



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Zoning Board of Appeals
FROM: Planning, Preservation, & Zoning Staff
SUBJECT: 141 Central Street, P&Z 21-104
POSTED: August 24, 2022

RECOMMENDATION: Approve with Conditions

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from Planning, Preservation, & Zoning Staff to the Review Board members.

This memo summarizes the development review application submitted for 141 Central Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on June 07, 2022, and is scheduled for a public hearing on September 07, 2022. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

Tobin Wells proposes to construct a conforming building component to a non-conforming building type in the Neighborhood Residential (NR) zoning district, which requires a Special Permit.

SUMMARY OF PROPOSAL

Tobin Wells is proposing to replace an existing projecting porch in the rear yard of 141 Central Street with a new projecting porch in the Neighborhood Residential District and the William Veazie Rowhouses Local Historic District.

Background

141 Central Street is located on a Pedestrian Street and in the 0.5mi Transit Area in the Neighborhood Residential (NR) zoning district in the Winter Hill neighborhood represented by Ward 5 Councilor Beatriz Gomez Mouakad. The property is also part of the William Veazie Rowhouses Local Historic District. Constructing a conforming building component to a non-conforming building type within the Neighborhood Residential District requires a Special Permit. The Zoning Board of Appeals is the decision-making authority for all discretionary or administrative permits required for the Neighborhood Residential zoning district.

Because 141 Central Street is located within a local historic district, any modification to the exterior of the building that is visible from a public way requires a Certificate of Appropriateness from the Historic Preservation Commission (HPC). The HPC issued a Certificate of Appropriateness for the design and replacement of the rear deck on May 7, 2021.

NEIGHBORHOOD MEETINGS

The neighborhood meeting was hosted by previous Ward 5 Councilor Mark Niedergang and the applicant on October 13, 2021, via the Zoom meeting platform.

ANALYSIS

Projecting porches are permitted in the Neighborhood Residential zoning district per SZO 3.1.13. However, rowhouses are not a permitted building type within the NR zoning district. The NR zoning district requires left and right-side yard setbacks of 5 feet each and a sum side yard setback of 10 ft. The current porch is non-conforming in that it has a right-side yard setback of 3.5 feet and a left side yard setback of 4.1 feet. The required sum side yard setback in the NR zoning district is 10 ft but the current sum side yard setback is 7.9 ft.

The replacement porch will decrease the encroachment into the side setbacks by 0.2 ft on each side for a combined total side yard setback of 9.6 ft. Given that a projecting porch is an allowed building component within the NR zoning district and the new porch will decrease an existing nonconformity, Staff has no concerns with the proposal.

CONSIDERATIONS & FINDINGS

The Zoning Board of Appeals is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement.

Special Permit Considerations

- 1. The comprehensive plan and existing policy plans and standards established by the City.*
- 2. The intent of the zoning district where the property is located.*

Information relative to the required considerations is provided below:

Special Permit

- 1. The comprehensive plan and existing policy plans and standards established by the City.*

Staff believes that this proposal supports the goals laid out in SomerVision 2040, the City's Comprehensive Master Plan, including the following:

- To provide distinct physical habitats at different scales, including the lot, block, and neighborhood, so that meaningful choices in living arrangement can be provided to residents with differing physical, social, and emotional needs.
- To preserve and enhance the existing character of Somerville's traditional housing and respect existing built form and development patterns.

2. The intent of the zoning district where the property is located.

The intent of the NR zoning district is, in part: "To conserve already established areas of detached and semi-detached residential buildings." The proposal to re-build a projecting porch in the rear of a rowhouse does not affect the stock of detached and semi-detached building within the NR Zoning District.

PERMIT CONDITIONS

Should the Board approve the required Special Permit to allow a conforming building component on a non-conforming building type for its zoning district, Planning, Preservation & Zoning Staff recommend the following conditions:

Validity

- This Decision must be recorded with the Middlesex South Registry of Deeds.
- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be provided to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.
- Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.

Public Record

- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation & Zoning Division for the public record.
- Physical and digital copies of all development review submittal materials, permitted by the Zoning Board of Appeals, must be submitted to the Planning, Preservation & Zoning Division for the public record.