



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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PLANNING DIVISION

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Case #: PB 2013-16
Site: 182 Broadway
Date of Decision: March 6, 2014
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: March 7, 2013

PLANNING BOARD DECISION

Applicant Name:	Yihe Group, Jianfeng He, c/o Richard DiGirolamo, Esq.
Applicant Address:	424 Broadway, Somerville, MA 02145
Property Owner Name:	S & V Realty Trust
Property Owner Address:	1 Estymere Place, Middleton, MA 01949
Agent Name:	Richard G. DiGirolamo, Esq.
Agent Address:	424 Broadway, Somerville, MA 02145

Legal Notice: Applicant Yihe Group and Owner S&V Realty Trust seek a Special Permit with Site Review per SZO §5.2 to construct a mixed use building of approx 29,000 nsf under §6.1.22.D.1. The uses include small and medium retail of approx 3,300 sf, 19 residential units per SZO §7.13.B, §7.13.C, & §7.13.E. The applicant seeks a Special Permit under SZO §5.1 to increase the number of compact parking spaces per SZO §9.13.b and modify the bicycle parking requirement per SZO §9.15.4. Article 13 Inclusionary Housing will apply. CCD55 zone. Ward 1.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 1
<u>Zoning Approval Sought:</u>	§5.2, §6.1.22.D.1., §7.13.B, §7.13.C, §7.13, §5.1, §9.13.B & §9.15.4
<u>Date of Application:</u>	July 29, 2013
<u>Date(s) of Public Hearing:</u>	2/6, 2/20 & 3/6/14
<u>Date of Decision:</u>	March 6, 2014
<u>Vote:</u>	5-0



Appeal #PB 2013-16 was originally opened before the Planning Board at Somerville City Hall on February 2, 2014 and then re-advertised on February 20, 2014. 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(s) of deliberation, the Planning Board took a vote.

DESCRIPTION:

The proposal is to demolish both existing structures and build a 5 story mixed-use building totaling 29,293 net square feet with underground parking for 19 vehicles and covered spaces for 6 vehicles. The building will contain 1 to 2 retail spaces. The retail space totals 3,000 square feet which could be subdivided into two spaces averaging 1,500 square feet. There will be 19 residential units on floors 2-5. There will be 10 – one bedroom units, 2 - one bedroom + study units, 5 – two bedroom units, and 2 – two bedroom + study units. There will be 19 garage parking spaces and storage in the basement level as well as three covered spaces. There will be three parking spaces onsite for a total of 25 spaces.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §5.2):

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 §5.2.5 in detail.

1. Information Supplied: The Board 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.”

This portion of Broadway is part of the CCD-55 district. This type of district was created (originally as the “CCD” district) as a part of the Union Square rezoning study in 2009. Additional refinements to CCD-55 were made when the zoning was applied to Broadway in Winter Hill and East Somerville in February 2010.

Generally the massing and uses capture the intentions of the CCD-55 district. The building reflects the intention to provide for 55-foot buildings along the street corridors. The site provides adequate parking without developing excessive parking within this urban neighborhood, and encourages retail storefronts that will engage the pedestrian while improving the impact of the block. The project also provides on-site affordable housing.

Below is an explanation of how the project meets or does not meet the zoning requirements:

Uses

Under SZO section 6.1.22.D, if some uses in new development are by-right and some are allowed by Special Permit, the entire development shall be subject to Special Permit with Site Plan Review (SPSR) review. Since the residential use requires a special permit, the entire development requires SPSR review. The residential use falls under Use Cluster E, §7.13.E, Residential, and any number of residential units requires a special permit.

The two commercial uses are by-right. Small Retail and Service comprises establishments of up to 1,500 net square feet and a total square footage of all of the establishments up to 10,000 net square feet is allowed by-right. This application includes 2 spaces less than 1,500 sf each. The application includes the request for Use Cluster B, §7.13.C, Medium Retail and Service. Medium Retail and Service comprises establishments of 1,500 to 10,000 net square feet and a total square footage of all of the establishments up to 5,000 net square feet is allowed by-right. The retail areas could be combined for up to 1 retail space at 3,000 square feet. Another option is 2 spaces of approximately 1,500 square feet. The use of these spaces may be any use allowed in this Use Cluster or another Use



Cluster that is allowed by-right at this size, although if changing to a different Use Cluster the parking requirements would need to be evaluated and therefore may require zoning approval to be established.

Dimensional Requirements

The proposal complies with the dimensional requirements of the zoning district. The minimum lot area per dwelling unit is 600 square feet and the proposal has 619 square feet per unit. The maximum ground coverage is 80% and the proposed building covers approximately 41% of the lot. The proposal meets the minimum landscaped area with 28% of the site landscaped. The maximum gross floor area ratio is 3 and the proposed building has a FAR of 2.36.

Requirements	CCD-55	Proposal
Min Lot Size	N/A	11,778 sf
Min Lot Area/Dwelling Unit	600 sf	619 sf
Max Ground Coverage	80%	41%
Min Landscaped Area % of lot	10%	28%
Floor Area Ratio (based on gsf)	3	2.36
Max Height	55'	55'
Max Height Abutting RB	35'	33'
Min Front Yard	NA	0'
Left Side Yard	NA	20'-6"
Right Side Yard	NA	1' (approx.)
Min Rear Yard Abutting RB	20' (10' exclusively landscaped)	20' (10' exclusively landscaped)
Min Frontage	30'	102'

Affordable Housing

Projects in the CCD are subject to a 12.5% inclusionary housing requirement. For the proposed project, this translates into the creation of two permanently affordable units at a location where none exist today. The two permanently affordable units will be made available to households in accordance with the City's inclusionary housing ordinance.

Parking & Loading Requirements

Twenty-five parking spaces will be provided on site. Nineteen parking spaces are required and provided for the residential units. For the commercial units, 6 parking spaces are provided. Four parking spaces are required for medium retail use and 2 are required for small retail use. Depending on how the retail units are subdivided, the site will have an addition 2-4 parking spaces. All garage spaces, or 22 of 25 parking spaces, will be compact or 8' by 16'.

The breakdown of the required parking spaces is as follows:

Residential Units – 1 per unit, 19 units = 19 spaces

Use Cluster B – Small Retail and Service, 1 per 1500 nsf
2 establishments totaling 3,000 sf / 1500 = 2 spaces

OR

Use Cluster C – Medium Retail and Service, 1 per 800 nsf
1 establishment totaling 3,000 sf / 800 = 3.75 or 4 spaces

Eleven bicycle parking spaces are required onsite and 24 will be provided. Eight bicycle parking spaces will be onsite, presumably for retail customers/employees. There will be an additional 16 hanging spaces in the garage in front of the some of the parking spaces. In addition, there are 6 storage rooms that could possibly be used for bike parking. A special permit is required per SZO 9.15.4 to alter bicycle parking requirements. This project exceeds the



required number of spaces in a way that fulfills the purposes of Section 9.1 by increasing the number of locations bicycles that can be safely secured to prevent theft and vandalism.

Residential Units – .5 per unit, 19 units = 9.5 spaces

Use Cluster B – Small Retail and Service, 1 per 6,000 nsf
3 establishments totaling 3,297 sf / 6,000 = .54 or 1 space

OR

Use Cluster C – Medium Retail and Service, 1 per 5,000 nsf
1 establishment totaling 3,297 sf / 5,000 = 0.65 or 1 space

No loading dock is required because there is not a single retail space that is over 5,000 square feet.

In considering a special permit with site review under §5.2 of the SZO, Staff find that the alterations and use proposed would not be substantially more detrimental to the neighborhood than the existing structures and uses.

6.1.22.G CCD. All new developments shall meet the following standards:

1. Penthouses and Mechanical Equipment. The elevator and stairwell penthouses are shown on the roof floor plan and will be setback from the roof edge at least at a 45 degree plane. All elevator and stairwell penthouses, roof-mounted mechanical equipment (including enclosure, if any) and other similar rooftop installations shall be set back behind a plane inclined at 45 degrees from the vertical, beginning at the maximum height of the building, along all street lines and rear lot line and shall be screened pursuant to the screening provisions in Section 14.3. The elevator and stairwells are setback from the front and rear of the buildings. Screening rooftop equipment is a condition of approval.
2. Service Areas and Loading Spaces. There are two trash rooms in the building. The basement trash room is provided for the residential tenants. There is an additional trash room for the retail occupants on the first floor. There will not be a loading dock onsite. Loading will occur from the street. Large amounts of loading times are not anticipated for these small commercial spaces.
3. Pedestrian Oriented Requirements. The building has separate pedestrian entrances for the residential use and retail spaces. There will be up to four entrances along Broadway and from a wide sidewalk. There are also folding/sliding windows for the summer months.
4. Lighting. The lighting scheme of the site has not yet been developed. A recommended condition of approval is to submit a lighting plan prior to receiving a building permit. The lighting shall be appropriate to the historic and pedestrian-oriented character of the surrounding area and shall enhance the safety and security while minimizing glare and light trespass.
5. Transition to Abutting Residential District. The site plan complies with the setbacks for CCD districts abutting a RB zone. There is 20 foot setback from the rear lot line to the first through third floor. The building follows the step back requirements and has a 35' setback on the fourth floor and roughly a 45' setback on the fifth floor. The outermost 10 feet will be heavily landscaped. The building massing is concentrated along the commercial corridor.
6. Parking Design. The parking area is hidden from view from the public way since the majority of the parking is underground. The three surface spaces are screened from Broadway by the commercial space.



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".

The proposal is consistent with the purpose of the district, which is to promote appropriate infill development along heavily traveled transportation corridors. The proposal will increase investment in the Broadway Commercial Corridor. There is a mix of commercial space and residential units that will contribute to the active mix of uses. The small size of the commercial space will likely attract neighborhood serving businesses. Parking behind and underneath the building will improve pedestrian safety on the block. The two retail entrances along the sidewalk promote pedestrian activity.

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".

The surrounding neighborhood is a mix of residential and commercial uses vary from 1 story commercial developments to 4 story residential structures. This block of Broadway, between Autumn and Cross Streets is home to Robi Tool Sales, a small mixed-use building, and two residential buildings that are 4 stories tall. Across the street are 2, 1-story commercial developments, Maya Sol, Casey's and Lotus Express.

The proposal will redevelop the site in a way that fulfills the purpose of the zoning district by creating an appropriate infill development that provides a scale and uses that are desired along the commercial corridor. The development will improve the streetscape by providing an attractive building that creates a street wall along Broadway.

The residential component to the development will add more residents to the corridor to support the existing and new businesses and add to the vibrancy of the corridor. The housing will also help meet the demand for housing in urban areas near transit. In rezoning Broadway careful consideration was taken to map the rezoning in areas where infill or redevelopment was desired, leaving the existing intact neighborhoods out of the study area. The intent was to increase the housing supply in certain areas so that supply meets the increased demand for living in Somerville, thereby reducing the potential for dramatic spikes in housing prices that could cause displacement of existing residents. Increasing the supply of housing will help to reduce dramatic spikes in houses prices and it will make the surrounding area more desirable. This site will be one of the first redevelopments along the Broadway Corridor and it will hopefully be a catalyst to redevelopment and improvements to nearby property.

Due to the increased height, there will be an increase in shadows. The most impactful time is the winter solstice when afternoon shadows of existing and the structure stretch beyond the rear lot line. The property at 184 Broadway will increase in shadow during the winter months. Careful consideration was taken into account when designing the building to hold back the new structure from the few existing windows on the side façade.

All new development must undergo design review under Section 5.6 of this Ordinance, with findings giving consideration to the Design Guidelines of Section 6.1.22.H.

- i. The building will fill in the streetwall along Broadway.
- ii. The massing and the height of the building are articulated in a manner that is compatible with the physical character of the surrounding area. A rhythm to the building is established with base, middle and top, with cornice lines and varying materials.
- iii. The mass of the structure is proposed towards Broadway, away from the residential neighborhood to the south.



- iv. The retail portions of the building have storefront systems and individual entrances to the sidewalk, which are typical elements for Somerville storefronts. The retail portions of the façade meet the guideline for having 75 percent transparent material on the ground floor. The windows will be conditioned to maintain the ability for pedestrians to view the interior of the space as specified in this guideline. The residential upper floors will have sufficient, typical residential windows.

Flat facades have been avoided by the cornices above the first and fourth floors. There is variety with projected vertical bands on the front elevation.

- v. The exterior building materials will be high quality, durable materials including brick, metal panel, a granite water table, and nichiha limestone panel.
- vi. The most prominent sides of the building the front and left (or west) elevation are finished with brick and vertically seamed metal panel. The rear and right (or east) elevation have wide plank limestone Nichiha panels. The first floor and fourth floor cornice line will wrap around the back of the building and the windows in the rear will be the same quality as those on the other sides of the building.
- vii. Details about the exterior lighting are not included in the plans at this time. Signage locations are shown above the doors of the retail spaces. Review and approval of the specifications of the lighting scheme and materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required.
- viii. The uses on the ground floor will be pedestrian-oriented as they are proposed to be in the retail and service cluster. The Somerville Zoning Ordinance classifies these uses to be pedestrian-oriented uses because they are typically uses that people frequent and are open to passersby.
- ix. The proposal does not include artist live/work spaces.
- x. Units range from 642 to 1,400 square feet and the average is 875 square feet. There are one and two bedroom units, sometimes with additional studies. This provides a variety of unit types but does not meet the average unit size of 1,000 square feet.
- xi. The sidewalks will be widen and improved with the streetscape improvement project to approximately 12 feet wide and the building will be setback from 0 to 1 feet from the property line effectively satisfying the guideline that encourages at least a 10-foot sidewalk in the district.

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

6. 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.”

7. 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.”

8. 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.”

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 conserve the value of land and buildings; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality. The proposal redevelops underutilized parcels with a mixed use building that is appropriate for the urban environment of today. The development provides new options for housing and other amenities. The redevelopment creates 2 units of permanent affordable housing and increases the supply of housing to help to meet the demand.

9. 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.”

There are no natural features remaining on the site. The pervious area will increase from 2 to 28%. There will be a well-designed pocket park for the residents of the building as well as a landscaping buffer between the building and the residential district behind.

10. 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.”

There are no natural features remaining on the site. The building design visually relates to the development site as detailed in the design guidelines in Finding 2. The building is oriented to the street and the massing is shifted away from the residential abutters. This building matches the scale of the 4 story residential buildings at 184 and 186 Broadway.

11. 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 powered 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.”

A condition of this report is that the project will comply with the City stormwater requirements. The stormwater management report will be reviewed by the City Engineer.

12. 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.”

The demolition of 176 Broadway was brought before the Historic Commission and deemed not significant, there is no demolition delay. Patsy’s Bakery, 180-182 Broadway, did not get reviewed by the Historic Commission since it is not over 50 years old.

13. 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.”

The proposal replaces a small one-story bakery and 2 ½ story home with a modern mixed use building. The proposal includes landscaped buffers along the residential district.

14. 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.”

All lighting shall be directed downward without spilling onto adjacent properties and the night sky. This is a condition of this report.

15. 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.”

The building will be accessible from Broadway and the driveway on the east side of the property.

16. 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.”

All traffic will enter/exit off of Broadway in a forward facing manor.

17. 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.”

All utilities will be located underground, this is a condition of this report.

18. 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 proposal will maintain an adequate amount of landscaping on the site. The proposed residential building will not result in any adverse impacts beyond activities that are typically associated with residential units. The trash areas will be located in an enclosed area and not visible from public view.

19. 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.”



There is a signage band separating the first and second floors. Review and approval of the specifications of the lighting scheme and materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required.

20. 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.”

Locating and screening the transformer and other on site utilities are a condition of this report.

21. Screening of Parking:

The majority of the parking spaces will be located in the garage. The three surface spaces will be screened by the building.



DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, Michael Capuano and Gerard Amaral with James Kirylo absent. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Joseph Favaloro seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes																		
1	Approval is for a SPSR per SZO §5.2 to construct a mixed use building of approx 29,000 nsf under §6.1.22.D.1. The uses include small and medium retail of approx 3,300 sf, 19 residential units per SZO §7.13.B, §7.13.C, & §7.13.E. The applicant seeks a Special Permit under SZO §5.1 to increase the number of compact parking spaces per SZO §9.13.b and modify the bicycle parking requirement per SZO §9.15.4. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/PIng.																			
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Affordable Housing/Linkage				
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.	CO	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).	CO	Housing	
5	Linkage payments will be required to be paid to the Somerville Housing Trust Fund before a CO is issued.	CO	Housing	
Pre-Construction				
6	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville Sewer Policy as it relates to wastewater generation and an increase greater than 2,000 GPD.	BP	Eng.	
7	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans, stamped by a registered PE in Massachusetts must be submitted to the Engineering Department for review and approval.	BP	Eng.	
8	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	
9	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 1st to April 1st and there is a list of streets that have additional opening restrictions.	BP	Eng	
Construction Impacts				



10	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
11	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	
12	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	
Design				
13	Applicant shall provide final material samples for siding, trim, windows, and doors to the Design Review Committee for review and comment and to Planning Staff for review and approval prior to construction.	BP	Plng.	
14	An electrical receptacle is required for the all levels of the decks on the building.	Final sign off	Wiring Inspector	
Site				
15	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
16	An additional street tree will be planted by the Applicant. Placement to be coordinated with the Highway Superintendent.	CO	Plng	
17	The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
18	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete.	CO	Plng.	
19	Applicant will supply 4 bicycle parking spaces (2 bicycle racks), which can be satisfied with a U-Shaped type bicycle rack to be installed on the sidewalk.	CO	Plng.	
Traffic & Parking				
20	If the building is occupied as the small retail cluster, at least two of the additional parking spaces will be offered to a car-sharing company. The space shall be maintained for a car sharing company unless the applicant can prove to the Planning Staff that no car share company is willing to use the spaces.	CO	Plng.	
Miscellaneous				

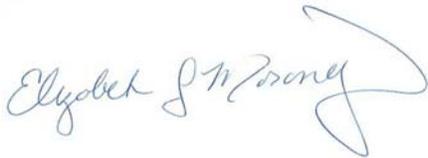


21	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
Public Safety				
22	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
23	Any transformers should be located as not to impact the landscaped area or neighboring properties, and shall be fully screened.	Electrical permits & CO	Png.	
24	All rooftop equipment shall be set back from the roof edge and fully screened. A roof plan shall be submitted to Planning Staff for review and approval.	BP	Png.	
25	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Png.	
Signage				
25	Signage will be limited to the signage band on the elevations. Signage plans shall be submitted to Planning Staff for review and approval when a tenant is secured. Signage lighting after 10p.m. facing residential property will be turned down or off.	CO/Cont.	Png.	
26	The Applicant will submit the design for the public art/graphics area to Planning Staff for review and approval.	CO	Png.	
Final Sign-Off				
27	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	Png.	
28	Revised plans for the balconies on the 3 rd and 4 th floors should be submitted to Planning Staff for review and approval.	BP	Png.	
29	The Applicant shall conduct a survey of the foundation of 184 Broadway prior to construction and shall address concerns about impact to these structures from project construction.	BP	ISD	
30	The Applicant shall submit a front elevation for review and approval of Planning Staff addressing window size/glazing of the first floor retail, brick detailing, and the metal railing design.	BP	Png.	

Attest, by the Planning Board:



Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



Michael A. Capuano, Esq.



Gerard Amaral

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 _____

