



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2018-42
Date: May 2, 2018
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 5-7 Curtis Street

Applicant / Owner Name: Arun Ravindran
Applicant / Owner Address: 31 B St. James Avenue, Somerville, MA 02141
Alderman: Katjana Ballantyne

Legal Notice: Applicant and Owner, Arun Ravindran, seeks a Special Permit under SZO §4.4.1 to alter a nonconforming structure by finishing a portion of the basement. RA Zone. Ward 7.

Dates of Public Hearing: Zoning Board of Appeals – May 2, 2018

I. PROJECT DESCRIPTION

1. Subject Property: The subject site contains one parcel of approximately 3,480 square feet of land area and consists of a two-family dwelling. The existing structure is a 2.5 story gable roof with two dormers. One unit is located on the first floor and consists of two bedrooms. A second unit is located on the second and third floor and consists of five bedrooms. The basement is unfinished.

In January 2017, the ZBA granted approvals to make alterations to the nonconforming two-family structure by removing the hipped roof and dormer and rebuilding it as a gable roof with shed dormers.



2. Proposal: The Applicant/Owner is seeking approval to finish the basement to add living space to the first floor unit.

3. Green Building Practices: There are none listed on the application form.

4. Comments:

Ward Alderman: Alderman Ballantyne has been informed of this proposal and has indicated to Planning Staff that she has no objections but would like the Applicant/Owner to inform his abutters.

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."*

The structure is currently nonconforming with respect to the following dimensional requirements: lot area, lot area per dwelling unit, pervious area, floor area ratio (FAR), front yard setback, left and right side yard setbacks, and street frontage.

The proposal will impact the nonconforming dimension of FAR. The current dimension is .76 and the proposal to finish the basement by adding 561 square feet of net floor area will increase the FAR to .92. The requirement in the district is .75. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

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 promote 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 lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the RA 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."*

Surrounding Neighborhood: The locus is located in Teele Square near the southern end of Curtis Street where it intersects with Broadway. This particular section of Curtis Street is comprised of single-, two-, and three-family dwellings with gable roofs.

Impacts of Proposal (Design and Compatibility): The prior approval was designed in a manner that is compatible with the characteristics of the built environment of the surrounding area and is a significant improvement from the current conditions. The proposal to finish the basement will not have an impact on the design and compatibility of the structure.

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

8. 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.

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 to finish the basement. 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>March 27, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>March 22, 2018</td> <td>Plans submitted to OSPCD (0.1, plot plan, 0.2, 0.2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	March 27, 2018	Initial application submitted to the City Clerk's Office	March 22, 2018	Plans submitted to OSPCD (0.1, plot plan, 0.2, 0.2)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.										
Pre-Construction										
2	If required by the Engineering Department, the proposed basement finished floor elevation shall not be less than is 1 foot above the Seasonal High Ground Water elevation. If necessary, the seasonal high ground water elevation shall be determined by a Massachusetts certified soil evaluator and stated on a signed soil test pit log.	BP	Eng.							
Construction Impacts										
3	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.							
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							
Site										
5	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD							
Miscellaneous										
6	Granting of the applied for use or alteration does not include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.	Ongoing	ISD / Plng.							
Public Safety										
7	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
8	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.							
Final Sign-Off										
9	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.							

