



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-28

Date: June 18, 2015

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 140 Morrison Avenue

Applicant & Owner Name: Brian and Katia Green

Applicant & Owner Address: 140 Morrison Avenue Somerville, MA 02144

Alderman: Rebekah Gewirtz

Legal Notice: Applicant and Owners, Brian and Katia Green, seek a Special Permit to alter a nonconforming structure to enclose a rear porch, construct a rear deck, and make window and door alterations in a narrow sideyard. RA Zone. Ward 6.

Dates of Public Hearing: Zoning Board of Appeals – June 24, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is an existing single family row house on a 2,496 square foot lot. The property is part of the 5 rowhouse 1870 William H. Pierce Rowhouses local historic district.
2. Proposal: The proposal is to enclose a rear porch, construct new egress stairs, and make window and door alterations. Some additional windows will allow the applicant to finish the basement.
3. Green Building Practices: None listed on the application.
4. Comments:

Fire Prevention: Fire prevention has been contacted and has no comments at this time.



Historic Preservation: The HPC issued a certificate of appropriateness with contingencies on April 8, 2015.

Inspectional Services: The stairs should be adequately sized for egress.

Electrical Inspector: There shall be 3' in front of mechanical equipment in the basement mechanical room.

Ward Alderman: Alderman Gewirtz has been contacted and has no comments at this time.

II. FINDINGS FOR SPECIAL PERMIT:

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."*

Lawfully existing one- and two-family dwellings which are nonconforming with respect to dimensional requirements, may be enlarged, expanded, renovated, or altered by special permit. Enclosing the rear deck on the nonconforming sideyard and constructing a new rear deck requires a special permit.

In considering a special permit, 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 preserve the historical and architectural resources of the City; and to encourage housing for persons of all income levels.

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."

No parking relief is needed. The existing bedroom count is 2, which is a parking requirement of 1.5 and rounds to 2 parking spaces. Three bedrooms have the same parking requirement, 2 spaces.

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 surrounding neighborhood is a mix of one-, two-, and three-family residences and the adjoining row houses. The property is in close proximity to Davis Square and the community path.

There are little to no impacts of the proposal except those associated with residential use.

5. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

6. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

The project does not contribute to the metrics of SomerVision but does allow a homeowner to make minor modifications to a home.

III. RECOMMENDATION

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 to enclose a rear porch, construct a rear deck, and make window and door alterations in a narrow sideyard. 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>May 21, 2015</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>June 2, 2015</td><td>Modified plans submitted to OSPCD (Cover, AS101 Site, A101 Garden Level, A102 First FP, A103 Second FP, A201 Elevations)</td></tr></table> | | | | Date (Stamp Date) | Submission | May 21, 2015 | Initial application submitted to the City Clerk’s Office | June 2, 2015 | Modified plans submitted to OSPCD (Cover, AS101 Site, A101 Garden Level, A102 First FP, A103 Second FP, A201 Elevations) |
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| | May 21, 2015 | | | | Initial application submitted to the City Clerk’s Office | | | | | |
| June 2, 2015 | Modified plans submitted to OSPCD (Cover, AS101 Site, A101 Garden Level, A102 First FP, A103 Second FP, A201 Elevations) | | | | | | | | | |
| Any changes to the approved plan or elevations that are not <i>de minimis</i> must receive SPGA approval. | | | | | | | | | | |
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| Pre-Construction | | | | | | | | | | |
| 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 must be submitted to the Engineering Department for review and approval. | BP | Eng. | | | | | | | |
| Construction Impacts | | | | | | | | | | |
| 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 | | | | | | | |
| Design | | | | | | | | | | |
| 5 | The addition shall match or be complimentary to the existing structure. | BP | Plng. | | | | | | | |
| 6 | An exterior light and electrical receptacle is required for the first level of the porch | Final sign off | Wiring Insp | | | | | | | |
| 7 | Applicant shall comply with the HPC issued certificate of appropriateness. | CO | Plng | | | | | | | |
| Miscellaneous | | | | | | | | | | |
| 8 | 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 | | | | | | | | | | |

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|-----------------------|---|----------------|-------|--|
| 9 | The Applicant or Owner shall meet the Fire Prevention Bureau's requirements. | CO | FP | |
| Final Sign-Off | | | | |
| 10 | 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. | |

