



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2017-05
Date: February 1st, 2017
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 25-27 Mason Street

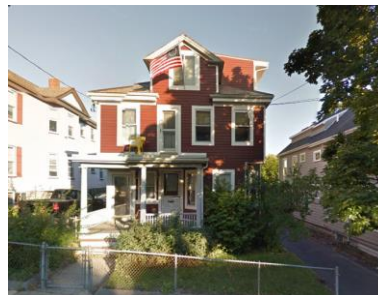
Applicant Name: Augustus Means
Applicant Address: 27 Mason Street, Somerville, MA 02144
Owner Name: Augustus Means
Owner Address: 27 Mason Street, Somerville, MA 02144
Agent Name: n/a
Agent Address: n/a
Alderman: Katjana Ballantyne

Legal Notice: 25-27 Mason Street: (Case #ZBA 2017-05) Applicant/Owner, Augustus Means, seeks a Special Permit pursuant to SZO §4.4.1 and §4.5.1 to alter a non-conforming two-family dwelling to extend the first floor porch and add a porch at the second floor. RA zone. Ward 7.

Dates of Public Hearing: February 1st, 2017

I. PROJECT DESCRIPTION

1. **Subject Property:** 25-27 Mason Street is a 4,568 square foot lot in an RA zone. The existing non-conforming structure is a wood-frame two-family building on Mason Street between Powder House Boulevard near Tufts University and Broadway at Teele Square. There is an existing concrete block garage at the right side rear of the property.



2. Proposal: The application is to replace the front porch with a porch that is the width of the house and also provides a porch for the second floor unit.

3. Green Building Practices: None listed.

4. Comments:

Fire Prevention: "Fire has no objections or conditions."

Traffic & Parking: None at this time.

Wiring Inspection: "Both corners of the building have wires attached to it the electrical service is to the left and phone and cable to the right. Article 230.9 of the National Electrical code requires clearance of 3' from the porch to the electrical service wires. The National Electric Safety Code Table 234-1 requires a 4.5' clearance for phone and cable wires."

All the wires would need to be removed during construction and temporary power established by an electrician in cooperation with the utility company. A redesign would be required to meet the clearance requirements if the wires remain in place.

Lights and Lines: None at this time.

Engineering: "Porch looks good from the Engineering office's standpoint."

Historic Preservation: Not applicable.

Ward Alderman: None at this time.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1):

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."*

Nature of Application: RA – Residential district

The structure is currently nonconforming with respect to the following dimensional requirements:

Lot area	the lot is only 4,568sf as opposed to the 10,000sf necessary in an RA zone.
Minimum frontage	the lot is 43' wide instead of the 50' required.
Side yard setbacks	the right side is 12.1' and the left is 3.0' for a total of 15.1' whereas the regulations specify 8' minimum and 17' total for a 2-1/2 story structure.

Section 4.4.1 states that “[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5.”

In considering a special permit under §4.4 or 4.5 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. Although the proposal continues the dimensional non-conformities of the side yards, the design does not increase the floor area of the building. The porch is appropriate and will be an improvement.

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 promote the health, safety, and welfare of the inhabitants of the City of Somerville; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; and, to protect and promote a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes.

The proposal is consistent with the purpose of the district, which is, “to establish and preserve quiet neighborhoods of one- and two-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."*

Surrounding Neighborhood:

The subject property is in the Tufts neighborhood, Mason Street runs between Powder House Boulevard and Broadway, surrounded by mostly 2-1/2 story wood frame two-family residential buildings very similar to the subject property.

Impacts of Proposal:

The homes throughout the neighborhood have a wide variety of front porches. The proposal is extremely appropriate for the character of the house and the neighborhood. A two story full front porch will improve the livability of the home for the residents and be a visual upgrade for the neighbors.

5. Adverse environmental impacts:

The proposed use, structure or activity will not constitute an adverse impact on the surrounding area.

6. Vehicular and pedestrian circulation:

The circulation patterns for motor vehicles and pedestrians will not be altered so there will be no change in traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

7. Housing Impact:

The proposal will have no impact on the stock of existing affordable housing.

8. SomerVision Plan:

The proposal complies with the applicable goals, policies and actions of the SomerVision plan by preserving and enhancing the character of Somerville's neighborhoods.

<i>SomerVision Summary</i>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	2	2
<i>Affordable Units:</i>	0	0
<i>Commercial Sq. Ft.:</i>	0	0
<i>Estimated Employment:</i>	0	0
<i>Parking Spaces:</i>	unknown	unknown
<i>Publicly Accessible Open Space:</i>	0	0

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 replacement and expansion of the front porch. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Planning					
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>December 29, 2016</td><td>Initial application submitted to the City Clerk's Office</td></tr></table>				Date (Stamp Date)	Submission	December 29, 2016	Initial application submitted to the City Clerk's Office
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	December 29, 2016				Initial application submitted to the City Clerk's Office			
Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.								
Pre-Construction								
2	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					
Construction Impacts								

3	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Planning	
4	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Cont.	Planning	Deed submitted & application form signed
5	The Applicant/Owner shall meet the requirements of the Wiring Inspector's comments: "Both corners of the building have wires attached to it the electrical service is to the left and phone and cable to the right. Article 230.9 of the National Electrical code requires clearance of 3' from the porch to the electrical service wires. The National Electric Safety Code Table 234-1 requires a 4.5' clearance for phone and cable wires." All the wires would need to be removed during construction and temporary power established by an electrician in cooperation with the utility company. A redesign would be required to meet the clearance requirements if the wires remain in place.	BP	DPW	
6	The Applicant shall at their 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	
7	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	
Design				
8	Applicant shall provide final material samples and colors for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction.	BP	Planning	
9	An exterior light and electrical receptacle is required for all levels of the porch.	Final sign off	Wiring Inspector	
Miscellaneous				
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	
Public Safety				
11	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
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	Planning	