



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2011-80
Date: Nov 10, 2011
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 8 Tyler Street

Applicant Name: William Shea
Applicant Address: 21 Properzi Way, Unit A, Somerville MA 02143
Property Owner Name: JWF LLC
Property Owner Address: 21 Properzi Way, Unit A, Somerville MA 02143
Agent Name: none
Alderman: Maryann Heuston

Legal Notice: Applicant William Shea and Owner JWF LLC seek a special permit to alter a nonconforming structure under SZO §4.4.1 to install two exterior doors.

Zoning District/Ward: IA / 2

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: Oct 18, 2011

Dates of Public Hearing: Zoning Board of Appeals Nov 16, 2011

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a one-story masonry building on the corner of Tyler Street and Dane Street. Ames Safety Envelop Co previously occupied the building. The space at 8 Tyler Street was used as a warehouse and for the operation of paper sheeters. Ames Envelop relocated to Wisconsin in 2009.

The building has received zoning permits in the past to be constructed and expanded. The Zoning Board of Appeals issued a Special Permit for 10 Tyler Street to be constructed in March of 1944. The Board issued a Variance for rear yard setback and Site Plan Approval for 12 Tyler Street in April of 1982 and a Special Permit with Site Plan Review to construct a 20,000 addition in December of 1998.



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2. Proposal: The Applicant is subdividing the internal space so that two tenants can occupy this portion of the building. The tenant at 8 Tyler Street will require two means of egress. This will be achieved by installing doors on the Tyler Street side of the building to provide a main entrance into the space. A ramp will be constructed from the door to the sidewalk so that it is ADA accessible. The other door will be located on the Dane Street side of the building and will be used for emergency egress. Both of the entrances will have utility lights that will project light downward onto them.

8 Tyler Street will be used by MIT for museum storage and 10 Tyler Street is occupied by the Artisan Asylum Inc, a nonprofit community craft studio.



3. Nature of Application: Under SZO §4.4.1, lawfully existing nonconforming structures, other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA. The structure currently exceeds the maximum ground coverage requirement.

80% is allowed and records from 1998 show that the ground coverage is 94%. Due to its nonconforming status, a special permit is required to alter the building.

4. Surrounding Neighborhood: The surrounding neighborhood is zoned as Industrial A and Residence C districts. The surrounding industrial buildings are owned by the Applicant. The residential neighborhood to the north consists of two- and three-family homes, a parking lot and St. Anthony's Church and School. The residential neighborhood to the south is located across the railroad tracks and consists of one-, two- and multi-family homes.

5. Impacts of Proposal: The addition of two doors is not anticipated to have any negative impacts. The doors will be industrial in nature and not greatly alter the appearance of the building. The doors will allow the interior space to be utilized by a tenant for warehousing. There will only be a few employees accessing the building for this use. A benefit to the alteration is that the entrance on Tyler Street will make the building ADA accessible.

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.

Highway: Has been contacted but has not yet provided comments.

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 doors will be industrial in nature and not greatly alter the appearance of the building. The doors will not increase existing nonconformities.

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 conserving the value of land and buildings and encouraging the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the district, which is to establish and preserve areas for industrial and related uses which are not incompatible with commercial uses. The installation of doors will allow for the space to be divided for by-right uses in the industrial district.

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 doors will allow the interior space to be utilized by a tenant for warehousing. There will only be a few employees accessing the building for this use. A benefit to the alteration is that the entrance on Tyler Street will make the building ADA accessible.

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 installation of two exterior doors. 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>Oct 18, 2011</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Oct 24, 2011</td><td>Plans submitted to OSPCD (A1.0 Elevations)</td></tr><tr><td>Sept 27, 2011</td><td>Plans submitted to OSPCD (D1.0 Demo, A1.3 Details & Schedules)</td></tr><tr><td>1982</td><td>Site Plans</td></tr></table>				Date (Stamp Date)	Submission	Oct 18, 2011	Initial application submitted to the City Clerk's Office	Oct 24, 2011	Plans submitted to OSPCD (A1.0 Elevations)	Sept 27, 2011	Plans submitted to OSPCD (D1.0 Demo, A1.3 Details & Schedules)	1982	Site Plans
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.														

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	
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	Plng.	

