the front of the home matches the existing window type. This is to maintain consistency along the streetscape. The second condition is that the railing detail at the rear deck be addressed to avoid the condition of the railing meeting a sloped roof. The Applicant must submit an elevation and plan for Planning Staff review and approval. Lastly, the siding type and color, trim, and materials of the dormer must match or be complimentary to the existing finish of the home.

**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 a Special Permit under SZO §4.4.1 to alter a nonconforming structure by adding dormers and making window and door alterations. 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>September 30, 2013</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>June 18, 2013</td><td>Modified plans submitted to OSPCD (Existing Plans: EX-01 Plot Plan, EX-02 Basement, EX-03 1<sup>st</sup> Floor, EX-04 2<sup>nd</sup> Floor, EX-05 3<sup>rd</sup> Floor, EX-06 Sections)</td></tr><tr><td>April 14, 2014</td><td>Modified plans submitted to OSPCD (Proposed Plans: Plot Plan, C-01 3D View, C-02 Basement, C-03 1<sup>st</sup> Floor, C-04 2<sup>nd</sup> Floor, C-05 3<sup>rd</sup> Floor, C-06 Sections, D-07 Elevations, C-08 Elevations, C-09 Roof Plan)</td></tr></table>				Date (Stamp Date)	Submission	September 30, 2013	Initial application submitted to the City Clerk’s Office	June 18, 2013	Modified plans submitted to OSPCD (Existing Plans: EX-01 Plot Plan, EX-02 Basement, EX-03 1 <sup>st</sup> Floor, EX-04 2 <sup>nd</sup> Floor, EX-05 3 <sup>rd</sup> Floor, EX-06 Sections)	April 14, 2014	Modified plans submitted to OSPCD (Proposed Plans: Plot Plan, C-01 3D View, C-02 Basement, C-03 1 <sup>st</sup> Floor, C-04 2 <sup>nd</sup> Floor, C-05 3 <sup>rd</sup> Floor, C-06 Sections, D-07 Elevations, C-08 Elevations, C-09 Roof Plan)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.												
<b>Pre-Construction</b>												
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.									
<b>Construction Impacts</b>												

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	
<b>Design</b>				
5	New siding type and color, trim, and materials of the dormer shall match or be complimentary to the existing structure.	CO	Plng.	
6	The Applicant will submit a revised elevation and plan resolving the conflict of the deck railing meeting the sloped roofline for Planning Staff review and approval.	BP	Plng.	
7	The rear deck shall never be enclosed.	Perp.	Plng.	
8	The Applicant will submit a revised elevation of the right dormer showing articulation of a 'window' pattern for Planning Staff review and approval.	BP	Plng.	
9	An exterior light and electrical receptacle is required for the deck (if there is no access to the ground).	Final sign off	Wiring Insp.	
<b>Miscellaneous</b>				
10	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	
<b>Public Safety</b>				
11	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
<b>Final Sign-Off</b>				
12	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.	

