



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2017-89

**Date:** June 20, 2018

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 74 Mt. Vernon street

**Applicant Name:** Paul Turcotte & Bonnie Brown

**Applicant Address:** 74 Mt. Vernon Street,  
Somerville, MA 02143

**Property Owner Name:** Paul Turcotte &  
Bonnie Brown

**Property Owner Address:** 74 Mt. Vernon  
Street, Somerville, MA 02143

**Agent Name:** Alex Van Praagh, Architect

**Agent Address:** ACVP Design-Build,  
Cambridge, MA

**Alderman:** Matthew McLaughlin



**Legal Notice:** Applicants and Owners, Paul Turcotte and Bonnie Brown, seek a Special Permit with Site Plan Review (SPSR) under §4.4.1 of the SZO to alter a non-conforming structure; §7.3 of the SZO to increase the number of dwelling units on the site from 3 to 5; §7.2 of the SZO to have more than one principal structure on the same lot. Variance /Special Permit for parking under §5.5 and Article 9 of the SZO. RB zone. Ward 1.

**Dates of Public Hearing:** Zoning Board of Appeals – June 20, 2018

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**I. PROJECT DESCRIPTION**

1. **Subject Property:** The locus is the site of a 3-story Mansard-style residential building that is part of a Local Historic District (LHD). The parcel is located on Mt. Vernon Street close to where it intersects with Pearl. The 11,165 square-foot lot is located in the RB zoning district. The existing 3,742 square-foot

residential building rests at the front of the lot and contains 3 dwelling units. A stone wall separates the parcel from the public sidewalk. The land area between the stone wall and the house is landscape and presents a set of steps leading to the public way. The lot is oddly-shaped. Initially the lot moves straight back toward the rear property line and then banks deeply to the left. At the back portions of the property are mutli-bay garages and a building formerly used as a barn. The parcel is significantly covered with bituminous material (asphalt).

**2. Proposal:** There are several components to the Applicant's proposal.

The existing garages will be demolished. The former barn will be moved – either in whole or in component parts – and repositioned behind the existing Mansard structure. The barn will be rotated 180 degrees, per approvals already granted by the Somerville Historic Preservation Commission (HPC), such that the hay loft door and main gable might be visible from the Crescent Street public way.<sup>1</sup> A significant amount of re-building of this barn is expected. Two shed dormers are proposed for the roof of the barn in the event that a current or future resident of one of the units on the parcel has a home-based business.<sup>2</sup> The barn will provide two covered parking spaces. Three surface parking spaces will be provided at the top of the driveway toward the rear of this portion of the lot (see sheet S1.1 of the plan set).

All bituminous material will be removed from the site and will be replaced with landscaping and with pervious material for the driving/parking areas. The entire parcel will be re-landscaped, as shown on Sheet S1.1 of the plan set. The retaining wall that runs along the right elevation of the property will be topped with metal fencing.<sup>3</sup>

Aspects of the project requiring zoning relief are as follows:

Left side yard setback

The repositioned barn will be situated along the existing, non-conforming left side yard setback. This side yard setback is 2'5" from the property line.

Second principal structure

The Applicant proposes constructing a second principal structure in the rear, left portion of the lot. In the RB zone, a second principal structure can be built on the same lot only through Special Permit with Site Plan Review (SPSR). This structure will contain two dwelling units. The Applicant worked with Planning Staff at-length to ensure that the new structure conformed with all dimensional requirements for the RB zone. There are no new non-conformities created nor are any existing dimensional non-conformities extended. The mere presence of a second principal structure, however, is what requires zoning relief.

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<sup>1</sup> Crescent Street runs parallel to Mt. Vernon. There are some view corridors from the public way on Crescent Street into the rear of the 74 Mt. Vernon Street parcel.

<sup>2</sup> Should this be the case in the future, the property owner and associated resident business owner MUST come back to the ZBA to request a separate Special Permit with Site Plan Review (SPSR) to use this space for an approved home-based business under Article 7 of the SZO (or future similar section of the SZO should a new zoning ordinance be adopted). The SPSR that the ZBA is considering as of June 20, 2018 under case # ZBA 2017-89 does NOT grant the Applicant/Owner permission for this home-occupation use of the carriage barn.

<sup>3</sup> All materials used for landscaping, hardscaping, fencing and similar will first be reviewed and approved by Planning Staff prior to order/installation.

*Increase in number of dwelling units*

The Applicant proposes increasing the number of dwelling units on the property from three (3) to five (5). The property is located in the RB zone where the maximum number of dwelling units allowed is three (3) unless an SPSR request is made to the ZBA under Section 7.3 of the SZO to increase the number of dwelling if an affordable unit is provided. The Applicant for 74 Mt. Vernon is proposing one of the dwelling units as affordable. The city's Housing Office determines which unit will be affordable at a what rate.

*Parking*

The project needs relief for 3 parking spaces.

3. **Green Building Practices:**

The project is required to meet the stretch code.

4. **Comments:**

*Ward Alderman:*

Alderman McLaughlin has been aware of this project for some time. Staff has been in communication with Alderman McLaughlin about this project and awaits his comments.

*Historic Preservation Commission (HPC):*

This property is in a Local Historic District (LHD). Because of this, the Somerville Historic Preservation Commission (HPC) has purview over all exterior changes to the existing buildings that are visible from a public way. In addition, the HPC has purview over the portions of new construction that are visible from a public way. Further, the HPC has purview over the materials used for all hardscaping on the property, shape, massing, design, and materials.

The HPC has no purview over use, lighting, landscaping (vegetation), parking, or similar.

At their meeting on May 22, 2018, the HPC approved a Certificate of Appropriateness for the new structure. The HPC had previously approved a Certificate of Appropriateness for the relocation of the barn in its proposed location along with the addition of garage doors and dormers.

## **II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §5.2) and FINDINGS FOR SPECIAL PERMITS (SZO §4.4.1, §7.3, & Article 9)**

*In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the Somerville Zoning Ordinance (SZO). Also, in order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through the relevant sections of the SZO in detail.*

1. **Information Supplied:**

Staff finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.

**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 with site plan review.”*

**Nature of Application:**

**Article 9 of the SZO**

Section 9.13a of the SZO allows a Special Permit Granting Authority (SPGA), in this case, the ZBA, to grant relief from parking requirements under special permit when six (6) or fewer spaces of relief are needed. As stated earlier in this report, the total number of spaces of relief needed for this project is **3.0**.

Dwelling Area	Existing Bdrs.	Parking Req.	Dwelling Area	Proposed Bdrs.	Parking Req.
Unit 1	2	1.5	Unit 1	2	1.5
Unit 2	2	1.5	Unit 2	2	1.5
Unit 3	1	1.5	Unit 3	1	1.5
Unit 4	n/a	n/a	Unit 4	3	2.0
Unit 5	n/a	n/a	Unit 5	1	1.5
<b>Total: 4.5</b>			<b>Total: 8.0</b>		

Formula:

$$\text{new parking requirement} - \text{old parking requirement} = \# \text{ of spaces of relief needed}^*$$

$$8 \text{ spaces} - 4.5 \text{ spaces} = 3.5 \text{ spaces of relief}^4$$

Under existing conditions, the property is required to provide 4.5 on-site parking spaces. Under the proposed conditions, the Applicant is required to provide 3.5 (rounded to 4.0) additional parking spaces on the site. Adding these 4 additional parking spaces to the required existing spaces results in a total of 8.5 spaces that should be provided on-site. The Applicant proposes providing 5 spaces on-site. This leaves a delta of 3 parking spaces. Therefore, the Applicant seeks relief from providing 3.0 parking spaces.

Staff supports providing relief for these 3 spaces. Staff finds that by providing a total of five on-site parking spaces, the Applicant is providing one space per unit. This is in keeping with the ZBA’s interest in not seeing a locus over-parked with amenity parking. In lieu of this extra parking, the ZBA prefers to see quality open space provided to locus residents and an overall increase in green area and permeability. The proposal for 74 Mt. Vernon accomplishes this.

In order to grant the parking relief, the following criteria must be assessed:

1. Increase in traffic volumes

Granting relief for 3.0 parking spaces should not create any undue increase in traffic volumes

2. Increased traffic congestion or queueing of vehicles

<sup>4</sup> When this result is a negative number or >1, no parking relief is needed. The result of this formula is then compared against the number of spaces that the applicant proposes to provide on the site. If this number is greater than the number of spaces of relief needed, then no special permit for parking relief is required.

Vehicles will come and go from this site at various points during the day, depending on the schedules and responsibilities of the occupants of each of the units. Granting relief from providing 3.0 on-site parking spaces will not change the amount of traffic congestion in the area or queueing of vehicles.

3. *Change in the types of traffic*

There will be more construction-type traffic during the construction phase of the project. This, however, will be relegated to the construction period of the project.

4. *Change in traffic patterns and access to the site*

The traffic pattern in the area will not change and access to the site will remain the same as under existing conditions.

5. *Reduction in on-street parking*

It is possible that granting relief for 3.0 parking spaces will create an increase in on-street parking, depending on the number of vehicles associated with each dwelling unit. However, this area is about ½ a block from Washington Street where public transportation is available. The site is also accessible via bike and foot.

6. *Unsafe conflict of motor vehicle and pedestrian traffic*

The relationship between entering/exiting motor vehicle traffic and pedestrians will remain as it is today.

#### **§4.4.1 of the SZO**

***This portion of the SZO 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.”***

The existing non-conformity is the left side yard setback. Currently, the left façade of the existing Mansard structure sits 2 feet 5 inches from the left property line. As noted earlier in this report, the Historic Preservation Commission (HPC) granted a Certificate of Appropriateness to move the barn to this location on the property. In this location, the garage will be minimally-to-not-visible from the public way on Mt. Vernon Street.

Staff also makes findings regarding the following:

#### **Traffic volumes**

This project, taken independently, increases the number of dwelling units at the locus by two. An increase of two dwelling units and the limited number of vehicles associated with each are not expected to significantly increase the traffic volume on Mt. Vernon Street.

#### **Traffic congestion**

With the exception of the times noted directly above, an uptick in traffic congestion is not anticipated.

*Adequacy of municipal water supply and sewer capacity*

As with all projects of this nature, the Applicant is required to submit their engineering plans to the Engineering Department for their review and approval (or modification). While any increase in the number of bathrooms, kitchens and people can add some additional burden to municipal systems, the Engineering Department will assess the impact any of these new connections will have on municipal systems.

The amount of bituminous area being removed and the scale of the landscaping being installed will greatly increase the permeability of this parcel. The amount of green space being opened up will allow much more stormwater to percolate through the site rather than flow into the municipal system.

*Noise, odor*

The neighborhood can anticipate the additional noise and odor that goes hand-in-hand with construction projects such as this. In a densely-built urban environment, this may be particularly noticeable. However, any uptick in noise and/or odor(s) will be temporary in nature and is expected to last only the duration of the construction portion of the project.

All Applicants are required to provide demolition and construction plans to the Inspectional Services Department (ISD) for their review and approval prior to the issuance of a building permit. Applicants will have to demonstrate how they will contain dust and debris associated with demolition and construction. Submission of a demolition plan to ISD is a condition attached to Staff's recommendation for this project.

As in all situations, if abutters become concerned about noise, dust, debris, and the like, then they will need to contact ISD and/or 311 and register their concern.

*Scale*

The Applicant proposes a residential structure that is set back on the lot such that it does not visually distract from the existing, districted Mansard building.

*On-street parking*

The proposal reduces the overall number of on-site parking spaces by two from the existing conditions (from 7 current spaces to 5 proposed). However, providing one parking space per residential unit is in keeping with the ZBA's interest in not providing on-site amenity spaces. Further, by limiting the number of on-site parking spaces, the ZBA allows for a significant amount of green space to be opened up on this parcel – and this is a parcel that is in need of having its available surfaces opened to pervious area and landscaping.

*Shading*

This parcel and surrounding parcels are heavily bordered by trees with good height and canopy which already contribute to significant shade in the area at different points of the day/season. Staff does not anticipate that this new structure will create undo shading of abutting properties. However, it is certainly within the ZBA's purview to request a shadow study.

*Visual effects and neighborhood character*

In particular, because of the rear-lot location of this proposed structure, Staff finds that this building will have minimal visual impact on the character of the neighborhood when viewed from the public way.

**§7.3 of the SZO**

This section of the SZO allows for a greater number of dwelling units on a parcel if affordable housing is provided and other dimensional requirements, such as lot area per dwelling unit, are met. The proposed project will provide one affordable unit on-site (4 units at the regular rate and 1 unit at the affordable rate). The City's Housing Office will determine which unit will be affordable and at what rate.

**3. Purpose of District: *The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6".***

Staff finds that the proposed project exceeds the purpose of the RB district which is: "[t]o establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts." Five dwelling units on one parcel is outside of these parameters. However, it is permissible under the SZO to provide an Applicant the ability to increase the number of residential units on a parcel if an affordable unit is provided and the proposal meets other pertinent zoning criteria. As explained earlier, this can be done through a discretionary special permit with site plan review (SPSR).

**4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area".***

**Surrounding Neighborhood:**

The Applicant proposes a gable-roofed structure with accompanying cross-gable. In general, Staff finds that, though Mansard-roofed structures are the most common roof style in the immediate vicinity of 74 Mt. Vernon Street, buildings with gable-styled roofs are also found throughout Mt. Vernon and Crescent Streets (Crescent Street runs parallel to Mt. Vernon and presents the view corridors up to the 74 Mount Vernon project site). Simple gable-roofed structures include, but are not limited to:

- 18 Crescent St.
- 24 Crescent St.
- 28 Crescent St.
- 20 Pearl St. (corner of Mt. Vernon and Pearl)
- 59 Mt. Vernon St.
- 64 Mt. Vernon St.
- 69 Mt. Vernon St.
- 73 Mt. Vernon St.
- 81 Mt. Vernon St.
- 83 Mt. Vernon St.
- 85 Mt. Vernon St.
- 89 Mt. Vernon St.

The above properties are gable-fronted to the public way. In addition to the above, the following properties present gabled main structures with an accompanying cross-gable:

- 62 Mount Vernon St. (corner of Mt. Vernon and Pearl)
- 4 Pearl St. (corner of Pearl and Crescent)

Given the number of gable-roofed structures in the immediate vicinity of 74 Mt. Vernon Street, Staff finds that the shape of the proposed building is consistent with the shape of other structures in the vicinity. Regarding the size of the proposed structure, Staff is able to determine relative size in terms of total living area which, for the proposed new building is 2,840 square feet. The living area of each of the comparison buildings identified above is presented below to show relative size of the proposed structure to existing residential buildings<sup>5</sup> in the vicinity:

- 18 Crescent St. **(2,408 sf)**
- 24 Crescent St. **(2,518 sf)**
- 28 Crescent St. **(1,420 sf)**
- 20 Pearl St. (corner of Mt. Vernon and Pearl) **(3,236 sf)**
- 59 Mt. Vernon St. **(3,210 sf)**
- 64 Mt. Vernon St. **(2,358 sf)**
- 69 Mt. Vernon St. **(2,911 sf)**
- 73 Mt. Vernon St. **(2,564 sf)**
- 81 Mt. Vernon St. **(2,350 sf)**
- 83 Mt. Vernon St. **(2,302 sf)**
- 85 Mt. Vernon St. **(3,502 sf)**
- 89 Mt. Vernon St. **(2,176 sf)**
- 62 Mount Vernon St. (corner of Mt. Vernon and Pearl) **(3,861 sf)**
- 4 Pearl St. (corner of Pearl and Crescent) **(3,591sf)**

The existing Mansard structure at 74 Mt. Vernon Street contains approximately **3,742** square feet of living area according to the assessor's database. At **2,840** square feet, Staff finds that the size of the proposed new building on this site is in keeping with the living area of the comparison buildings.

**Impacts of Proposal (Design and Compatibility):**

The proposed design of the new building is more "contemporary" in nature than that of surrounding structures. However, this building is in a Local Historic District (LHD) and the Somerville HPC looks to the Secretary of the Interior's Standards for guidance regarding new buildings in historic districts. The modern design of the proposed building clearly allows it to "read" as new when compared against the historic Mansard already on the property.

While the proposed design may be different from that of other residential properties in the area, the Secretary of the Interior's Standards are clear when they advise that:

*"...the massing, size, scale, and architectural features of new construction on the site of a historic building must be compatible with those of the historic building. When visible and in close proximity to historic buildings, the new construction must be subordinate to these buildings...[n]ew construction should be placed away from or at the side or rear of historic buildings and must avoid obscuring, damaging, or destroying character-defining features of these buildings or the site... [n]ew construction should also be distinct from the old and must not attempt to replicate historic buildings elsewhere on site and to avoid creating a false sense of historic development."*<sup>6</sup>

<sup>5</sup> All living area square footages were retrieved from the Somerville Assessor's Database and are not the result of formal architectural measurements. These numbers are not intended to be exact, but illustrative of relative building size.

<sup>6</sup> From the Secretary of the Interior's Standards regarding new construction within the boundaries of historic properties.

Staff acknowledges that the ZBA's purview is not the evaluation of historic design criteria. However, Staff includes the above information regarding new construction on historic properties to underscore its position that the impacts of the proposed structure in terms of design and compatibility will be minimal due to:

- visibility from the public ways (Crescent and Mt. Vernon Streets)
- "contemporary" design style distinguishes it from the on-site Mansard and other neighborhood buildings from the public viewpoints where it can be seen

**5. Applications for Special Permits with Site Plan Review for Residence Zones should follow the design guidelines under SZO §5.2.4B. This section of the SZO lists eight guidelines.**

\*\*\*Staff has already addressed the majority of these guidelines multiple times in this staff report and will refer you to prior sections rather than continue to repeat the same information.\*\*\*

***B. Design Guidelines for Residence Zones.***

***1. Buildings should be generally of the same size and proportions as those existing in the neighborhood. This shall apply in cases of multi-family development as well as one-, two-, and three-family units. For example, if relatively small two- and three-family structures are common in a neighborhood where multi-family development is proposed, the multi-family development should be physically broken into components that, from a design perspective, are housed in buildings of similar width, depth, and height as those typically found in the neighborhood.***

Please see "4. Site and Area Compatibility" above where this is addressed.

***2. Use of traditional and natural materials is strongly encouraged (e.g. wood clapboard, wood shingles, brick).***

Staff has added conditions to their recommendation that address materials to be used on the proposed structure.

***3. Additions to existing structures should be consistent with the architecture of the existing structure in terms of window dimensions, roof lines etc.***

The proposed project is for a new building, not an addition.

***4. Although additions should not clash with or be incompatible to the existing structure, it is acceptable and even desirable for the new construction to be distinguishable from the existing building, perhaps by maintenance of design elements of the original building that would otherwise be lost (e.g. false rakes, fasciae, and the like).***

Though the proposed project is for a new building and not an addition, Staff has addressed this guideline in an earlier section: **Impacts of Proposal (Design and Compatibility)**. In this section, Staff specifically addressed this guideline through the project's compliance with the Secretary of the Interior's Standards for new construction on historic properties.

***5. Where practical, new or infill building construction should share the same orientation to the street as is common in the neighborhood. When not contrary to any other zoning law, front and side yards should be of similar dimensions as those typical in the area.***

Due to the shape of the lot, the new building is proposed to the rear left of the existing Mansard structure.

***6. Driveways should be kept to minimal width (perhaps a maximum of twelve feet), and be designed so that no vehicle parked on the drive may straddle the public sidewalk in any way. Low barriers or plantings may be required to separate the parking area from the pedestrian space.***

The existing driveway will continue to be used to access the site and its width will be maintained. Parking areas are clearly identifiable from walkways under the proposed conditions for the site.

***7. Transformers, heating and cooling systems, antennas, and the like, should be located so they are not visible from the street or should be screened.***

The location of any transformers is the determination of Lights and Lines/Electrical/Wiring. Staff has added a condition that transformers and mechanicals shall be screened from the public way and from abutting properties.

***8. Sites and buildings should comply with any guidelines set forth in Article 6 of this Ordinance for the specific base or overlay zoning district(s) the site is located within.***

There is no overlay zoning district for this site. A Local Historic District (LHD) is not a zoning district. It is an historic design review area that is created under a state law that is completely separate from zoning law.

**6. Functional Design: The project must meet “accepted standards and criteria for the functional design of facilities, structures, and site construction.”**

The project is standard for a residential construction project in a densely-built environment.

**7. Impact on Public Systems: The project will “not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.”**

All bituminous material will be removed from the site and replaced with pervious pavers and landscaping except for the square footage where the new residential building is proposed. This, in addition to overall re-landscaping the parcel and incorporating updated drainage mechanisms, the proposal is designed to allow for the maximum amount of stormwater possible to drain through the parcel and not into the municipal sewer system.

Staff finds no negative impact on the recreational system as a result of this project.

Staff has addressed the issue of traffic and sewer systems in other portions of this staff report and refers the ZBA to those sections again.

**8. Environmental Impacts:** *“The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.”*

The proposed residential use will not adversely impact the environment. No new noise, glare, smoke, vibration, nor emissions of noxious materials, nor pollution of waterways or ground water, nor transmission of signals that interfere with radio or television reception are anticipated as part of the proposal.

The increased permeability of the lot should help the soil naturally filter more pollutants than the site is able to do under current conditions.

Typical construction noise for a project this size can be expected. We live in a densely built community where occasional upticks in noise are to be expected due to the nature of urban living and the changes that come with living in such an environment.

If any environmental issues arise during this project, oversight and enforcement of such issues rests with the Commonwealth of Massachusetts and not with the City of Somerville.

**9. Consistency with Purposes:** *“Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections.”*

Staff finds that 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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; to protect and promote a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes; and to preserve and increase the amenities of the municipality.

**10. Preservation of Landform and Open Space:** *The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”*

The existing landform will be maintained. Overall improvements to the parcel have been discussed earlier in this report in terms of landscaping and pervious area. Staff includes the table below to illustrate RB zone requirements regarding landscaping, pervious area, and maximum ground coverage allowed by buildings. Also included are percentages under current conditions and the improvements to these percentages that the Applicant’s proposal provides.

Item	RB Requirement	Existing Condition	Proposed Condition
Maximum Ground Coverage*	50%	33%	27%
Landscaped Area (minimum)	25%	18%	41%
Pervious Area (minimum)	35%	18%	67%

\*by buildings

**11. Relation of Buildings to Environment:** *The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”*

**1) located harmoniously with the land form, vegetation and other natural features of the site**

The parcel inclines from Mt. Vernon Street and up toward the rear lots of the parcels that abut it on Crescent Street. The parcel banks steeply to the left at the rear of the existing Mansard on the parcel. The proposal takes this lot shape and change in elevation into account.

**2) compatible in scale, design and use with those buildings and designs which are visually related to the development site;**

Please see Staff’s earlier comments regarding the relationship of this new building to the other building on the parcel as well as to the surrounding neighborhood.

**3) effectively located for solar and wind orientation for energy conservation**

It may be possible in the future for solar collectors to be utilized on some of the roof planes.

**4) advantageously located for views from the building while minimizing the intrusion on views from other buildings**

The views from this new structure are to the re-landscaped parcel, relocated barn, existing Mansard and surrounding properties. Portions of this new building will be visible from surrounding properties at some points during the year. At other times of the year, one or more facades of this new building will be fully visible from surrounding structures.

**12. Stormwater Drainage:** *The Applicant must demonstrate that “special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and paved area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged, as is use of retention or detention ponds.*

***In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required."***

The proposed project must meet the Engineering Department's requirements for a project of this scale. The project provides substantial means of stormwater mitigation on-site due to the increase permeability of the parcel and the incorporation of drains. The Engineering Department is responsible for determining what, if any, changes to the site engineering are required prior to the issuance of a building permit. Staff's recommendation has been conditioned as such.

**13. Historic or Architectural Significance:** *The project must be designed "with respect to Somerville's heritage, any action detrimental to historic structures and their architectural elements shall be discouraged insofar as is practicable, whether those structures exist on the development parcel or on adjacent properties. If there is any removal, substantial alteration or other action detrimental to buildings of historic or architectural significance, these should be minimized and new uses or the erection of new buildings should be compatible with the buildings or places of historic or architectural significance on the development parcel or on adjacent properties."*

Please see information regarding the HPC approvals received for this project in the "Comments" section earlier in this report. In addition, please see Staff's earlier discussion of the Secretary of the Interior's Standards regarding new buildings on historic properties.

**14. Enhancement of Appearance:** *The Applicant must demonstrate that "the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting."*

Seasonal screening of the new building will be accomplished through additional landscaping and via the existing trees on and bordering the parcel.

**15. Lighting:** *With respect to lighting, the Applicant must ensure that "all exterior spaces and interior public and semi-public spaces shall be adequately lit and designed as much as possible to allow for surveillance by neighbors and passersby."*

Staff has included a condition that all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere with, or spill onto neighboring properties.

**16. Emergency Access:** *The Applicant must ensure that "there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment."*

Emergency personnel will have access to site via the existing driveway location with significant space provided for maneuvering vehicles on the back of the lot.

**17. Location of Access:** *The Applicant must ensure that "the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion."*

Vehicular access will remain as it does under existing conditions.

**18. Utility Service:** *The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”*

The Applicant is required to present their electrical/utility plan to Lights & Lines and the Electrical Inspector.

**19. Prevention of Adverse Impacts:** *The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development.”*

The new building has been sited to meet all zoning setbacks. Portions of the building have been sunk below grade to reduce the visual height of the new structure.

- Existing deciduous trees/canopy will help mask views of the new structure on a seasonal basis only.
- The amount of hard surfaces is greatly reduced
- impacts from machinery (including noise, heat, vapor, light or fumes) are limited to the construction phase
- Increased greening of the parcel can have a positive impact on the immediate surrounding environment

**20. Signage:** *The Applicant must ensure that “the size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed buildings.”*

Not applicable.

**21. Screening of Service Facilities:** *The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”*

Staff’s recommendation includes conditions that required Planning Staff and ISD review and approval of siting and screening for mechanicals, trash, and recycling.

**22. Screening of Parking:** *The Applicant must ensure that “the parking areas should be screened or partitioned off from the street by permanent structures except in the cases where the entrance to the parking area is directly off the street.”*

Three parking spaces will be provided at the top of the driveway along the back of the parcel. A new retaining wall will be installed in front of these spaces. The two other proposed on-site parking spaces will be housed within the renovated barn.

**23. SomerVision Plan:**

The proposed project will add a new affordable housing unit to the City’s available affordable housing stock. The parcel will be improved through the removal of a significant amount of bituminous material. Quality landscaping and improved permeability are additional contributions. Lastly, one additional market rate unit will also be added to the City’s housing stock.

**21. Impact on Affordable Housing:** *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

One affordable unit will be added to the City's affordable housing stock.

### III. RECOMMENDATION

#### **SPECIAL PERMIT with SITE PLAN REVIEW and SPECIAL PERMITS (SZO §4.4.1, §7.3 and §9.13)**

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 with SITE PLAN REVIEW and SPECIAL PERMIT**.

This 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.

This 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
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1	Approval is for the construction of a second principal structure, to increase the number of dwelling units from three to five (one of which will be affordable), reposition the existing barn along the non-conforming left side yard setback, remove all bituminous material, re-landscape, and relief for 3 parking spaces.	CO / BP	ISD/Plng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>August 8, 2017</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>June 7, 2018</td><td>Updated plan set submitted to OSPCD</td></tr><tr><td>June 7, 2018</td><td>Amended plan set submitted to OSPCD (amendments made to plan set submitted earlier in same day)</td></tr></table>				Date (Stamp Date)	Submission	August 8, 2017	Initial application submitted to the City Clerk's Office	June 7, 2018	Updated plan set submitted to OSPCD	June 7, 2018	Amended plan set submitted to OSPCD (amendments made to plan set submitted earlier in same day)
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June 7, 2018	Amended plan set submitted to OSPCD (amendments made to plan set submitted earlier in same day)											
Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.												
<b>Affordable Housing/Linkage</b>												
2	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.	BP	Housing									
3	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	BP	Housing									
4	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	BP	Housing									
5	Affordable Housing payments shall be required to be paid to the Somerville Housing Trust Fund before a CO is issued.	BP	Housing									
<b>Pre-Construction</b>												
6	The Applicant must contact the Engineering Department to obtain street addresses prior to a building permit being issued.	BP	Eng									

7	The Applicant shall complete the Site Plan Review Checklist and supply the information to the Engineering Office. The plans must comply with the City's Stormwater Management Policy.	BP	Eng.	
8	New sanitary connection flows over 2,000 GPD require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy is issued.	CO	Eng.	
9	The Applicant shall submit a proposed drainage report to the City's Engineering department, (stamped by a registered PE if requested by the City Engineer) that demonstrates compliance with the City's stormwater policy.	BP	Eng.	
10	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
11	The Applicant shall 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 1 <sup>st</sup> to April 1 <sup>st</sup> and there is a list of streets that have additional opening restrictions.	BP	Eng.	
12	The applicant must comply with the: "Policy for new connections to and modifications to existing connections to the municipal sewer and drainage system stormwater management and infiltration/inflow mitigation." The Applicant shall work with Engineering to meet this condition and provide the required fees/mitigation.	BP	Eng.	
<b>Construction Impacts</b>				
13	The Applicant shall post the names and phone numbers of the contractors, including the general contractor, at the site entrance where it is visible to people passing by.	During Construction	ISD	
14	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Cont.	Plng.	Deed submitted & application formed signed

15	The Applicant shall, at his 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	
16	All construction materials and equipment shall 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	
<b>Design</b>				
17	Applicant shall provide material samples for siding, trim, windows, and doors and the like to Planning Staff for their review and approval prior to construction. No vinyl, including PVC, shall be allowed. Preference given to natural materials.	BP	Plng.	
18	Any rooftop mechanical equipment shall be screened so as it is not visible at ground level.	CO	Plng.	
<b>Site</b>				
19	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
20	There shall be a minimum of one new tree for each 1,000 sf of required landscaped area under SZO §10.3.	CO	Plng.	
21	All materials to be used for hardscape shall first be supplied to Planning Staff for their review and approval prior to ordering and installation.	BP	Plng/ISD	
22	All fencing and retaining wall materials shall first be supplied to Planning Staff for their review and approval prior to ordering and installation.	BP	Plng/ISD	
23	The Applicant shall submit an updated landscaping plan that includes the siting of transformers, trash and recycling.	BP	Plng/ISD	
24	All trash, recycling, mechanicals, including transformers, shall be screened from the public way and from the view of abutting properties. All screening materials shall be submitted to Planning Staff for their review and approval prior to ordering and installation.	BP	Plng/ISD	
<b>Miscellaneous</b>				
25	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well-kept and in good and safe working order.	Perpetual	ISD	
26	There shall be no loitering by project workers on the project site. All personnel shall be respectful of abutting properties and shall not leave equipment or vehicles idling, shall not play loud music at the site, shall not engage in loud conversation prior to or after permitted working hours.	During construction	ISD	
27	All construction waste shall be stored neatly on-site and carted away on a regular basis.	During construction	ISD	

28	Food waste shall be removed from the site daily.	During construction	ISD	
29	Rodent baiting shall be performed as-necessary	During construction	ISD	
30	Construction and construction-related activity shall occur between the hours of 7:30pm and 5:00pm Monday through Friday only. There shall be no construction or construction-related work occurring on weekends or holidays.	During construction	ISD	
31	There shall be no loitering by project workers on the project site. All personnel shall be respectful of abutting properties and shall not leave equipment or vehicles idling, shall not play loud music at the site, shall not engage in loud conversation prior to or after permitted working hours.	During construction	ISD	
<b>Public Safety</b>				
32	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
33	The Applicant shall submit a construction traffic management plan to the Traffic and Parking division for their review and approval. Plan should include delivery locations, delivery windows, anticipated number of vehicles, parking proposals and the like. Traffic and Parking shall be responsible for reviewing (if necessary, amending), and signing off on the plan.	BP	T&P	
34	Any transformers shall be fully screened and installed in a location approved by Lights and Lines	Electrical permits & CO	Lights and Lines	
35	All exterior lighting shall be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
36	Barbeques, grills, chimineas, and the like are not permitted on decks or porches per Somerville fire safety regulations.	Perpetual	ISD/Fire Prevention	
37	A full utility and electrical plan shall be submitted to the Lights and Lines, Wiring/Electrical Inspector for review and approval prior to the issuance of a building permit	Electrical permits & CO	Lights and Lines/Wiring/electrical/ISD	
<b>Final Sign-Off</b>				
38	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.	