

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

Case #: ZBA 2018-36 Date: June 20, 2018

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 40 Harvard Street

Applicant Name: 40 Harvard St Somerville,

LLC

Applicant Address: 57 Mishawum Rd.,

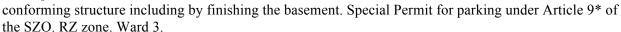
Woburn, MA 01801

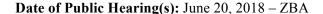
Owner Name: 40 Harvard St Somerville, LLC Owner Address: 57 Mishawum Rd., Woburn,

MA 01801

Alderman: Ben Ewen-Campen

Legal Notice: Applicant and Owner, 40 Harvard Street, LLC, seeks Special Permits under §4.4.1 of the SZO to alter a non-





* Since the publication of this legal notice, it has been determined that no parking relief is needed for this project.

I. PROJECT DESCRIPTION

1. Subject Property: The locus presents a two-family residential structure located in the RA zoning district. This 2 ½-story structure currently presents 3,262 square feet of usable area and rests on a 3,781 square-foot parcel.



Date: June 20, 2018 Case #: ZBA 2018-36 Site: 40 Harvard Street

2. <u>Proposal:</u> The Applicant proposes retaining the two-family use of the structure but intends to rearrange the interior layout and finish a portion of the basement. Finishing the basement will increase the FAR from the already non-conforming .86 to a further non-conforming .97. The property is located in the RA zone where a maximum FAR of .75 is allowed.

3. Green Building Practices:

The applicant has provided no statement on the application regarding green building practices.

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.

1. Information Supplied:

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 and 5.1.4 of the SZO.

2. <u>Compliance with Standards:</u> 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."

Regarding §4.4.1 of the SZO

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."

<u>FAR</u>

Currently, the FAR for this property is non-conforming at .86. The proposal to finish the basement along with other interior reconfigurations will increase the FAR to .97. An FAR of .75 is the maximum allowed in the RA zone. However, under Special Permit, an Applicant can petition to further increase this non-conformity.

With the exception of site improvements and minor window/door re-arrangements, the majority of the proposed changes to this property will occur on the interior. The property is currently a two-family and will remain as such after the completion of this project. The bedroom count on the property will remain the same, leaving for no increase in the parking requirement. Given this, Staff finds that the proposed changes to the property will not be more detrimental to traffic volumes, traffic congestion ,on-street parking, adequacy of municipal water supply, or sewer capacity. The neighborhood can expect some uptick in noise and, perhaps, odor, during the construction phase of this project. Beyond that, no increase in these nuisances is anticipated. No additions to the structure are proposed, therefore no additional shading of abutting properties or the public way should be expected. Staff anticipates that, as-conditioned,

Page 3 of 5

Date: June 20, 2018 Case #: ZBA 2018-36 Site: 40 Harvard Street

the changes to the property will visually improve the property in a manner that is consistent with the neighborhood character.

3. <u>Consistency with Purposes:</u> 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 is consistent with the purpose of the RA zone which is: "[t]o 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. <u>Site and Area Compatibility:</u> 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 proposal will improve the usability of the existing structure and overall provide for an upgrade to the property. As most the changes to the property are interior to the building, Staff does not anticipate a negative impact on the surrounding neighborhood. Staff has conditioned the approval for this project to include the submission of a full landscape plan, removal of bituminous material, and improved exterior finishes/materials on the structure.

5. <u>Housing Impact:</u> *Will not create adverse impacts on the stock of existing affordable housing.* The proposal will not add to the existing stock of affordable housing.

6. SomerVision:

The proposal will contribute to SomerVision in that it will provide visual improvements to an existing property.

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
---	-----------	--------------------------------	-----------------------	-------

Date: June 20, 2018 Case #: ZBA 2018-36 Site: 40 Harvard Street

	Approval is to increase the non-conforming FAR by finishing the basement and conducting interior reconfigurations.		BP/CO	ISD/Plng.
Date (S	Stamp Date)	Submission		
1 March	15, 2018	Application submitted to City Clerk's office.		
not de m not a cha	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			T = =	T
2 exterior reviewed	All materials, including, but not limited to windows, exterior finishes, siding, and similar shall be submitted to, reviewed and approved by Planning Staff prior to the issuance of a building permit.		BP	ISD/Plng
This entivinyl sid found be in good of shall be shall be Planning	This entire property is being overhauled. Therefore, the vinyl siding shall be removed and existing clapboard siding found beneath it shall be retained and re-used (if extant) and in good condition. Otherwise, wood or cementitious siding shall be installed. No vinyl siding, trim, decking, or railing shall be permitted. All materials used shall be submitted to Planning Staff for their review and approval prior to ordering and installation.			ISD/Plng
All grids exterior	All grids (muntins) on windows shall be adhered to the exterior of the glass. No between-the-glass-grids shall be permitted.			ISD/Plng
Site				
The App to Plann	The Applicant shall provide a professional landscaping plan to Planning Staff for their review and approval prior to the issuance of a building permit.		BP for landscaping plan	ISD/Plng
of any bilist of minstallati	tuminous material, q aterials (plants), num on. Location and ma provided. No asphalt	clude, at a minimum: removal quality landscaping materials, ther and location of terials for sidewalks and fences or cement for hardscaping and scaping shall be permeable.	CO for installation	
Trash an and shall propertie Planning	Trash and recycling areas shall be placed behind the house and shall be screened from the public view and abutting properties. Screening material shall be presented to Planning Staff for their review and approval prior to installation		BP-review CO- installation and screening	ISD/Plng
/		milar mechanicals shall not be	СО	ISD/Plng
8 Utility m	located along the front façade of the structure Utility meters shall not be located on the front façade of the structure.			ISD/Plng
Construction			1	

Date: June 20, 2018 Case #: ZBA 2018-36 Site: 40 Harvard Street

		1				
	The Applicant shall, at his expense, replace any existing	CO	DPW			
	equipment (including, but not limited to street sign poles,					
9	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.					
	All construction materials and equipment must be stored	During	T&P/ISD			
	onsite. If occupancy of the street layout is required, such	Construction				
	occupancy must be in conformance with the requirements of	Construction				
10	the Manual on Uniform Traffic Control Devices and the					
	prior approval of the Traffic and Parking Department must					
	be obtained.					
		During	ISD			
11	The name(s) and contact information of all entities working	During	18D			
11	on the site shall be posted in an area easily-visible from the	Construction				
	public way for the passing public to see.	DD	Danie de la contra			
	The applicant must comply with the "Policy for new	BP	Engineerin			
	connections to and modifications to existing connections to		g/ISD			
	the municipal sewer and drainage system stormwater					
12	management and infiltration/inflow mitigation."					
12						
	The Applicant shall work with Engineering to meet this					
	condition and provide the required fees/mitigation.					
13	All food waste shall be removed from the construction site	During	ISD			
13	on a daily basis.	Construction				
	Construction waste shall be removed from the site on a	During	ISD			
14	daily basis and/or stored in dumpsters on-site, for which the	Construction				
	property permits shall first be granted by the City					
Pub	lic Safety	T	I			
15	The Applicant or Owner shall meet the Fire Prevention	CO	FP			
13	Bureau's requirements.					
		CO	Fire			
16	All smoke detectors shall be hard-wired.		Prevention			
			/ ISD			
17	Grills, barbeques, chimineas, and the like are not permitted	CO/perpetua	ISD/Plng			
1 /	on decks or porches Somerville Fire Prevention regulations	1	_			
1.0	All exterior lighting shall be downcast and shall not shine	CO/perpetua	ISD/Plng			
18	onto abutting properties or the public way in any fashion.	1				
Mis	Miscellaneous					
	If the units in this property are currently rental units being	BP	ISD/Plng			
10	converted to for-sale condo units, the Applicant must first					
19	appear before the condo review board to formally convert					
	the units from rental to condos.					
Fina	al Sign-Off		L L			
20	The Applicant shall contact Planning Staff at least five	Final sign	Plng.			
	working days in advance of a request for a final inspection	off				
	by Inspectional Services to ensure the proposal was					
	constructed in accordance with the plans and information					
	submitted and the conditions attached to this approval.					