



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-51

Date: August 1, 2013

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 8 Mount Vernon Street

Applicant Name: Fermin & Barbara Castro

Applicant Address: 8 Mount Vernon Street, Somerville, MA 02145

Property Owner Name: Fermin & Barbara Castro

Property Owner Address: 8 Mount Vernon Street, Somerville, MA 02145

Alderman: Maureen Bastardi

Legal Notice: Applicants and Owners, Fermin and Barbara Castro, seek a Special Permit under SZO §4.4.1 to alter the rear façade, which includes modifications to windows, doors, and the deck, and to remove windows from the left side façade of a nonconforming, two-family dwelling. RB zone. Ward 1.

Zoning District/Ward: RB / Ward 1

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: July 9, 2013

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, August 7, 2013**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family dwelling located on a 5,000 square foot lot in the East Somerville neighborhood near Broadway and Interstate 93. The property has 2,982 square feet of living space and the parcel contains a moderate amount of landscaping. The structure is 2½ stories in height with an end-gable and two rear additions. The building is located within a Residence B district and abuts similar residential properties on either side.

This c. 1850 building is designated historic at both the local and national level. Historic designation at the local level requires the Applicant to submit an application to the Somerville Historic Preservation



Commission and receive a Certificate before any work begins. Historic designation at the national level, in this instance, identifies the property as worthy of preservation according to Federal government standards. The dwelling retains a high degree of historic integrity due to the Greek Revival design and workmanship, as well as for its association with Ebenezer Davis, an early member of the East Somerville community. Although this building is a single-building local historic district, several other designated local and National Register historic buildings are also located on this section of Mt. Vernon Street.

In 2005, the current Applicants applied under SZO §9.13.b to extend their curb cut from 10 feet to 19 feet. The Applicants were denied their request at that time.

In 2012, the Applicants were granted a Variance to construct a wall/fence to a height of 8.5' to block noise coming from and views of the Mt. Vernon Street Restaurant.

2. Proposal: The Applicants propose to alter the rear façade, which includes modifications to windows, doors, and the deck, and to remove windows from the left side façade of a nonconforming structure. These modifications are part of a larger interior renovation plan that adds net square feet to the first floor unit; however, only the proposed exterior modifications require Special Permit approval.

The Applicants propose to remove the bulkhead enclosure from the rear façade and to install a new door that would be flush with the exterior wall. The rear deck would be reconfigured slightly smaller and lead directly down to grade level. The second story window would be removed and replaced with two historically appropriate windows, to be located directly above each of the first floor doors.

Two small square windows on the first floor of the left side (north) façade would be removed, infilled and reshingled to match the existing façade.



Left: 8 Mt. Vernon Street, primary and right side façade

Middle: 8 Mt. Vernon Street, photo taken from Mt. Vernon Restaurant illustrating view of second story façade

Right: 8 Mt. Vernon Street, bulkhead enclosure and rear deck

3. Nature of Application: The existing structure is currently nonconforming with regard to minimum lot size and front, rear, and left side yard setbacks. In accordance with the Somerville Zoning Ordinance (SZO), a nonconforming two-family dwelling may alter an existing nonconformity through Special Permit approval. Therefore, under SZO §4.4.1, the proposed alterations to the rear and left side façades require Special Permit approval.

4. Surrounding Neighborhood: The subject property is located in an RB district within the East Somerville neighborhood near Broadway and Interstate 93. The building is in close proximity to various

commercial uses along Broadway as well as a number of single-, two-, and three-family dwellings located along Mt. Vernon Street. The buildings that abut on either side are similar in size and style to the subject parcel.

5. Impacts of Proposal: The proposal to alter the rear façade, which includes modifications to windows, doors, and the deck, and to remove windows from the left side façade of a nonconforming structure, will not be detrimental to the structure or the surrounding properties.

Removing the bulkhead enclosure will reduce a nonconforming component of the rear façade and provide more open space within the rear yard setback. The proposed rear façade window modifications will enhance the rear façade and be more historically appropriate. As this façade view into the Mt. Vernon Street Restaurant parking lot, adjacent abutters will not be impacted. Removing windows from the left side will also reduce the nonconforming nature of this façade.

6. Green Building Practices: The Applicants do not indicate any green building practices.

7. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Ward Alderman: In an email to Staff dated Thursday, July 18, 2013, Alderman Bastardi stated that she has no concerns regarding this project.

Historic Preservation: The Applicant came before the Somerville Historic Preservation Commission (HPC) on July 16, 2013 to present their current proposal. The HPC voted unanimously (7-0) to grant the Applicants a Certificate of Appropriateness for the proposed alterations.

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. Removing the bulkhead enclosure, altering the locations of windows on the second story of the rear façade, and removing two windows on the left side façade will enhance the structure and reduce the nonconforming nature that currently exists. There will be no impact on the surrounding neighborhood as the windows to be added to the rear façade overlook a parking lot.

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 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; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.”

The proposal is consistent with the purpose of the Residence B district, §6.1.2, 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 proposal- to remove the bulkhead enclosure, alter window locations on the second story of the rear façade, and remove two windows on the left side façade- are compatible with the neighborhood and surrounding uses. The proposed rear façade window modifications will enhance the rear façade and be more historically appropriate. As this façade view into the Mt. Vernon Street Restaurant parking lot, adjacent abutters will not be impacted. Removing windows from the left side will then no longer look onto the left adjacent property. .

5. Adverse environmental impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

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
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1	Approval is for a Special Permit to alter the rear façade, which includes modifications to windows, doors, and the deck, and to remove windows from the left side façade of a nonconforming, two-family dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Png.													
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(July 9, 2013)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>June 22, 2010 (July 29, 2013)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>December 8, 2011 (July 29, 2013)</td> <td>Existing elevations submitted to OSPCD (AX 201, AX202, & AX203)</td> </tr> <tr> <td>July 16, 2011 (July 29, 2013)</td> <td>Proposed elevations submitted to OSPCD (A201 & A202)</td> </tr> <tr> <td>July 16, 2013 (July 29, 2013)</td> <td>Proposed elevation submitted to OSPCD (A203)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(July 9, 2013)	Initial application submitted to the City Clerk's Office	June 22, 2010 (July 29, 2013)	Plot plan submitted to OSPCD	December 8, 2011 (July 29, 2013)	Existing elevations submitted to OSPCD (AX 201, AX202, & AX203)	July 16, 2011 (July 29, 2013)	Proposed elevations submitted to OSPCD (A201 & A202)	July 16, 2013 (July 29, 2013)	Proposed elevation submitted to OSPCD (A203)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.																
Design																
2	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector													
Public Safety																
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP													
Final Sign-Off																
4	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	Png.													

8 Mt. Vernon Street

