



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*

Case #: ZBA 2011-72

Date: October 13, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 38 Warner Street

Applicant and Property Owner Name: Melvin Santos

Applicant and Property Owner Address: 38 Warner Street, Somerville, MA 02144

Alderman: Rebekah Gewirtz

Legal Notice: Applicant and Owner Melvin Santos, seeks a special permit to alter a nonconforming structure under SZO §4.4.1 to expand the front porches on the first and second floors of an existing two-family residence. RA zone. Ward 6.

Zoning District/Ward: RA Zone / Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: September 14, 2011

Dates of Public Hearing: Zoning Board of Appeals – **October 19, 2011**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,839 square foot lot with a two-family residence situated on it at the intersection of Warner Street and Pearson Road. The parcel actually lies partially in Somerville and partially in Medford. The structure currently has 3,325 square feet of habitable space. The structure is 2½ stories high, not including the basement level, with a gable roof.

2. Proposal: The Applicant purchased the property in 2007 and since that time has been making upgrades to the structure and the property itself. The dwelling used to include first and second story front porches but last year the second story porch became very weathered, rotted, and structurally unsafe and the Applicant received a letter from the Inspectional Services Division stating that the situation of the front porches needed to be address. Before the onset of the 2010-2011 winter, the Applicant decided to remove the second story porch for fear it would collapse under the weight of the snow that winter. The Applicant would like to now also remove the remaining first floor front porch and reconstruct new, larger, first and second story front porches that would run the length of the front of the dwelling.



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

www.somervillema.gov



The original porches were approximately 102 square feet each (15.7 feet wide by 6.5 feet deep) and the new porches would be approximately 208 square feet each (25 feet wide by 8.3 feet deep). Both the first and second story porches would be increased by approximately 105 square feet and would move 4 feet closer to the sidewalk. As part of the project, the Applicant would also like to slightly widen the front steps from approximately 6 feet to 8 feet so that they can provide a more direct path to the front entrance. The steps would also be reworked and improved as they are currently at differing heights and depths and are somewhat unsafe. The new steps would have a consistent rise of 8 inches and run of 11 inches.

3. Nature of Application: This is a residential property within an RA district. The structure is currently nonconforming with respect to the maximum Floor Area Ratio and the minimum front and right side yard setbacks. The existing front yard setback nonconformity requires the Applicant to obtain a special permit under Somerville Zoning Ordinance (SZO) §4.4.1 to alter the nonconforming structure to expand the front porches on the first and second floors of the existing two-family residence.

4. Surrounding Neighborhood: This is a residential property located in an RA district. The surrounding area is comprised most of two-family homes with a few three- and multi-family dwellings in the area. The vast majority of structures in the area are 2½ stories in height.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as a result of the proposed project because the existing front porches are already nonconforming with regard to the front yard setback. The proposal would shrink the existing nonconforming front yard setback by 4 feet towards the front of the lot, but not any closer to the side property lines than the existing structure. The actual front yard setback would be reduced from 6.9 feet to 3 feet because this factors in stairs that are greater than 3 feet in height. This is a result of the Applicant removing the existing unsafe front steps and replacing them with new stairs with a consistent rise and run. These new stairs will necessitate one extra step being added to the front stairs, which in turn would add the depth of one additional step being factored into the distance of the front yard setback. The expanded usable area of the porches themselves would only be moving 3.25 feet closer to the sidewalk. Both the new first and second story porches would be 105 square feet larger allowing for enhanced semi-private outdoor space on the first two floors of the dwelling. The proposed porches would take the unsafe, deteriorating, and somewhat unsightly existing front porches and replace them with new, structurally sound porches that would span the length of the front of the dwelling. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood. The proposed porches would not appear to be detrimental to the immediate abutters or the surrounding area and therefore, there are no anticipated negative impacts from the proposal.

6. Green Building Practices: None indicated.

7. Comments:

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

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

Historic Preservation: Please see the attached memorandum from Preservation Planner Kristi Chase.



Existing Conditions



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 finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal would shrink the existing nonconforming front yard setback by 4 feet towards the front of the lot, but not any closer to the side property lines than the existing structure. The actual front yard setback would be reduced from 6.9 feet to 3 feet because this factors in stairs that are greater than 3 feet in height. The expanded usable area of the porches themselves would only be moving 3.25 feet closer to the sidewalk. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood.

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; 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 encourage the most appropriate use of land throughout the City; and to encourage housing for persons of all income levels."

The proposal is also consistent with the purpose of the district (6.1.1. RA - Residence Districts), 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 project is compatible with the characteristics of the surrounding neighborhood. There are first and second story front porches on many of the structures in the area and some of them span the entire front length of the dwelling as is being proposed. This can be seen in the photographs submitted by the Applicant. The actual front yard setback would be reduced from 6.9 feet to 3 feet because this factors in stairs that are greater than 3 feet in height. The expanded usable area of the porches themselves would only be moving 3.25 feet closer to the sidewalk. Both the new first and second story porches would be 105 square feet larger allowing for enhanced semi-private outdoor space on the first two floors of the dwelling. The proposed porches would take the unsafe, deteriorating, and somewhat unsightly existing front porches and replace them with new, structurally sound porches that would span the length of the

front of the dwelling. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood.

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.

No adverse environmental impacts are anticipated from this project. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water are anticipated as part of the proposal. The structure will remain a 2½ story, two-family dwelling and will continue to be used for residential purposes.

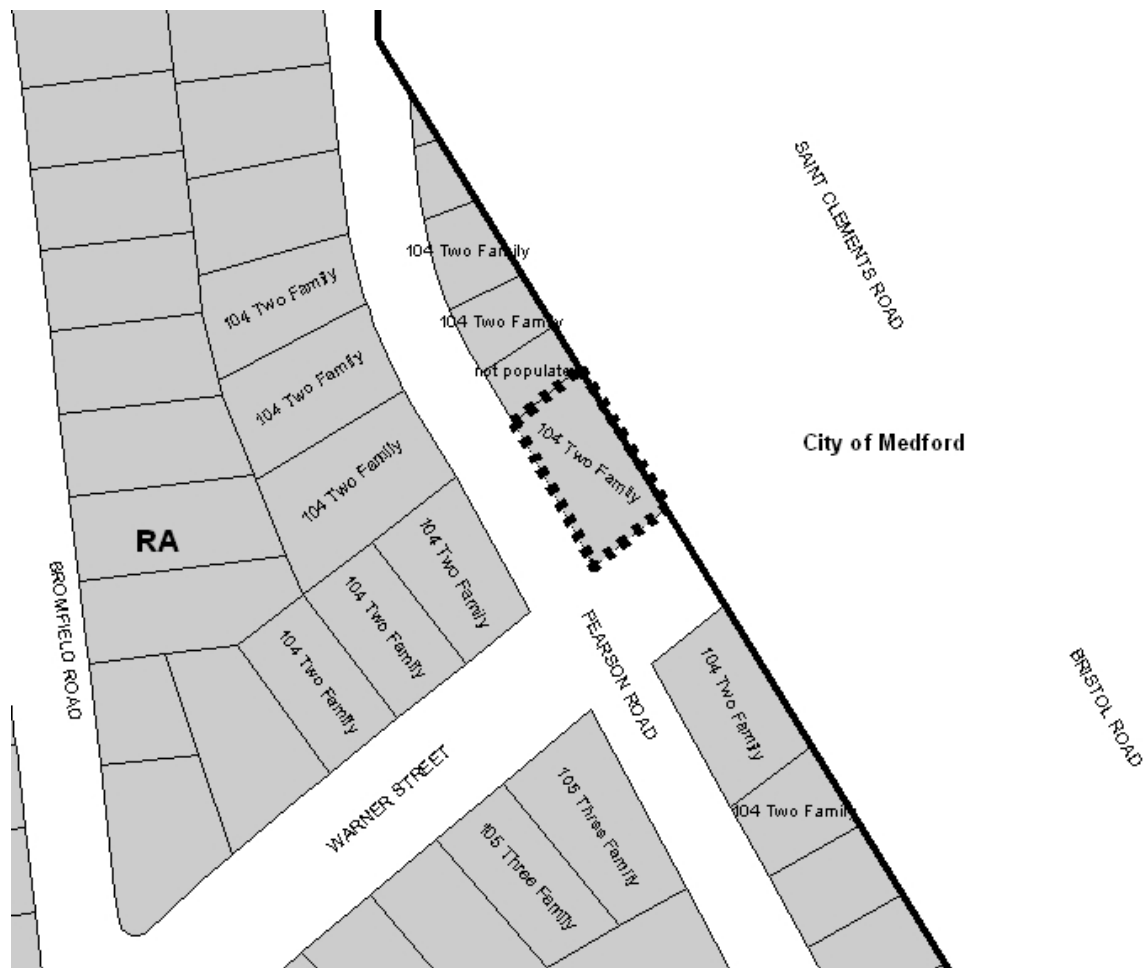
III. RECOMMENDATION

Special Permit under §4.4.1, 5.1

Based on 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 alter a nonconforming structure under SZO §4.4.1 to expand the front porches on the first and second floors of an existing two-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant: <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(September 14, 2011)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>August 5, 2011 (September 27, 2011)</td><td>Plot Plan</td></tr><tr><td>June 19, 2011 (September 27, 2011)</td><td>Existing Deck Top View and Side View</td></tr><tr><td>June 19, 2011 (September 27, 2011)</td><td>Proposed Porch First Floor Top View and Side View</td></tr><tr><td>September 12, 2011 (September 27, 2011)</td><td>Proposed Porch First Floor Front View</td></tr><tr><td>July 29, 2011 (September 27, 2011)</td><td>Foundation and Framing Plans (S-1 and S-2)</td></tr></table> Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.	Date (Stamp Date)	Submission	(September 14, 2011)	Initial application submitted to the City Clerk's Office	August 5, 2011 (September 27, 2011)	Plot Plan	June 19, 2011 (September 27, 2011)	Existing Deck Top View and Side View	June 19, 2011 (September 27, 2011)	Proposed Porch First Floor Top View and Side View	September 12, 2011 (September 27, 2011)	Proposed Porch First Floor Front View	July 29, 2011 (September 27, 2011)	Foundation and Framing Plans (S-1 and S-2)	BP/CO	ISD/Plng.	
	Date (Stamp Date)	Submission																
	(September 14, 2011)	Initial application submitted to the City Clerk's Office																
	August 5, 2011 (September 27, 2011)	Plot Plan																
	June 19, 2011 (September 27, 2011)	Existing Deck Top View and Side View																
	June 19, 2011 (September 27, 2011)	Proposed Porch First Floor Top View and Side View																
	September 12, 2011 (September 27, 2011)	Proposed Porch First Floor Front View																
	July 29, 2011 (September 27, 2011)	Foundation and Framing Plans (S-1 and S-2)																
2	The porch shall be constructed at the dimensions indicated on the plans.	CO	ISD															
3	The Applicant shall install one (1) exterior light fixture and one (1) exterior electrical receptacle on both the first and second floors of the outdoor porch spaces.	Final Sign Off	Wiring Inspector															
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.															



38 Warner Street

To: Planning Division
From: Kristi Chase, Preservation Planner
Date: October 5, 2011
Re: HPC 11.101 – 38 Warner Street

Staff has reviewed the proposed plans to alter the house at 38 Warner Street. It has not been surveyed. Preliminary map research indicates that the house was not built until after 1900. No information was available on the original owners. The house is constructed in the Craftsman style. Despite having some alterations, it still retains its original tapered square porch posts with a simplified capital and base. Typically porches were this configuration to allow for some out door space and to allow maximum light into the front parlors.

The proposed enlargement of the porch and relocation of the stairs will bring the building out of harmony with the neighborhood. See attached historic photos of West Somerville showing similar houses with porches on one side of the house only. The currently proposed the columns and porch posts are overly simplified and are not distributed evenly across the façade. The original more muscular column should be replicated and the porch posts above should echo each other to form a unified arrangement.

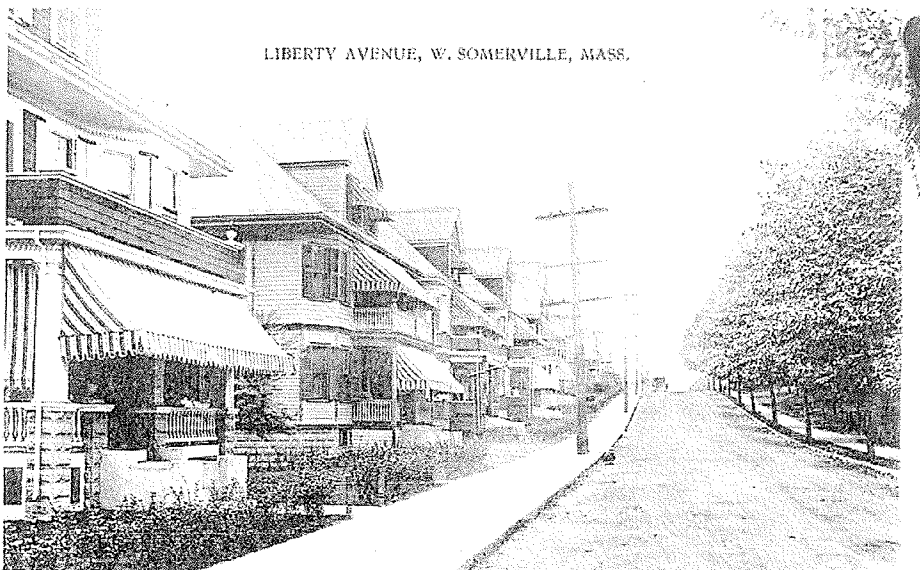
Historic Photos of Typical West Somerville Houses



130 College Ave. West Somerville,
Opp. Parker House Park and
near Tufts College.
H.P.



LIBERTY AVENUE, W. SOMERVILLE, MASS.



Historic Photos of Typical West Somerville Houses

