



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-89
Date: October 9, 2014
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 73 School Street

Applicant & Owner Name: Pasang Bachantsang
Applicant & Owner Address: 73 School Street #2 Somerville, MA 02143
Alderman: Bob McWatters

Legal Notice: Applicant and Owner, Pasang Bachantsang, seeks a Special Permit to alter a nonconforming 2-family structure under SZO §4.4.1 to add dormers to the structure. RA/Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – October 15, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,762 square foot lot in a RA zoning district. There is a 2 ½ story 2-family on the lot with rear additions. The existing FAR is .58. There is an accessory garage at the back corner of the lot.
2. Proposal: The proposal is to add a shed dormer on the left side of the property to allow for a new set of stairs and bathroom. There will also be by-right dormers added to the right side of the roof to allow for additional square footage in the bedrooms. The proposed FAR is .63.
3. Green Building Practices: None listed on the application.
4. Comments:

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



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

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."*

According to SZO §4.4.1 alterations to a nonconforming one- and two-family dwellings which are nonconforming with respect to dimensional requirements, may be enlarged, expanded, renovated, or altered by 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 proposal includes 2 fake window on the dormer to break up the length of the dormer. The dormer cannot have real windows because it is too close to the property line. There will be skylights.

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 provide for and maintain the uniquely integrated structure of uses in 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."

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 dwelling units. The property is near the intersection of School and Summer Streets which has some neighborhood services including a gas station and convenience store.

There are little to no impacts to the proposal. Dormers are typical additions to Somerville homes and are common in this area.

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

There will be 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.*

This proposal complies with the SomerVision Plan by allowing homeowners to make minor modifications to their home.

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 a Special Permit to alter a nonconforming 2-family structure under to add dormers to the structure. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Plng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>August 27, 2014</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>September 19, 2014</td> <td>Modified plans submitted to OSPCD (A1 Floor Plans, A4 Elevation)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	August 27, 2014	Initial application submitted to the City Clerk’s Office	September 19, 2014	Modified plans submitted to OSPCD (A1 Floor Plans, A4 Elevation)
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Any changes to the approved (plan/elevations) that are not <i>de minimis</i> must receive SPGA approval.										
Construction										

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	
Design				
4	The finish materials on the dormer expansion shall match or be complimentary to the main body of the building.	CO	Plng.	
5	The dormer shall not exceed 50% of the length of the ridgeline of the roof.	Cont.	Plng.	
Miscellaneous				
6	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				
7	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
8	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.	

