



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

**MICHAEL F. GLAVIN**  
EXECUTIVE DIRECTOR

**PLANNING DIVISION STAFF**

GEORGE PROAKIS, *DIRECTOR OF PLANNING*  
SARAH LEWIS, *SENIOR PLANNER*  
SARAH WHITE, *PLANNER & PRESERVATION PLANNER*  
ALEX MELLO, *PLANNER*  
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2017-113

**Date:** January 17, 2018

**Recommendation:** Conditional Approval

---

**PLANNING STAFF REPORT**

---

**Site:** 24 Crescent Street

**Applicant Name:** 24 Crescent Street, LLC  
**Applicant Address:** 10 Hammersmith Drive,  
Saugus, MA 01906  
**Owner Name:** 24 Crescent Street, LLC  
**Owner Address:** 10 Hammersmith Drive, Saugus,  
MA 01906  
**Alderman:** J.T. Scott



**Legal Notice:** Applicant and Owner, 24 Crescent Street, LLC, seeks Special Permits under §4.4.1 for an upward extension of the non-conforming right side yard setback, increase the number of units from one to two under §7.11, and parking relief under §9.13 of the SZO.\* RB zone. Ward 2.

**Dates of Public Hearings:** Zoning Board of Appeals – January 17, 2018

\* It has since been determined that parking relief is not needed for this project. The explanation for this determination is provided in this staff report.

---

**I. PROJECT DESCRIPTION**

1. **Subject Property:** The subject property is a sing-family gable-fronted structure with 2,317 square feet of usable space. The property is situated on a 3,920 square foot lot in the RB zone.
2. **Proposal:** Currently, the structure presents a single-story, flat-roofed addition at the right rear of



the property. The Applicant proposes adding a second story to this area. This second-story addition will also have a flat roof. This second story will create an upward extension of the existing, non-conforming right side yard setback which is 1.6 feet in this area. To increase this existing non-conformity requires relief under §4.4.1 of the SZO. Further, the Applicant proposes converting the property from a single-family to a two-unit, which requires relief under §7.11 of the SZO. The total increase in usable area within the property is 282 square feet.

As part of the proposal, though not requiring relief, the Applicant will remove a small retaining wall and level the property, add new fencing to the front of the house, re-side the property with a cementitious-type siding, add formal landscaping and install a new driveway and parking area of pervious pavers. The Applicant also proposes the inclusion of a small rear deck at the left, rear of the property overlooking the parking area.

3. **Green Building Practices:** No comments provided in the application

III. **Comments:** Planning Staff met with the property owners (Applicants) their architect and agent to work on improvements to the initial proposal. The improvements are reflected in the plan before the ZBA and include the (pervious) paved driveway and parking area, reduction in the number of parking spaces initially proposed, increase in landscaping, replacement of front fencing, installation of fencing along the left property line, inclusion of cementitious siding.

## 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 §4.4.1 of the SZO. This section of the report goes through §4.4.1 in detail.*

### IV. **Information Supplied:**

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 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.”*

*Section 4.4.1 states that “[l]awfully 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 in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character.”*

### **Special Permit under §4.4.1 of the SZO**

The trigger for the relief request is the upward extension of the non-conforming right side yard setback that is proposed to accommodate a second-story, flat-roof addition to the rear of the building. Staff finds that this upward extension will not be substantially more detrimental to the site or the surrounding neighborhood, including the abutting properties. Along with the other interior modifications proposed, the increase in square footage will be 282 square feet. The flat roof of the proposed addition will keep this rear roofline well below the roofline of the main portion of the house. Staff finds that the use of a flat roof rather than a gable-style roof will minimize any shadowing to the abutting property to the right. Further, no new window openings are proposed for this new addition or for the remainder of the right elevation. The Applicant does have the opportunity to add new windows as long as they are fire-rated, inoperable (or glass block) due to the right elevation being less than three feet from the property line. However, the Applicant has elected not to add any new windows in an effort to maintain the privacy of the neighbor to the right of the property.

#### **Special Permit under §7.11 of the SZO**

The Applicant proposes to increase the number of units in the property from one to two which is a use that is allowed in the RB zone providing that there is sufficient lot area per dwelling unit. The required lot area per dwelling unit in the RB zone is 1,500. As a two-family, the property will present a lot area per d.u. of 1,960, over the minimum required for the zone. Staff finds that, other than the second story addition to accommodate a small kitchen and a bedroom, the changes being made to the building in order to make it a well-functioning two-family dwelling are contained within the structure itself. The impact of these interior changes will be minimal at best to the site and the surrounding neighborhood.

#### **Special Permit under §9.13 of the SZO**

As a single-family structure, this property contains four bedrooms. Three or more bedrooms in a unit have a parking requirement of two spaces. Currently, the property is only able to provide one parking space. Under the proposed plans, Unit 1 will contain three bedrooms and Unit two, three bedrooms. This is an overall increase of 2 bedrooms across the whole of the property. However, parking is calculated on the number of bedrooms per unit. The existing and proposed parking requirements appear below along with the parking calculation:

Unit #	Existing Bdr.	Parking Req.	Proposed Bdr.	Parking Req.
1	4	2.0	3	2.0
2	does not exist	does not exist	3	2.0

Old parking requirement: 2.0 spaces

New parking requirement: 4.0 spaces

New parking requirement – old parking requirement = # spaces required  
(4 – 2) = 2 spaces

The Applicant proposes providing three total parking spaces. This is more than the amount of relief required. Staff understands that the ZBA consistently discourages “amenity parking” on project sites. To that end, Staff recommends that the ZBA require that only two parking spaces be provided on this site (one per unit) and that the landscaping is increased in its stead. By providing two parking spaces, the Applicant will be in compliance with the number of spaces of relief needed.

**V. 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.”*

Staff finds that the proposal to construct the right elevation dormer is not inconsistent with the purpose of the RA district which is to “...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.”

**VI. 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.”***

In considering the special permits requests, Staff finds that the rear, second-story addition will be minimally impactful to the surrounding neighborhood. As noted earlier in this report, Staff finds that the use of a flat roof rather than a gable-style roof will minimize shadowing to the abutting property to the right. The use of a flat roof rather than a taller, gabled roof, minimizes the amount of bulk/massing being added to the rear of the building. Further, no new window openings are proposed for this new addition or for the remainder of the right elevation. The lack of any new window openings on the right elevation of the property will maintain privacy for the right abutting property.

Crescent Street is lined with single and two-family houses mostly of Mansard and gable-front styles. Increasing the number of units from one to two is consistent with not just the RB zone but with the cluster of dwellings along this street.

Lastly, the proposed improvements to this building in terms of siding, fenestration, front, side, and rear landscaping and new driveway will present a significant improvement to the streetscape as well as a significant upgrade to the project site itself.

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

The proposal will not add to the existing stock of affordable housing.

**7. SomerVision:**

The proposal conforms to the purposes of SomerVision in that the proposed improvements to the property will enhance the neighborhood streetscape. In addition, the project will add one additional housing unit to the City’s housing stock.

### **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 PERMITS**.

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 number of units from one to two and to add a flat-roofed, second story rear addition.	BP/CO	ISD/PIng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>October 26, 2017</td><td>Application submitted to City Clerk’s office.</td></tr><tr><td>January 3, 2018</td><td>Updated plans submitted to OSPCD</td></tr><tr><td>January 11, 2018</td><td>Updated calculations submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	October 26, 2017	Application submitted to City Clerk’s office.	January 3, 2018	Updated plans submitted to OSPCD	January 11, 2018	Updated calculations submitted to OSPCD
	Date (Stamp Date)				Submission							
	October 26, 2017				Application submitted to City Clerk’s office.							
	January 3, 2018				Updated plans submitted to OSPCD							
January 11, 2018	Updated calculations submitted to OSPCD											
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval. Whether or not a change is <i>de minimis</i> in nature must be determined by the Planning Office.												
Design												
2	All exterior materials, including, but not limited to windows, doors, siding, roofing, trim, and the like, shall be submitted to Planning Staff for their review and approval prior to the issuance of a building permit.	BP	Planning Staff / ISD									
Construction Impacts												
3	The Applicant shall, at their 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									
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									
5	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November to April and there is a list of streets that have additional opening restrictions.	BP	Eng									
6	The Applicant shall ensure that all food waste is removed from the project site on a daily basis.	During construction	ISD									
7	Construction and construction-related work shall occur between 7:30am and 5:00pm Monday through Friday only. No construction or construction-related work shall occur on the weekends or holidays.	During construction	ISD									

8	There shall be no idling of construction or construction-related vehicles on the property or street prior or post working hours. Out of respect for the neighbors, construction personnel shall not play loud music or engage in loud conversations prior, during, or post the allowed construction hours.	During construction	ISD	
9	Rodent baiting/control shall be undertaken as-needed.	During construction	ISD	
<b>Site</b>				
10	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	CO & Perpetual	Plng. / ISD	
11	All mechanical equipment shall be screened from the view of the street and from abutting properties.	CO & Perpetual	Plng. / ISD	
12	All venting shall be painted or wrapped to match the color of the portion of the house from which it protrudes.	CO & Perpetual	Plng. / ISD	
13	All garbage and recycling shall be screened from the view of the street and abutting properties.	CO & Perpetual	Plng. / ISD	
14	The Applicant shall ensure that all water drainage from the flat-roofed rear addition shall be directed <u>away from</u> the right abutting property.	CO & Perpetual	Plng. / ISD	
15	All materials to be used for landscaping, driveways, sidewalks, parking, fencing and similar shall be submitted to Planning Staff for their review and approval prior to installation.	Prior to installation and CO	Plng. / ISD	
16	Should the ZBA determine that one of the proposed parking spaces is to be removed and landscaping installed in its place, Planning Staff shall review and approve the change to the parking/landscaping plan within 14 calendar days of the ZBA decision and prior to the decision being filed with the City Clerk.	Within 14 calendar days and prior to filing with City Clerk	Plng.	
<b>Public Safety</b>				
16	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
17	As per City regulations, there shall be no grills or similar cooking/heating equipment allowed on any decks or porches at any time.	Perpetual	FP/ISD	
18	All smoke detectors shall be hard-wired.	CO	Fire Prevention / ISD	
<b>Final Sign-Off</b>				
19	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.	