



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

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ELIZABETH MORONEY

**Case #: PB 2012-22**  
**Site: 315 Broadway/18 Temple Street**  
**Date of Decision: July 18, 2013**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: July 24, 2013**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	Young Investments, LLC
<b>Applicant Address:</b>	477 Concord Avenue, Cambridge, MA 02138
<b>Property Owner Name:</b>	Cynthia R. Gilman Irrevocable Trust
<b>Property Owner Address:</b>	17 Rumford Road, Lexington, MA
<b>Agent Name:</b>	Terrence P. Morris, Esq.
<b>Agent Address:</b>	57 Elm Road, Newton, MA 02460-2144

Legal Notice: Applicant, Young Investments, LLC, and Owner, Cynthia R. Gilman Irrevocable Trust, seek a Special Permit with Site Plan review under SZO §6.1.22.D.1 to construct a new five story building, a Special Permit to establish 56 residential units in the building (§7.13.E), a Special Permit to establish 7700 sf of Use Cluster C – Medium Retail and Service, and a Special Permit for signage (§6.1.22.D.5.a). The site would include 68 parking spaces. The existing structure would be demolished. CCD 55 zone. Ward 4.<sup>1</sup>

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 4
<u>Zoning Approval Sought:</u>	§6.1.22.D.1, §7.13.E & §6.1.22.D.5.a
<u>Date of Application:</u>	December 17, 2012
<u>Date(s) of Public Hearing:</u>	3/21, 4/4, 4/18, 5/6, 5/20, 6/6, 6/20, 7/11 & 7/18/13
<u>Date of Decision:</u>	July 18, 2013
<u>Vote:</u>	5-0

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<sup>1</sup> The proposal decreased in size after the legal notice was published. Approval is for construction of an approx. 67,371 sf five-story retail and residential building with 46 residential units and 68 parking spaces.



Appeal #PB 2012-22 was opened before the Planning Board at Somerville City Hall on March 21, 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 (2) hearing(s) of deliberation, the Planning Board took a vote.

### **DESCRIPTION:**

The proposal is to demolish the structure on Parcel 1 and build a four-story mixed-use building totaling 52,726 square feet (exclusive of garage area) on Parcels 1, 2 and 3. The parcels encompass a block of Broadway from Temple Street to Langmaid Avenue. The building will contain 5 retail spaces on the ground level accessible from Broadway totaling 7,403 square feet; 20,421 square feet of common area (including the garage and gym for the residences), and 13 one-bedroom units, 32 two-bedroom units, and one three-bedroom unit ranging from 514-1,348 square feet. There will be a total of 68 parking spaces proposed. Forty-seven spaces of underground parking are accessible from the Temple Street surface lot that has 16 spaces. The Langmaid Avenue surface parking lot has 5 outside spaces and bike parking.

#### *Commercial Space*

Five tenants will occupy the 7,403 square feet of commercial space. The retail unit at the corner of Broadway and Temple Street is 1,797 square feet. The three mid-block retail spaces are 1,007 square feet, 1,426 square feet, and 1,416 square feet. The retail unit at Broadway and Langmaid is 1,454 square feet. These spaces could be converted to Eating and Drinking (SZO §7.13 Use Cluster D); however, the parking requirement for a restaurant of any size would need to be met as the requirement for this use is higher than it is for Retail and Service.

#### *Residential Units*

The residential entrance and lobby will be on Broadway. The lobby is also accessible from the parking garage. There will be 46 residential units ranging in size from 514 to 1,348 square feet with an average of 979 square feet. Six of the units will be designated with an affordability restriction in perpetuity as required by Somerville Zoning Ordinance Article 13, Inclusionary Housing. One of the residences will have a balcony above the bay at Broadway and Temple Street.

#### *Site & Landscaping*

Landscaping will consist of a band of landscaping along Temple Street with 5 street trees. The Broadway side will also have 5 street trees and select areas for annuals, shrubs, and perennials. The 3 street trees along Langmaid Avenue will remain. The back lot line will be 10' of a heavy landscaping buffer including new and existing trees, arborvitae, as well as shrubs and perennials. The vegetation for the site will include a mix of lawn, trees, shrubs, and ground cover.

#### *Parking & Traffic*

There will be a total of 68 parking spaces onsite. Sixteen parking spaces will be in the Temple Street lot that also serves as the entrance to the 47 garage spaces. Five parking spaces are proposed to be located off of Langmaid Avenue. The spaces will be accessible via new curb cuts on Temple and Langmaid. The existing curb cut on Temple will be closed. There will be 20 bicycle parking spaces behind the building. Also, each parking space in the garage will have a bike hanger that has the capacity for one bicycle.

#### *Building Design*

The mixed-use building has a distinctive first floor because of the large windowed storefronts that respond to the grade changes on the site. There is a cornice detail above the first floor and third floors to provide materials separation and a base, middle and top to the building. There is a pentagonal bay on floors 2 and 3, with a balcony on floor 4 that will be prominent on the busy Broadway and Temple Street intersection. The ground level retail unit



on the same corner is angled to further connect Broadway and Temple Streets. The materials of the building will primarily be brick (2 colors) and cast stone, with portions of fiber cement board.

#### *Lighting and Signage*

Details about the exterior lighting are not included in the plans at this time. Signage locations are shown below the cornice for 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.

#### *Trash/Utilities*

A trash and recycle room will be in the garage area.

The Gas Meter Room and Sprinkler Room are located on the ground level. There is no other mechanical equipment included in the plans at this time.

The transformer and switchgear is proposed to be located near the Temple Street parking lot and surrounded by a solid material.

#### **FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §6.1.22.D.1, §7.13.E, and §6.1.22.D.1):**

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 CCD (SZO §6.1.22.G) are met.

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.
2. Service Areas and Loading Spaces. The utility area for trash and recyclables for all of the uses on-site will be inside of the building. 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 retails spaces. There will be five entrances along Broadway and from an 11 to 12 foot wide sidewalk. There are no entrances along Temple Street but there will still be an 11 to 12 foot wide sidewalk.
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 at least a 35 foot setback from the rear lot line, the outermost 10 feet will be heavily landscaped. The building massing is concentrated along the commercial corridors of Temple Street and Broadway.



6. Parking Design. Parking may be located at the side or rear of a lot or in concealed structures suitably screened both visually and acoustically from the street and abutters. Any views into parking structures shall be minimized through use of landscaping or architectural treatment. Parking will only be visible from Temple Street and Langmaid Avenue, the sides of the lot. The entrances will not be screened but landscaped.

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 and Temple Street.
- 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 and Temple Street, away from the residential neighborhood to the north.
- 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 including the cornices above the first and third floors. There is variety with projected vertical bands on all elevations. The corner feature, a polygonal bay, is an emphasis at the intersection of Temple Street and Broadway.

- v. The exterior building materials will be high quality, durable materials including brick in 2 colors, cast stone and metal that will light green and akin to patinated copper. The Board has conditioned that the 2<sup>nd</sup> and 3<sup>rd</sup> floors are brick instead of fiber cement board.
- vi. All four sides of the building contain the same material as the front of the building. The first floor and third 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 514 to 1,348 square feet and the average is 979 square feet. There are one, two, and three bedroom units in the proposal which provides a great variety to accommodate a variety of family sizes as is recommended. The size of the units does vary and the average is just less than the recommended average unit size of greater than 1,000 square feet.



- xi. The sidewalks will be 11 to 12 feet wide and the building will be setback from 0 to 0.5 feet from the property line effectively satisfying the guideline that encourages at least a 10-foot sidewalk in the district.

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 neighborhood in a high-profile location, 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 the building will improve pedestrian safety on the block. The five main entrances along the sidewalk promote pedestrian activity.

The fundamentals of this project are also consistent with four planning and zoning efforts undertaken by the City in recent years: the SomerVision Comprehensive Plan, a recent MIT Winter Hill / Magoun Square Plan, current streetscape planning and rezoning of Broadway in Winter Hill. SomerVision and the Winter Hill Plan both call for developing a new square at Temple and Broadway in the heart of Winter Hill that would provide economic development opportunities in this area.

The proposal meets the SomerVision's goals of strengthening and supporting neighborhood commercial centers that integrate residential uses, offer lively destinations and contribute to Somerville's unique identity. The make-up of uses matches the objective of constructing mixed-use buildings with active, publicly-accessible first floor uses and upper story office or residential uses. The subject property is in an Urban Mixed Use category in the future land context map of the SomerVision plan. The proposal works towards the intent and intensity of this classification and it is projects like this that will make the Plan a reality. The Urban Mixed Use intensity is for structures to be multi-story in height, vertically and horizontally integrated with residential units or business uses above an array of small- or medium-scale street level commercial uses.

The current proposal meets these goals as well as the MIT Fall 2012 Winter Hill Plan that identifies this site as an important site for redevelopment. The Plan calls for a four story building at the corner of Broadway and Temple Street that would provide 29,000 square feet of retail and 96,000 square feet of residential floor area. The study points out that this type of development would complement a redevelopment of the vacant Star Market site which are catalyst sites for developing this intersection as a vibrant square.

A new square at Broadway and Temple Street would serve some of the needs of the existing residential neighbors, provide a stronger sense of a destination and create new housing that would add to the vitality of the area. This type of redevelopment will align with the streetscape planning and forward the goals of the streetscape work of improving safety and fostering a distinctive sense of place along Central Broadway. Generally, areas of the city with access to a strong commercial mixed/use center with nearby housing and office space are able to increase walking traffic, reduce demand to drive, create healthy neighborhood centers, meet daily needs in close proximity to home and raise property values. Winter Hill can sustain such a center, if it is well built.

There remains significant demand for residential units in Somerville that are close to rail or bus transit and close to amenities. Because of all this, the city undertook a two-year process to update and change zoning along the Broadway corridor that was completed in 2010. At that time, with significant community involvement, the Board of Aldermen passed a new zoning ordinance that set the current height, setback, design and unit count regulations for this site. The zoning created rules that require a 20 foot rear setback from residentially zoned lots with the outermost 10 feet as exclusively landscaping, but raised the height limit to allow 5 stories and 55 feet.

This proposal is generally consistent with those regulations: it is lower than 50 feet, 4 stories, and set back greater than 35 feet from abutting residential lots. The unit count is allowed under the zoning, and the project meets the



parking requirements that were set forth in the zoning amendment. As required, it has active ground-floor uses along the main street which is Broadway for this location.

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 at the busy Temple Street and Broadway corner. The ‘L’ shaped form along the street completes the street wall. Several buildings along Broadway are 3-4 stories high. This building will be a new landmark for the district. The proposed building includes detailing in the cornice lines, more activity along the streetfront, storefront systems and variation in materials that creates a modern looking building that relates to the surrounding area. The site is currently a two story building with minimal landscaping and two underutilized lots. The proposal will improve the site by providing landscaping and street trees. The land uses of retail and service tenants with residential units above are compatible with the uses in the surrounding area.

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

The structure will function well as a mixed-use building. The five retail spaces and residential lobby are accessible from the street. The surface lots provide spaces for shared parking with the retail components of the project leaving the secured garage spaces for the majority of the residential units.

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 project will not create adverse impact on the public services and facilities serving the development. The City’s stormwater policy must be followed. An infiltration bed for the parking area will help to improve the amount of stormwater that is retained onsite.

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.”

A copy of the Response Action Outcome (RAO) Statement, signed by a Licensed Site Professional (LSP) and filed with DEP, verifying that a level of no significant risk for the proposed residential use has been submitted with the application and filed with DEP.

The proposed 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 Section 1.2, which includes, but is not limited to providing for and maintaining the uniquely integrated structure of uses in the city, encouraging housing for persons of all income levels, and encouraging the most appropriate use of land throughout the city. The proposal fills two vacant 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 6 units of permanent affordable housing and increases the supply of housing to help to meet the future demand and alleviate spikes in housing prices.

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.”

Due to the vacant parcels, Parcels 2 and 3, the site will be more impervious post construction. However, the proposed building will maintain the landform and be built into the grade change on the site. Landscaping will be added to the site to buffer the residential neighbors to the north and some landscaping will be added to the Broadway and Temple Street fronts. Landscaped areas in this infill districts are encouraged to be along residential abutters. Pedestrians will see this landscaping.

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 remaining natural features of 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. Due to the steep grade of Winter Hill, views from other buildings should not be obscured.

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.”

The project appears to meet the stormwater requirements; however, documentation was not provided for how the project will address sanitary sewer requirements that are outlined in the stormwater policy. The Engineering Department has contacted the Applicant’s engineer to obtain this information and has provided updated comments indicating how the establishment of an inflow & infiltration strategy will be required to meet the requirements of the City’s stormwater standards. Staff has proposed a condition to reflect this.

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 Somerville Historic Preservation Commission (HPC) at first deemed the existing structure significant and preferably preserved. After these steps, the HPC and the developer discussed the role of the new building in the neighborhood, and preservation of key design elements that were in the former structure. The owners signed a Memorandum of Agreement (MOA) and the HPC lifted the 'preferably preserved' status, and thereby lifted the delay before the nine month delay is over. The current plans, as conditioned, meet the design recommendations in the MOA.

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 two-story retail and commercial building with a modern mixed use building. The proposal includes landscaped buffers along the residential district and landscaping along Broadway and Temple Street.

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 to light the parking areas and site without spilling onto adjacent properties and the night sky. The Planning Board attached a condition of approval to ensure that this issue is addressed as well as the design guideline related to lighting above.

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 the public streets that surround the building on three sides.

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."

There is a proposed new curb cut on Langmaid Avenue, a new curb cut on Temple Street, and a curb cut filled in on Temple Street.

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.

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 dumpster 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.”

Signage locations are shown above the doors of the retail spaces and below the first floor cornice. 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.”

There is a switch gear and transformer proposed for the landscaped area on Temple Street. There are evergreen proposed between this equipment and the street. The entrances to the gas meter room and sprinkler room are located in the rear of the building. There are no other service facilities on the site.

21. Screening of Parking:

The majority of the parking spaces will be located in the enclosed garage. The two surface lots will be screened by landscaping.



**DECISION:**

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael Capuano. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit with Site Plan Review. 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 construction of an approx. 67,371 sf five-story retail and residential building with 46 residential units and 68 parking spaces. The existing structure would be demolished. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/PIng.			
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>12-17-12</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>6-12-13</td> <td>Modified plans submitted to OSPCD (A-000 Cover Sheet, Topographic Site Plan, Proposed Site Plan, Detail Sheet, L-01 Landscape Plan, A-008 Aerial View of Site Location &amp; Surrounding Context, A-009 Existing Site Photos, A-010 Building Plans &amp; Zoning Study, A-100 Garage Floor Plan, A-101 Fire Floor Plan, A-102 Second &amp; Third Floor Plan, A-103 Fourth Floor Plan, A-105 Roof Floor Plan, A-300 Exterior Elevations, A-301 Exterior Elevations, A-900 Perspective Views)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission
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	Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.					
2	The Applicant shall provide documentation to the City Engineer on how the project will address sanitary sewer requirements that are outlined in the stormwater policy.	BP	Engineer			
<b>Affordable Housing</b>						
3	The Applicant shall complete an Affordable Housing Implementation Plan (AHIP). Affordable units shall be provided on-site.	Prior to BP	SPGA / Housing			



4	No certificate of occupancy shall be issued until the OSPCD Housing Division has confirmed that the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s).	CO	Housing	
<b>Construction Impacts</b>				
5	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 any other portion of the sidewalk that was not proposed to be replaced immediately abutting the subject property if damaged as a result of construction activity.	CO	Plng.	
6	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	
7	The Applicant shall conduct a survey of foundations and buildings adjacent to the site prior to construction and shall address concerns about impact to these structures from project construction.	BP	ISD	
8	The Applicant shall identify an on-site project manager to be a primary point of contact for all questions and concerns about quality of construction. The project manager shall be available at all times during construction and at all inspections.	BP – through construction	ISD	
9	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.	CO	FP	
<b>Design</b>				
10	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
11	The material and lighting technology of the commercial and residential signage shall be submitted to Planning Staff for review and approval.	BP for signs	Plng/ ISD	
12	Signage footprint beyond that which is shown on the elevations shall require a Special Permit.	BP for signs	Plng/ ISD	
13	The commercial windows shall not be blocked by interior storage, non-artistic displays or greater than 30% internally mounted signage per SZO Section 6.1.22.H.4.	Perpetual	Plng/ ISD	
14	The applicant will provide material samples (including colors) to the Planning Staff for review and approval. The applicant will change the material on the second and third floor of the structure from fibercement board to brick.	BP	Plng.	



15	The applicant will relocate the transformer to a location that is as far from abutting residential abutters as possible. The transformer should not be located in the 10 foot landscape buffer from adjacent residential properties. The transformer location shall be subject to review and approval by Planning Staff, with the understanding that the electric company's specific needs for a transformer location may dictate limitations on the possible locations.	BP	Plng.	
<b>Traffic and Parking</b>				
16	If not taken off-site, snow plowed from the development can only be stored the landscaped area in the back of the site.	Perpetual	ISD	
17	Applicant will supply 22 bicycle parking spaces in the garage or in an enclosed secured structure on site. Applicant will purchase and install at least one bicycle rack on the City sidewalk near the building.	CO	Plng.	
18	The Applicant will make best efforts to make the parking lot off of Langmaid Ave available to neighbors during hours when it is not being used for retail employee parking.	Perpetual	Plng.	
18 a	Applicant will provide an easement to the owner at 13 Langmaid Avenue to allow parking access to the rear of 13 Langmaid Avenue.	CO	Plng.	
<b>Public Safety</b>				
19	A code compliant fire alarm and suppression system shall be installed. The sprinkler and fire alarm contractor shall contact Fire Prevention about the applicable requirements.	CO	FP	
20	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. A lighting plan shall be submitted to Planning Staff for review and approval.	Cont.	ISD.	



21	<p>Because of the history of the site and the intended use, the Applicant shall, prior to issuance of any foundation permit and/or any building permit for the project, provide to the Planning Department and the Inspectional Services Division:</p> <p>a) a copy of the Response Action Outcome (RAO) Statement, signed by a Licensed Site Professional (LSP) and filed with DEP, verifying that a level of no significant risk for the proposed residential use has been achieved at the site; or</p> <p>b) if remediation has not reached the RAO stage, a statement signed by an LSP describing (i) the management of oil and hazardous materials/waste at the site, including release abatement measures intended to achieve a level of no significant risk for residential use at the site, treatment and storage on site, transportation off-site, and disposal at authorized facilities, (ii) a plan for protecting the health and safety of workers at the site, and (iii) a plan for monitoring air quality in the immediate neighborhood.</p>	BP	Planning	
22	<p>Notification must be made, within the time period required under applicable regulations, to the Massachusetts Department of Environmental Protection (DEP) if there is any release of oil, hazardous materials, or regulated hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.</p>	Demolition /Building Permitting	ISD	
<b>Final Sign-off</b>				
23	<p>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.</p>	Final sign off	Plng.	

Attest, by the Planning Board:

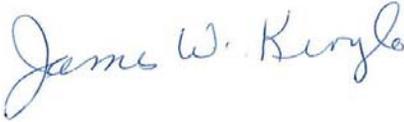
Kevin Prior, Chairman

Elizabeth Moroney





Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

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 \_\_\_\_\_

