



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

PLANNING DIVISION

STAFF

GEORGE PROAKIS, *PLANNING DIRECTOR*
LORI MASSA, *SENIOR PLANNER*
ADAM DUCHESNEAU, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*
FREDERICK J. LUND, *SENIOR DRAFTSMAN*

Case #: ZBA 2011-33

Date: May 18, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 27 Porter St

Applicant Name: Frank Marinello

Applicant Address: 27 Porter St, Somerville, MA

Property Owner Name: Luigi and Rose Marie Marinello

Property Owner Address: 27 Porter St, Somerville, MA

Agent Name: Jay W. Melick

Agent Address: 100 Grove St, Worcester, MA 01605

Alderman: Thomas Taylor

Legal Notice: Applicant Frank Marinello and Owner Luigi and Rose Marie Marinello seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to construct an approx 3,000 sf addition to an existing two-family residence.

Zoning District/Ward: RB / 3

Zoning Approval Sought: Special Permit SZO §4.4.1

Date of Application: April 14, 2011

Dates of Public Hearing: Zoning Board of Appeals May 18, 2011

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 11,298 sf lot on which sits a 3,809 sf, 2 ½ story house. The house was constructed and assessed as a two-family; however, the owners have used it as a single-family dwelling for as far back as their adult children can remember. The site is sloped with a grade change of approximately 20 feet from the rear eastern corner down to the front western corner. There is a retaining wall along the rear eastern corner. An old barn was located in the backyard but it was recently demolished as it was not structurally sound. The barn's foundation still exists. There is a 1920's era concrete block garage behind the house that fits one car with room for storage.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov



2. Proposal: The proposal is to construct a 2,400 sf addition on the back of the house to provide a fully accessible residence with specialized equipment for a family member with physical disabilities. The addition would primarily be one-story; however, there would be a second story portion of the addition. The first floor of the addition would contain a kitchen, bathroom, bedroom, therapy room, family room, mudroom to connect to the main house and a screened-in porch. The second level would contain three bedrooms for a family member and home health aids and a bathroom.

There would also be a two-car garage as part of the addition. Two cars would also be able to park in the driveway to the right of the garage.

The addition would have gable roofs with a hipped roof over the garage as to not block light from the skylights in the family room. A dormer that would be approximately three-quarters of the length of the rear façade would form the second story. The addition will include many single hung windows with a six over six grid. The family room is in a prime location for sunlight exposure and skylights are proposed to catch the light. The siding would be white vinyl to match the existing house.

The existing concrete block garage would be removed as well as the foundation of the barn. The owners have several large trees including an olive tree that they have dug up and planted in large pots so that they would not be damaged by the construction and can be relocated when the project is substantially complete. The remainder of the yard will be planted with grass. There is an old apple tree and planted rock garden on the right side of the house, which will remain. The proposed parking spaces are configured as shown on the site plan to save the existing on-site trees. The parking spaces will be screened from the road by the existing bushes.

The utilities for the unit will run underground from the existing house. A roof drain leaching pit will be installed to address the water runoff. Staging for the construction is planned to be on the neighbor's property, where the neighbor has given permission to store equipment.

The kitchen on the second floor of the existing house would be demolished as part of this application to legalize the existing house as a single-family as it has been used for years. The addition would become a second unit. If the applicants chose to have three units on the parcel they would be allowed to as long as additional parking spaces were provided or a special permit was granted to waive parking requirements. Three units per lot are allowed in this zoning district and there is sufficient land area to meet the minimum lot area per dwelling unit for three units.



27 Porter St: front (top),
rear yard from southern corner (bottom)



3. Nature of Application: The site is currently nonconforming because of one dimension. The existing house is located 2.5 feet from the property line and the side yard requirement is 8 feet. The Applicant redesigned the addition to comply with all of the dimensions the Somerville Zoning Ordinance; however, because of the existing nonconformity and the gross floor area of the dwelling would be increasing by more than 25%, the proposal requires the Applicant to obtain a special permit to alter a nonconforming structure under Somerville Zoning Ordinance (SZO) §4.4.1.

The addition will be at a conforming height of 24 feet. The setbacks will be 8 feet on the left and nine feet on the right for a total of 17 feet. The rear yard setback will be 20 feet. The floor area ratio for the site will be 0.46 and the maximum allowed is 1.0. The ground coverage will be just under the allowed 50%. The landscaped area is calculated to increase from 34% to 37% as a result of the demolition of the barn and concrete block garage. Four parking spaces will be provided which meets the requirement.

4. Surrounding Neighborhood: The surrounding area is primarily comprised of one-, two- and three-family homes; however, there are some multi-family homes in the area. There is a four-story apartment building located to the rear of the property that sits a few feet from the subject property's rear lot line. There are three local historic districts in close proximity.

Two of the subject property's neighbors are seeking special permits to construct additions. The property at 23 Porter Street is a Local Historic District where the applicant has submitted a proposal to legalize the project as a four-family house and add a 2½ story, 3,292 gross square foot addition at the rear of the structure. On the other side of this site, at 19 Porter Street, the ZBA approved a two-story addition at the rear of the structure with a wrap around deck and a stairway that will extend 18 feet into the backyard.

5. Impacts of Proposal: The proposed addition will not negatively impact the neighborhood. Most of the additional square footage will be located behind the house and will not be visible from the right of way. The neighbor to the north is located at a higher elevation than the subject property so the height of the addition is less impactful on this side. Also the barn structure and concrete block garage have historically been in the backyard so it is not a new situation to have a structure in the backyard. While the garage will be visible from the street looking down the driveway, staff is recommending that the applicant chose a door and dormer style that matches the character of the carriage houses typically located in a location like Porter Street.

6. Green Building Practices: None listed on the application form.

7. Comments:

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

Ward Alderman: Has been contacted but has not yet provided comments.

Historic Preservation: A description of the historic and architectural significance of the structure is attached. Staff recommend that the two large garage entries that face the street have traditional barn-style garage doors and a dormer on the hipped roof above to resemble a hayloft. This could permit light into the attic area above the garage and would reference the barn that had been located behind the house, although the original barn was in a very different style.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1 & 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."

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 addition complies with the dimensions of the Somerville Zoning Ordinance. Since the existing house is technically a two-family and a kitchen will be removed to make it a one-family, the permitted use of the property will not change when the addition becomes a second unit.

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 and providing for and maintaining the uniquely integrated structure of uses in the City. The addition will allow the family member with physically disabilities to come home from a rehabilitation center and live with family in a comfortable environment. The layout of the addition would also be functional as a dwelling unit for a future owner, and one of the few dwellings in this neighborhood that would meet the needs of an owner with physical disabilities. The addition to a two-family dwelling is consistent with the purpose of the RB District because it will make the structure functional for this family as well as for future owners.

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 project has been designed to be compatible with the characteristics of the surrounding area. Many of the surrounding properties have built additions in the rear yard or are currently seeking approval to do so. Due to the grade change the back yards of the side abutters feel separate from the property than is typical when there is no grade change. There will be 20 feet to the rear lot line and the first one or two stories of apartment building will have views of the addition. The most visible portion of the addition from the street will be the garage. With the recommended conditions the garage doors would have a traditional barn-style and there would be a small dormer on the hipped roof so that the garage will reference a hay loft and the barn that was previously located behind the house. These details will help the garage fit into the historic character of the neighborhood. The remainder of the addition will have gable roofs which make it appear less tacked on as additions with flat roof often appear. The second story has been designed in such a way that the addition appears to be 1 ½ stories. Many windows are proposed, which breaks up the façade except for the back portion of the left elevation, where closets for the bedroom need to be located. The ramp into the addition has been tucked behind the existing house and next to the mudroom so that it is easily accessible but is not very visible.

III. RECOMMENDATION**Special Permit under §4.4.1 & 5.1**

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 construction of an approx 2,400 sf addition. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>Apr 14, 2011</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>May 5, 2011</td><td>Modified plans submitted to OSPCD (A-1 site plan & first floor plan, A-2 second floor plan & left side elevation, A-3 foundation plan, A-4 elevations, A-5 cross sections, A-6 roof plan)</td></tr><tr><td>TBD</td><td>Modified plans submitted to OSPCD (Site Plan with parking layout)</td></tr></table>				Date (Stamp Date)	Submission	Apr 14, 2011	Initial application submitted to the City Clerk’s Office	May 5, 2011	Modified plans submitted to OSPCD (A-1 site plan & first floor plan, A-2 second floor plan & left side elevation, A-3 foundation plan, A-4 elevations, A-5 cross sections, A-6 roof plan)	TBD	Modified plans submitted to OSPCD (Site Plan with parking layout)
	Date (Stamp Date)				Submission							
	Apr 14, 2011				Initial application submitted to the City Clerk’s Office							
	May 5, 2011				Modified plans submitted to OSPCD (A-1 site plan & first floor plan, A-2 second floor plan & left side elevation, A-3 foundation plan, A-4 elevations, A-5 cross sections, A-6 roof plan)							
TBD	Modified plans submitted to OSPCD (Site Plan with parking layout)											
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	The garage doors shall have the appearance of traditional barn-style doors. The design and materials of these doors shall be submitted to Planning Staff for review and approval.	Prior to installation of doors	Plng. / ISD									
3	There shall be a small dormer on the hipped roof above the garage to resemble a hayloft. The design of this dormer shall be submitted to Planning Staff for review and approval.	Prior to framing of garage	Plng. / ISD									

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	
5	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
6	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	
7	The two parking spaces proposed to be along the street shall be screened by vegetation.	CO / Perpetual	Plng. / ISD	
8	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
9	The property shall remain a two-family dwelling unless the Owner submits information that the parking requirements have been met to the satisfaction of the Superintendent of Inspectional Services Division or the SPGA grants relief from the parking requirements.	Perpetual	ISD	
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.	

