



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl
Date: 9/8/2021
RE: Docket 3661 – 20-20A Lafayette Street; Special Permit under Zoning Bylaw Section 5-18
(Districts & Uses)

The applicant, Jason Santana, seeks a Special Permit in accordance with Section 5-18 (Districts & Uses) of the Zoning Bylaw. The applicant is seeking to enlarge each of two units in a two-family structure in the R2 Zoning District through a large addition located on the rear of the building. Under the proposal, the building footprint would be extended 15 feet 6 inches into the rear yard. The proposal would result in an increase in square footage from 1,848 square feet to 3,600 square feet (+1,752 square feet). Lot coverage would increase from 20.3% to 31.3% (+11%).

The existing property is nonconforming with the minimum lot size, frontage, front, left, and right side yard dimensional requirements of the Zoning Bylaw. The proposal would not increase any existing nonconformities.

Per the definition of a half story in Section 2 (Definitions) of the Zoning Bylaw, the measurement of a half story is calculated based on the total finished floor area of the floor directly under the roof framing, not the area of the floor *below* the half story floor. The applicant has incorrectly calculated the half story based on the area of the second floor. It is unclear, although unlikely, based on the applicant materials whether the third story addition meets the definition of a half story. Depending on the dimensions of the finished floor area of the third story, the proposal may create a new nonconformity.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted through a Special Permit in the R2 zoning district.

Criterion #2: Public Convenience/Welfare

This proposal would create an additional housing unit.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

The addition will expand the footprint of the structure by 574 square feet into the rear yard. The Engineering Division should review a stormwater analysis report for the proposal to determine whether the addition will increase the surface water runoff rate relative to the predevelopment runoff rate per Article 15 of the Town Bylaw.

Although not noted in the architectural plans, it appears that the tree in the front yard setback will be removed, and possibly one or more trees in the rear yard. Because the addition will increase the total area of the structure by more than 50%, per Article 16 of the Town Bylaw the applicant is required to receive approval of a Tree Plan from the Tree Warden prior to removing trees or commencing work on the property.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

Most structures in the immediate area appear to be stacked two-family structures with a height of 2.5 stories. There are also three single-family single-story dwellings also in the vicinity, and the neighboring single-story structure includes a very modern side yard addition. The proposal would introduce a more contemporary architectural style to the existing Colonial Revival-style home by completely modernizing the whole façade of the structure. Additionally, the appearance will change from what currently presents a single-family structure to clearly a two-family duplex.

While the proposal will increase the structure's massing, the majority of the addition is set back on the rear of the structure, with only the half story elements of the addition visible from the street. The addition serves as a creative design solution to integrate the renovated structure into the surrounding community.

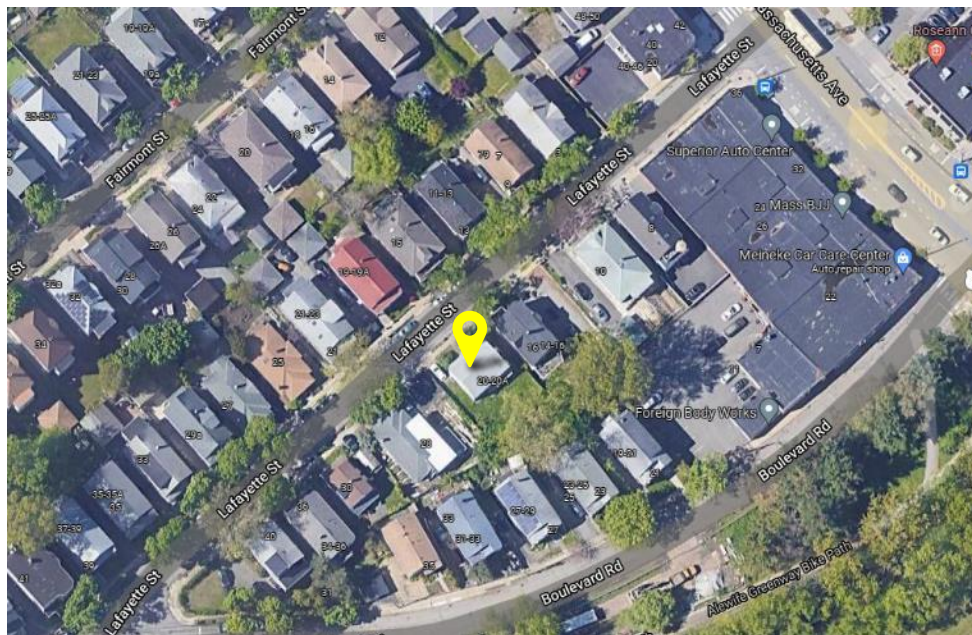
The application materials indicate that there is not a roof over the front landing; the applicant may wish to project the horizontal design feature over the front doorways forward over the landing to provide additional protection from the elements to residents.

Overall, this proposal is consistent with neighborhood character and is not detrimental to health, morals, or welfare.

Criterion #7: Detrimental Excess in Particular Use

There would not be any detrimental excesses.

Below are aerial and street-based photos of the current building:



Recommendation:

The Department of Planning and Community Development (DPCD) recommends that:

- The Zoning Board of Appeals (ZBA) requests that the applicant clarify the area of the half story using the definition in the Zoning Bylaw to determine if the application would create an additional nonconformity.
- The applicant provides an updated elevation and/or rendering to better convey the massing of the structure when they resubmit the application.
- The ZBA requests a Tree Plan approved by the Tree Warden prior to allowing work to commence on the property.

If the proposal is compliant with the definition of a half story, DPCD maintains that the proposal is consistent with the Special Permit criteria and therefore recommends that the Zoning Board of Appeals approve this application.

Related Dockets

- #3614: 20 Beacon St – Applicant sought a special permit for a large addition (1,896 sf) in the rear and side yard of a single-family home in an R2 zoning district. Approved 1/28/20.
- #3653: 59 Mount Vernon St – Applicant sought a special permit for a large addition (2,596 sf) in the rear of a two-family home in an R2 zoning district. Approved 3/23/21.