



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

PLANNING DIVISION

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Case #: ZBA # 2012-29
Site: 1 Westwood Road
Date of Decision: May 2, 2012
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: May 10, 2012

ZBA DECISION

Applicant Name:	Barbara Mangum
Applicant Address:	9 Josephine Avenue, Somerville, MA 02144
Property Owner Name:	Somerville Historical Society
Property Owner Address:	1 Westwood Road, Somerville, MA 02143
Agent Name:	Richard Graf, RA
Agent Address:	11 Franklin Avenue, Chelsea, MA 02150

Legal Notice: Applicant, Barbara Mangum, President of the Somerville Museum, and Owner, the Somerville Historical Society, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure. Alterations include the enlargement of an existing porch and the installation of an ADA compliant wheelchair lift.

<u>Zoning District/Ward:</u>	RA zone/Ward 3
<u>Zoning Approval Sought:</u>	§4.4.1
<u>Date of Application:</u>	April 3, 2012
<u>Date(s) of Public Hearing:</u>	May 2, 2012
<u>Date of Decision:</u>	May 2, 2012
<u>Vote:</u>	5-0

Appeal #ZBA 2012-29 was opened before the Zoning Board of Appeals at Somerville City Hall on May 2, 2012. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Zoning Board of Appeals took a vote.



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DESCRIPTION:

Applicant, Barbara Mangum, Somerville Museum President, proposes to alter the nonconforming structure by enlarging the porch along Westwood Road to install an ADA compliant wheelchair lift. Upon installation of the wheelchair lift, the Somerville Museum will become compliant with ADA regulations and be able to better serve the public. The proposal intends to incorporate as much of the existing porch structure as possible by building on and around the porch. The construction of a handicap accessible lift will be included within the new entry porch. The new portico will also help guide interested members of the public to the Westwood Road entrance, which is not the original main entrance, but is currently the only public access to the building.

The existing porch, a concrete slab, is approximately 8 feet in length by 6'-8" in width by 3'-6" in height and flush with the interior of the building. Stairs lead up the right side of the porch along the building to the side entry, which is currently used as the main entry into the Museum.

The proposed new portico would be 18 feet in length. Approximately 5 feet would be added to each end of the current concrete slab while the current width (6'-8") would be retained. The new portico is designed in the Classical Revival style, which is consistent with the style of the Museum and characteristic of other designated historic homes on Westwood Road. Four Doric columns, 9'-6" in height and 10" in diameter, will be positioned below a built up cornice with a flat roof. The cornice is proposed to extend 6 inches into the airspace over the sidewalk and 14 feet above the sidewalk. The Applicant will need to seek approval from the Board of Aldermen to allow the cornice to extend 6 inches into the airspace. Two columns will be located at either end of the portico while two more columns will be positioned to accentuate the Westwood Road entry door. The spacing between columns will be inconsistent as there will be 7'-10" between the columns that emphasize the entry door while only 4'-6" between the two middle columns and those at either end of the portico. Iron railings will be located between the columns and along the new 5 foot wide concrete stair.

The base of the new portico will be encased in a brick veneer that is consistent with the masonry exterior of the building. The Applicant plans to remove the stucco that is currently visible on the porch base and replace it with a brick veneer that is approximately 4" wide. A new concrete slab will hang slightly over the base of the portico. The entire project will remain within 7' of the building, which is within the boundaries of the property.

An ADA code compliant wheelchair lift will be installed on the left end of the new portico addition. The lift will be 4'-7" in length by 4'-7" in width and completely covered by the roof of the new portico. A banner, approximately 5 feet in length, will hang between the two left side columns to provide weather protection for the handicap lift. Both the roof and the banner are solutions that enable the Museum to become complaint with the ADA regulation that requires wheelchair lifts to be protected from weather.

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 Board 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."

In considering a Special Permit under §4.4 of the SZO, the Board finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The portico addition will alter the Westwood Road façade; however, the design fits contextually into the Westwood Road neighborhood, the



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wheelchair lift allows handicap access to the Museum, and less confusion will be had by those who are not familiar with the Museum by enhancing the current entrance along Westwood Road.

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 "promoting 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 secure safety from fire, panic and other dangers; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

The proposal is also consistent with the purpose of the district §6.1.1. (RA – Residence Districts), 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."

The addition of a portico to the Westwood Road façade of the Somerville Museum has been designed to be compatible with the built and unbuilt surrounding area. The portico addition has been designed in the Classical Revival style which compliments other buildings in the immediate surrounding neighborhood. The addition of a wheelchair lift within the portico addition is an appropriate solution for the Museum to become accessible to handicap persons and will not disrupt the streetscape or negatively affect the surrounding neighborhood or the historic structure.



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DECISION:

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Danielle Evans and Scott Darling. Upon making the above findings, Susan Fontano made a motion to approve the request for a Special Permit. Scott Darling seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes										
1	Approval is to alter a nonconforming structure under SZO §4.4.1, including the enlargement of an existing porch and the installation of an ADA compliant wheelchair lift. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/PIng.											
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(April 3, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>December 23, 2011 (April 11, 2012)</td> <td>Plot plans submitted to OSPCD</td> </tr> <tr> <td>April 2, 2012 (April 11, 2012)</td> <td>Site Plans submitted to OSPCD (sheets 1, 2, 3, 4, 5, & 6)</td> </tr> <tr> <td>April 2, 2012 (April 11, 2012)</td> <td>Site Plan Details submitted to OSPCD</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(April 3, 2012)	Initial application submitted to the City Clerk's Office	December 23, 2011 (April 11, 2012)	Plot plans submitted to OSPCD	April 2, 2012 (April 11, 2012)	Site Plans submitted to OSPCD (sheets 1, 2, 3, 4, 5, & 6)	April 2, 2012 (April 11, 2012)	Site Plan Details submitted to OSPCD
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Any changes to the approved site plan that are not <i>de minimis</i> must receive SPGA approval.														
2	The Applicant shall seek and receive Board of Aldermen approval before constructing the cornice that will extend 6 inches into the airspace over the sidewalk.	BP	PIng.											
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP											
4	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, 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											
5	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	PIng.											



Attest, by the Zoning Board of Appeals:

Herbert Foster, *Chairman*
Orsola Susan Fontano, *Clerk*
Richard Rossetti
T.F. Scott Darling, III, Esq.
Danielle Evans

Attest, by the Administrative Assistant:

Dawn M. Pereira

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the
SPGA proceedings are filed in the Somerville Planning Dept.

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____



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