



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

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Case #: PB 2013-15
Site: 2-8 Broadway
Date of Decision: October 3, 2013
Decision: Petition Approved with Conditions
Date Filed with City Clerk: October 7, 2013

PLANNING BOARD DECISION

Applicant Name:	Lolastar, LLC
Applicant Address:	370 Chestnut Hill Avenue, Brighton, MA 02135
Property Owner Name:	Lolastar, LLC
Property Owner Address:	370 Chestnut Hill Avenue, Brighton, MA 02135
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144

Legal Notice: Applicant and Owner, Lolastar, LLC, seek a Special Permit with Site Plan Review under SZO §6.5.D.1 & 7.13.E to establish 11 residential units and under SZO §6.5.D.2 to establish by-right uses §7.13B, and 7.13.C small and/or medium retail. The applicant seeks approval under SZO §9.17.2.A for reduced parking requirements, and §6.5.G.18 for the reduced lot area and §6.5.D.5 to alter facades and signage. Article 13 Inclusionary Housing will apply. TOD 55. Ward 1.

<u>Zoning District/Ward:</u>	TOD 55 zone/Ward 1
<u>Zoning Approval Sought:</u>	§6.5.D.1, §7.13.E, §6.5.D.2, §7.13.B, §7.13.C, §9.17.2.A, §6.5.G.18 & §6.5.D.5
<u>Date of Application:</u>	
<u>Date(s) of Public Hearing:</u>	8/8, 8/22, 9/5, 9/19 & 10/3/13
<u>Date of Decision:</u>	October 3, 2013
<u>Vote:</u>	5-0



Appeal #PB 2013-15 was opened before the Planning Board at Somerville City Hall on August 8, 2013. 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 two hearings of deliberation, the Planning Board took a vote.

DESCRIPTION:

The proposal is to demolish 6-8 Broadway, build a new 5-story building in its place and significantly renovate 2 and 4 Broadway. Six-Eight Broadway went before the Somerville Historic Preservation Commission on July 16, 2013 for demolition review. The Commission determined it not significant, there is no demolition delay.

After renovations, the buildings will have a unified storefront system and coordinated exterior materials. There will be no change in the number of units in the existing buildings. Two Broadway has 2 commercial spaces and 4, 1-bedroom residential units. Four Broadway has 1 commercial space and 2, 3-bedroom residential units. The new building, 6-8 Broadway, will have 2 commercial spaces, and 5 residential units (2, 2-bedroom and 3, 4 bedroom). On site there will be 5 commercial spaces and 11 apartments (4, 1-bedrooms; 2, 2-bedrooms; and 5, 3+ bedroom).

The buildings will total 18,482 gross square feet.

There will be an increase in pervious and landscaped area on the site. There will be a lawn area and brick pavers in the rear yard. Along a portion of the edges of the site will be an arborvitae hedge with accent plantings.

The two existing parking spaces will remain behind the building with the curb cut on Mount Pleasant Street. Ten bike parking spaces are on the property, 6 will be located behind the building and 4 in a storage area. The mechanical equipment will be located on the roof along with a 150 square foot roof deck. Trash will be located in a room at the back of the building adjacent to the parking space.

There will be a few types of signs on the building. The retail signage for each store will be in the sign band on the building with gooseneck lighting above the signs. There will be a three story banner sign on the tower element of the building. A community information sign box will be located on the Mount Pleasant Street side of the building and a wooden blade sign above the box to make it more visible for people passing on Broadway. There will be another community information sign box on the left side of the building close to Broadway. Finally there will be a mural on the left side of the building facing the dog park.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §6.5.D.1, 7.13.E, 6.5.D.2, & 9.17.2.A):

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.”

The development standards for the TOD (SZO §6.5.G) are met.

6.5.G TOD. All new developments shall meet the following standards:



1. Transportation Analysis. A traffic and parking assessment was submitted as part of the development application. The applicant is seeking relief for four parking spaces. The proposed development will only add 2 new vehicle trips during the weekday morning peak hour and 1 during the weekday afternoon peak. Compared to the most recent use (a driving school) there will be 10 fewer vehicle trips per day.

The project is ideally located near public transportation which includes Sullivan Square (orange line) and 12 bus lines. In addition, the East Broadway Streetscape improvements will increase pedestrian and cyclist accessibility. The East Broadway streetscape will widen the sidewalk, add 2 new street trees in front of the property, and narrow the width of Broadway. The applicant has shown a bike corral in front of the property as part of the streetscape sidewalk expansion, this will be a condition of approval. The bike parking has been reallocated in the rear of the building. Three spaces have been moved inside. To maximize indoor bike parking, a condition of this report is that the Applicant will use a rack system to provide for bicycle parking for 6 spaces inside.

The Transportation Demand Management plan states that residents and visitors will use public transportation because of its convenience. In addition, a condition of this report is that the building owner will provide a Monthly MBTA LinkPass (subway and local bus) to residents of the building.

2. Incentives for Green Building. This incentive does not apply to buildings in the TOD-55 district.

3. Credit for Provision of Land for Public Infrastructure. There is no credit for provision of land for public infrastructure associated with this application.

4. Credit and Height Bonus for Provision of Dedicated Parkland. There is no credit and height bonus for provision of dedicated parkland associated with this application.

5. Transition to Abutting Residential District. The property does not abut any residential districts. The parcel to the south, 8 Mount Pleasant Street, is in the TOD-55 zone. The parcel to the east is a dog park associated with a private development, Mezzo Design Lofts, in Charlestown. Six-Eight Broadway has been pulled off the rear lot line further than the previous design. The new building and the existing home will be 11'-5" apart.

6. Upper Level Open Space. The balconies and roof decks provided on the rear of the building and roof are within setbacks and do not count toward the Floor Area Ratio.

7. Wind and Shadow Effects. Buildings shall be designed to minimize shadow and wind impacts to open space and residential areas especially between 10:00 a.m. and 2:00 p.m. in the winter.

The property sits on the northern edge of the lot. The front elevation will be in shadow the majority of year with the exception of the summer morning sun. The building will primarily shade Broadway. During the winter solstice the shadows are severe enough to shade the corner of the Mount Vernon Restaurant in the morning hours. No shadow burden will be places on the residential property at 8 Mount Pleasant Street.

8. Landscaping and Usable Open Space Requirements. The landscaping requirement is in compliance with the SZO at 26%. The usable open space requirement is not applicable in the TOD-55 district.

9. Payment in Lieu of Open Space. There is no payment in lieu of open space associated with this application.



10. Pedestrian Connections. The development will increase a safe pedestrian connection for passersby on Broadway and Mount Pleasant Street. A condition of this report is that the Applicant re-pave the sidewalk on Mount Pleasant Street to the extent of their street frontage.

11. Pedestrian Oriented Requirements. The entrances to the retail spaces are located off of Broadway, the main street of East Somerville. The residential entrances are separate. Two and Four Broadway are accessible off of Broadway. The residences at 6-8 Broadway are located off of Mount Pleasant Street.

12. Parking Design. There is no loading area required as part of this proposal. The parking is accessible from Mount Pleasant Street to keep a continuous façade along Broadway. The parking spaces are located at grade. They will be screened from Broadway by the building.

13. Parking Optimization Plan. Applications shall include a Parking Optimization Plan illustrating how management and pricing strategies will encourage shared use and reasonable turnover of parking spaces, and discourage structures use as "Park and Ride" facilities.

It is undetermined at this time if the two spaces will be for residences or business at 6-8 Broadway. Either way, the parking will be associated with the uses in the building and will not be used for "Park and Ride" patrons.

14. Service Areas and Loading Spaces. A trash and recycling room is located next to a parking space on Mt Pleasant Street. The trash will be in barrels for curbside pickup. A condition of this report will ensure that the trash area will be a walled construction that matches the design of the building and not just an area that is enclosed by a fence. The air conditioners are on the roof, set back from the roof edge. A condition of this report is that the site plan, showing how the transformer vault will function, will be submitted for review and approval.

15. Lighting. The lighting proposed is appropriate for the area. The lighting, as well as having an occupied and light storefront, will enhance safety.

16. Properties Adjoining Railroad Rights-of-Way. This property does not abut railroad tracks.

17. Penthouses and Mechanical Equipment. The elevator penthouse and roof hatch to access the roof deck is located in the middle of six-eight Broadway's roof and is above the 55' height limit. The elevator penthouse complies with the 45 degree setback requirement. All mechanical equipment is setback from the roof edge.

18. Reduction of Minimum Lot Area. Where the SPGA makes the following findings, the minimum lot area may be reduced from the requirements of Section 6.5.F:

- a) The applicant has demonstrated that good faith efforts have been made to acquire additional land and have been unsuccessful;

The parcels are bound by Broadway, Mount Pleasant Street, and the City of Boston. The parcel to the south is the only option for continuous land. Eight Mount Pleasant Street is on the National Register of Historic Places. If demolition of this structure was proposed, it would be reviewed by Historic Preservation Commission under the demolition review ordinance. This ordinance requires two determinations. The first is the determination of significance. The second is a determination of preferably preserved. If the property was determined preferably preserved, a 9 month demolition delay would begin. Considering the age, location, historic integrity, and architectural detail that remains, the structure would likely have a 9 month demolition delay. As part of the demolition delay ordinance the HPC is required to work with the property owner on alternatives to demolition during the delay period.



- b) The project would have sufficient lot area to ensure compliance with all other dimensional and development standards;

The project complies with all other dimensional requirements.

- c) Quality of usable open space would not be compromised by the reduced lot area;

Each unit has access to a deck or balcony. There is usable open space behind 2 Broadway.

- d) Design guidelines would not be compromised by the reduced lot area; and

The design guidelines have not been compromised.

- e) Development of the site may not result in a lost economic opportunity that would have been feasible on a lot meeting the minimum requirement. The reduced lot area may not be used as a justification for a reduced scale of development or for a mix of uses that does not achieve the purposes of the district, including increasing commercial development in appropriate areas.

The proposal meets the purposes of the district and is a significant development with a floor area ratio that is close to the maximum allowed in the district.

All new development must undergo design review under Section 5.6 of this Ordinance, with findings giving consideration to the Design Guidelines of Section 6.5.H

1. The building will complete the streetwall along Broadway.
2. The massing and height of the buildings are comparable to other properties along Broadway. The building abuts one residential property to the south, 8 Mount Pleasant Street. The building has variety in massing and articulation along the streetfront.
3. The building abuts 8 Mount Pleasant Street, a National Register Property. However, it is not a local historic district. There is no transition in height required because the home it is also in the TOD-55 district. The setback has been increased since the original proposal. The existing home has 2 existing windows on that elevation, views from those windows will change, however, shadows will not be an issue.
4. The project is maintaining the existing storefronts at 2 and 4 Broadway. The new storefronts at 6-8 Broadway are 16' and 18' feet wide. There is a possibility, depending on the tenant secured, that the storefronts could be combined which would make the 6-8 Broadway space 34' wide, close to the 30' wide maximum guideline. If combined, the storefront at 2 Broadway would be 26' wide.

The building has recessed entryways, bays, and a variety of materials. 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.

5. The exterior building materials will be high quality, durable materials including the Artisan line by Hardie, metal panel, and brick.
6. The building uses the same, high quality, materials on all elevations.
7. A signage band has been provided on the building but there are no additional details about signage at this



time. 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.

There is also a civic banner proposed for the corner of Broadway and Mount Pleasant streets. This banner is conditioned to only be advertising for civic events or the East Broadway business district.

8. The retail entrances are accessible from Broadway. The residential access to 6-8 Broadway is off of Mount Pleasant Street.

9. The buildings have a clear base, middle, and top. The storefront system creates a pedestrian friendly base, the signage band separates the base from the middle field of brick and Hardi panels, the top is completed with a cornice on each building.

10. The façade below the Tapering Height should exhibit human scale through design elements such as changes in plane, and variety or contrast in form, color, and materials. Architectural elements and setbacks should be used to break up long façades and avoid large areas of undifferentiated or blank building façades.

The block is made up of three buildings that have distinct character in material, color and height. The one blank wall on the left side of the building along the dog park will be broken up with the installation of a mural and climbing vine.

11. Building elements located above the Tapering Height should be designed to limit impacts from visual massing, obstruction of views, and creation of shadows on public open space, residential districts or public ways. Where practicable, the width and depth of these elements should be limited to one hundred twenty (120) feet and where more than one element exists a minimum separation of fifty (50) feet is encouraged, although other means may be more appropriate on odd-shaped lots or lots adjoining highways or railroad rights-of-way.

This guideline does not apply in this district as height with a height limit of 55 feet.

12. All roof-top materials are setback from the building edge. The roof deck, elevator penthouse and mechanical equipment are centrally located and comply with the setback requirement to be behind a 45 degree plane.

13. Individual Artist Live/Work Spaces should be designed as closely as possible in accordance with the "Design Guidelines for Artist Housing" produced by the Somerville Arts Council.

There are no artist live/work spaces as part of this proposal.

14. A sidewalk depth of roughly 12' will be provided as part of the East Broadway Streetscape Project.

15. The parking is accessible from Mount Pleasant Street.

16. Above ground structured parking should be lined with active uses (shops, cafes, etc.) along major public streets. Upper levels and facades along smaller public streets shall be screened and include architectural design elements such as windows, bays, etc. such that the space's use for parking is not immediately apparent. Large horizontal openings are strongly discouraged. Direct pedestrian access to the street and/or to a public area should be provided by all garages serving non-residential uses.

There is no above ground structured parking as part of this application.

17. Usable Open Space should be located to support public gathering. To the extent possible, usable open space should be designed to appear as an extension of existing public space, through consistency in design and materials. The provision of an interconnected series of open space to support pedestrian movement is encouraged.



Usable open space is not required in the TOD-55 district.

18. A mural will be located on the east elevation of the building, welcoming people coming from the Sullivan Square area. The mural has not been designed. Review and approval of the mural design and its lighting scheme are a condition of approval

19. Properties abutting the MBTA right-of-way are strongly encouraged to place pedestrian unfriendly uses such as parking, loading, and trash collection along the right-of-way. However, given that the MBTA right-of-way represents a gateway into the City, these facilities shall be screened and the architectural design of façades facing the right-of-way shall be of equal or better quality to façades elsewhere in the building.

This property does not abut a MBTA right-of-way.

20. A condition of this report is that any transformer or utility equipment should be located as not to impact the historic building or landscaped area, and shall be fully screened.

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 TOD district, which is to, "encourage mixed-use transit-oriented development with well-designed pedestrian access near transit connections and commercial squares. TODs have been created featuring various heights, densities, and compatible use mixes. In order to be aesthetically, economically, environmentally and socially beneficial, projects in the Districts shall promote a mix of uses both within buildings and across the districts." Specifically TOD-55 districts are a "lower-density sub-district allows for mixed-use development opportunities in close proximity to existing lower-density residential neighborhoods. Where mapped in commercial squares, development is anticipated to be a mix of commercial and residential uses. Where mapped on local streets, development is anticipated to be predominantly residential in nature."

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 building form is appropriate for the site because the massing is along East Broadway and completes the streetwall. This building will be a new landmark for the area, welcoming people into Somerville. The project restores two dilapidated properties and includes a variety of materials that are appropriate and that relate to the surrounding area. With the widened sidewalk, the building might possibly have outdoor seating and will be an activated part of Broadway that has been neglected for some time.

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

The buildings will function well as a mixed-use building. The retail spaces are accessible from the main street. The project is near vital transit connections including bus and rail connections.

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."

As conditioned, the Applicant will work with City Engineering Staff to comply with all regulatory requirements.

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.”

The proposed primarily residential building will not result in any environmental impacts beyond activities that are typically associated with residential units.

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 preserve the historical and architectural resources of the City; and to encourage housing for persons of all income levels. The project restores two existing buildings, provides 2 affordable housing units, and is in close proximity to transit options.

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.”

The majority of the current site is paved so there is no landform to preserve. The landscaped area will increase from 18 to 26%.

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 on the site. The building will be in scale with the existing storefronts on the East Broadway corridor. There will not be any obstruction of views from the building with the exception of the two windows at 8 Mount Pleasant Street. The building will impact shadows primarily on Broadway itself.

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 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.”

As conditioned, the Applicant will work with City Engineering Staff to comply with all regulatory requirements.



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 building that will be demolished was not deemed as significant by the Historic Preservation Commission. There will be a 9’-8” foot setback from the structure to the rear property line and the neighboring house is located a few feet from this abutting property line. The proposed building will not have a mass on the first floor of the building next to the house where two parking spaces will be located which provides some space for views for this house.

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 buildings will improve the appearance of the City and begin to create a gateway into Somerville.

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 site lighting will be directed downward without spilling onto adjacent properties and the night sky.

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 buildings will be accessible via Broadway and Mount Pleasant Street.

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.”

The vehicular access will be on Mt. Pleasant Street. This will not cause traffic congestion and maintains the existing condition.

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.”

A condition of this report is that all utilities will be located underground.

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 increases the 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 area will be screened from 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.”

A signage band has been provided on the building but there are no additional details about signage at this time. In addition, a civic banner and mural are proposed. Review and approval of the specifications of the lighting scheme, design, and materials of the signage/banner/mural will be a condition of approval. 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.”

A condition of this report is that the site plan, including the transformer, will be submitted for review and approval.

21. Screening of Parking:

The parking spaces will be screened from Broadway by the building itself.

A Closing Note:

The Planning Staff has completed this staff report based upon the required findings of the Zoning Ordinance and information provided by the applicant. The staff has worked to make this project a gateway to East Somerville. The project has made significant progress and the following items that were not complete prior to the last staff report have now been addressed.

The Planning Staff will seek to suggest addressing two remaining issues through proposed conditions:

- a. **Transformer location:** The latest plan includes a vault for a transformer. The exact specifications of the transformer need to be evaluated with NStar; however, it appears that the site plan will work in its current configuration.
- b. **Landscaping:** The Planning Board requested a more developed landscape plan showing more landscaped area at the last hearing. The Applicant has supplied a more detailed landscape plan. The plant species are identified and include arborvitae, hydrangea, day lilies, black-eye susans, peach blossoms and climbing hydrangea growing in pots. A more developed landscape plan will be a condition of approval. The Applicant has contacted a landscape architect to satisfy this requirement.

If other issues may remain, we hope to address them at the Planning Board meeting, or, if the case should be continued, in a subsequent staff report.



DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirylo and Gerard Amaral. Upon making the above findings, Joseph Favaloro made a motion to approve the request for a Special Permit with Site Plan Review. James Kirylo 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	<p>Approval is for a Site Plan Review under SZO §6.5.D.1 & 7.13.E to establish 11 residential units and under SZO §6.5.D.2 to establish by-right uses §7.13.B, and 7.13.C small and/or medium retail. The applicant seeks approval under SZO §9.17.2.A for reduced parking requirements, and §6.5.G.18 for the reduced lot area and §6.5.D.5 to alter facades and signage. Article 13 Inclusionary Housing will apply. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>July 9, 2013</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>March 25, 2013 (August 1, 2013)</td> <td>Modified plans submitted to OSPCD (Site Plan)</td> </tr> <tr> <td>(August 1, 2013)</td> <td>Modified plans submitted to OSPCD (Perspective, Shadow Study 1, 2, 3, & 4)</td> </tr> <tr> <td>July 31, 2013</td> <td>Modified plans submitted to OSPCD A-1.0 Basement Plan, the following sheets are Proposed Floor Plans: A-1.1, A-1.2, A-1.3. The following sheets are Proposed Floor Plans Full Site: A-1.4, A-1.5, A-1.6, A-1.7, A-1.8, A-1.9. The following are proposed Elevations: A-2.1, A-2.2, A-2.3, A-2.4</td> </tr> <tr> <td>September 26, 2013</td> <td>A-0.1 Proposed Site Plan</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	July 9, 2013	Initial application submitted to the City Clerk's Office	March 25, 2013 (August 1, 2013)	Modified plans submitted to OSPCD (Site Plan)	(August 1, 2013)	Modified plans submitted to OSPCD (Perspective, Shadow Study 1, 2, 3, & 4)	July 31, 2013	Modified plans submitted to OSPCD A-1.0 Basement Plan, the following sheets are Proposed Floor Plans: A-1.1, A-1.2, A-1.3. The following sheets are Proposed Floor Plans Full Site: A-1.4, A-1.5, A-1.6, A-1.7, A-1.8, A-1.9. The following are proposed Elevations: A-2.1, A-2.2, A-2.3, A-2.4	September 26, 2013	A-0.1 Proposed Site Plan	CO / BP	ISD/PIng.	
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March 25, 2013 (August 1, 2013)	Modified plans submitted to OSPCD (Site Plan)															
(August 1, 2013)	Modified plans submitted to OSPCD (Perspective, Shadow Study 1, 2, 3, & 4)															
July 31, 2013	Modified plans submitted to OSPCD A-1.0 Basement Plan, the following sheets are Proposed Floor Plans: A-1.1, A-1.2, A-1.3. The following sheets are Proposed Floor Plans Full Site: A-1.4, A-1.5, A-1.6, A-1.7, A-1.8, A-1.9. The following are proposed Elevations: A-2.1, A-2.2, A-2.3, A-2.4															
September 26, 2013	A-0.1 Proposed Site Plan															
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	ISD/ 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	ISD/ Housing	
4	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	CO	Housing	
Pre-Construction				
5	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/report must be submitted to the Engineering Department for review and approval.	BP	Eng.	
6	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	
Construction Impacts				
7	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.	
8	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	
9	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				



10	Applicant shall provide final material samples for siding, trim, windows, and doors to the Design Review Committee for review and comment and Planning Staff for review and approval prior to construction.	BP	Plng.	
11	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector	
12	Upon removal of the "Learn to Drive" sign on 4 Broadway, the large fanlight transom above the storefront, the arched transom above the residential entry, and the sign band shall be restored. If Staff determines restoration of these elements is not feasible, the Applicant shall construct the storefront as illustrated on Sheet A-2.1.	BP/CO	Plng.	
13	The details that compose the primary façade of 4 Broadway which include the cornice, window sills, window headers and lintels, shall be restored in-kind by a tradesperson with the appropriate knowledge and experience regarding the preservation of such architectural details.	CO	Plng.	
14	The brickwork and mortar on 4 Broadway shall be repaired and restored in a manner consistent to the existing brick and mortar in color, texture, tooling, and vapor permeability.	CO	Plng.	
Site				
15	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
16	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	
17	The Applicant will install a new sidewalk on Mount Pleasant Street from the extent of work of the East Somerville Broadway streetscape project to the rear property line in accordance with the specifications of the Highway Superintendent.	CO	Plng.	
18	One tree must be planted and maintained according to National Nurseryman's Standards, and in accordance with SZO §10.2.2 and §10.6.2;	CO	Plng.	
19	Applicant will supply 10 bicycle parking spaces. The exterior spaces can be satisfied with a u-shaped type bicycle rack. The interior spaces can be satisfied with a rack system to accommodate at least 6 bicycles.	CO	Plng.	
20	Applicant will purchase and install a bike corral for at least 4 bikes along the newly constructed sidewalk. If the sidewalk is not yet complete prior to applying for a certificate of occupancy for this building, the Applicant will purchase and delivery to the City the bike corral and provide payment for the installation.	CO	Plng.	
Traffic & Parking				



21	The Applicant will work with a car sharing service to provide car sharing spaces onsite. Lease agreement to be submitted to Planning Staff for review.	CO	Plng.	
22	The Applicant will cover the cost of one membership application and one car sharing "Occasional Driving" plan (or equivalent) per residential unit for 5 years from Certificate of Occupancy. Applicant will submit receipt of participating units in January of each calendar year.	CO	Plng.	
Miscellaneous				
23	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				
24	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
25	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened. The transformer location and its impact on the site plan shall be submitted for review and approval.	BP	Plng/ISD	
26	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	Plng.	
27	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OSE	
Signage				
28	Signage will be limited to the signage band as shown 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.	Plng.	
29	The commercial windows shall not be blocked by interior storage, non-artistic displays or greater than 30% internally mounted signage.	CO/Cont.	Plng.	
30	The Applicant will submit the design for the mural to Planning Staff for review and approval.	CO	Plng.	
31	The Applicant will submit the design of the civic banner to Planning Staff for review and approval.	CO	Plng.	
Final Sign-Off				
32	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.	
33	An elevation showing the elevator penthouse complying with the setback requirements must be provided to Planning Staff for review and approval.	BP	Plng.	



34	The trash room will be a walled construction that matches the design of the building. Plans and elevations will be provided to Planning Staff for review and approval.	BP	<u>Plng.</u>	
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Attest, by the Planning Board:



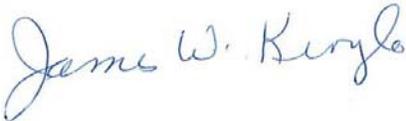
Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Gerald 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 _____

