



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-12

Date: April 9, 2015

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 51 Ossipee Road

Applicant Name: Fariba Rostam

Applicant Address: 12 Robinwood Road Belmont, MA 02478

Owner Name: 51 Ossipee Rd. LLC

Owner Address: 45 Wellesley Road Belmont, MA 02478

Alderman: Katjana Ballantyne

Legal Notice: Applicant Fariba Rostam and Owner, 51 Ossipee Rd LLC, seek a Special Permit to expand a nonconforming FAR by finishing a basement. RA zone. Ward 7.

Dates of Public Hearing: April 15, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is an existing 2-family house on a 3,561 square foot lot. The property is a corner lot, the front door is on Ossipee Road and the vehicular access is from Packard Avenue.
2. Proposal: The proposal is to finish a portion of the basement for exclusive use of Unit 1 while keeping the remainder as storage and utility space. The finished space will be a family room, office, and bathroom.
3. Green Building Practices: None listed on the application.
4. Comments:



Fire Prevention: The basement will need a device in both apartments that will ring an alarm in the event of the smoke alarm going off in the common area of the basement.

Ward Alderman: Alderman Ballantyne have been contacted and have 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."*

The allowed Floor Area Ratio in RA districts is .75. The existing house is already nonconforming at .89. Per the SZO, existing nonconformities can be expanded by Special Permit. The proposed FAR is 1.03.

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 alterations are within the home and will not be noticeable on the streetscape.

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 encourage the most appropriate use of land throughout 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." The property will remain a two family.

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 homes in close proximity to Tufts University, Teele Square, and a short walk to Davis Square.

The design will have no impacts on surrounding properties since it is within the footprint of the existing building.

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

The proposal will have no impact on 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 property will not contribute directly to the measurable goals and policies of SomerVision but will allow property owners to make small changes to their homes to make them more livable.

III. RECOMMENDATION

Special Permit

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 increase the nonconforming FAR by finishing the basement. 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>March 6, 2015</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>(April 6, 2015)</td><td>Modified plans submitted to OSPCD (Mortgage Inspection Plan, Basement Floor Plan Existing, Basement Floor Plan Proposed)</td></tr></table>				Date (Stamp Date)	Submission	March 6, 2015	Initial application submitted to the City Clerk's Office	(April 6, 2015)	Modified plans submitted to OSPCD (Mortgage Inspection Plan, Basement Floor Plan Existing, Basement Floor Plan Proposed)
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Any changes to the approved plan that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
2	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							
3	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							
Miscellaneous										
4	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										
5	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
Final Sign-Off										
6	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.							

