



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2018-107-R1-5/19
Date: June 19, 2019
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 7 Summer Street

Applicant / Owner Name: 35atSummer, LLC
Applicant / Owner Address: 1 Summer Street, Unit 7, Somerville, MA 02143
Agent Name: Adam Dash, Esq.
Agent Address: 48 Grove Street, Suite 304, Somerville, MA 02144
City Councilor: Ben Ewen-Campen

Legal Notice: Applicant / Owner, 35atSummer, LLC, seeks a revision to a previously approved special permit (ZBA 2018-107) under SZO §5.3.8 to make changes to the building including raising the height by 2.8 feet, adding rear entry stairs, an accessible ramp, stone retaining wall, and added/removed windows. NB Zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – June 19, 2019

I. PROJECT DESCRIPTION

1. Subject Property: The subject property contains two parcels that are shown on the plans as Lot A (3-5 Summer Street) and Lot B (7 Summer Street). Lot A is a 2,727 square foot parcel with an existing 2.5 story two-family dwelling. Lot B is a 4,495 square foot parcel that is currently vacant.

In April of 2018, the Board of Aldermen approved the owner's request to expand the adjacent Neighborhood Business zoning district to include the subject parcel. The Planning Board made a favorable recommendation to the Board of Aldermen on the proposal commending the Applicant for the work to improve affordable housing in the City.



In October 2018, the ZBA approved a proposal is to construct a five unit residential structure on the vacant Lot B. The Applicant/Owner is voluntarily selling the new units below market value with a deed restriction in perpetuity.

2. Proposal: Since the ZBA granted their approvals the Applicant has discovered that the site has a high water table. Pursuant to condition #4 of the 2018 ZBA approval, the proposed basement level shall not be less than 1 foot above the seasonal high ground water elevation. In order to meet that condition, the proposal is to raise the height of the new structure by three feet. The increased height necessitates the need for a short retaining wall along Vinyl Avenue, a handicapped accessibility ramp along Summer Street, and revised entry configurations on the rear of the site.

3. Green Building Practices: The application does not list any green building practices.

4. Comments:

City Councilor: Councilor Ewen-Campen has been contacted and has yet to comment as of the publication of this report.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.3.8):

Section 5.3: Procedures for Special Permits and Special Permits with Site Plan Review

Revisions that are not de minimis shall be subject to the full notice and hearing provisions of §5.3.2 of this Ordinance, but shall not be subject to review by additional boards, departments, city agencies or commissions except as requested by the SPGA or upon the recommendation of the Planning Director. Applicable findings shall be made in accordance with the type of permit(s) being revised.

The findings made under the previous Special Permit with Site Plan Review approved by the ZBA in December of 2018 (ZBA 2018-19) are not applicable to this proposal.

III. RECOMMENDATION

Special Permit under §5.3.8

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 increase the height, add a ramp and retaining wall, and modify the rear entries of the previously approved proposal. This approval is based upon the following application materials and the plans submitted by the Applicant: | BP/CO | ISD/Pln g. | | | | | | | |
|--|---|----------------|------------|--|--|------------|-------------|--|-------------|---|
| | <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>May 2, 2019</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>May 1, 2019</td><td>Plans submitted to OSPCD (T1, Z2a-Z3b, A1-A9)</td></tr></table> | | | | Date (Stamp Date) | Submission | May 2, 2019 | Initial application submitted to the City Clerk’s Office | May 1, 2019 | Plans submitted to OSPCD (T1, Z2a-Z3b, A1-A9) |
| | Date (Stamp Date) | | | | Submission | | | | | |
| | May 2, 2019 | | | | Initial application submitted to the City Clerk’s Office | | | | | |
| May 1, 2019 | Plans submitted to OSPCD (T1, Z2a-Z3b, A1-A9) | | | | | | | | | |
| Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval. | | | | | | | | | | |
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| 2 | All conditions of approval from ZBA 2018-107 remain in effect. | | | | | | | | | |
| Final Sign-Off | | | | | | | | | | |
| 3 | 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. | | | | | | | |

