



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2014-23
Site: 434 McGrath Highway
Date of Decision: October 16, 2014
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: October 24, 2014

PLANNING BOARD DECISION

Applicant Name:	MBP Realty Trust, Melissa Piantidosi
Applicant Address:	P.O. Box 45251, Somerville, MA 02145
Property Owner Name:	Ardprop, Inc., c/o Sunoco Inc. Tax Department
Property Owner Address:	1735 Market Street, Suite LL, Philadelphia, PA 19103
Agent Name:	Richard G. DiGirolamo, Esq.
Agent Address:	424 Broadway, Somerville, MA 02145

Legal Notice: Applicant, MBP Realty Trust with Melissa Piantidosi as Trustee, and Owner, Ardprop, Inc. c/o Sunoco Inc. Tax Dept., seek a Special Permit with Site Plan Review under SZO §6.1.22.D.1 to construct one new four-story building composed of 48 residential units (§7.13) and small retail/service space.

<u>Zoning District/Ward:</u>	CCD 45 zone/Ward 3
<u>Zoning Approval Sought:</u>	§6.1.22.D.1 & §7.13
<u>Date of Application:</u>	July 8, 2014
<u>Date(s) of Public Hearing:</u>	October 16, 2014
<u>Date of Decision:</u>	October 16, 2014
<u>Vote:</u>	5-0



Appeal #PB 2014-23 was opened before the Planning Board at Somerville City Hall on October 16, 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 of deliberation, the Planning Board took a vote.

DESCRIPTION:

The Applicant proposes to construct one four-story mixed-use building to be comprised of 48 residential units (6 affordable), approximately 15,000 square feet of commercial space on the ground floor, and 60 parking spaces.

The proposal is creates a rhythm of projecting and recessed bays with a circular tower component on the northern end and a rectilinear component at the southern end. The development is considered one building due to the skybridge (more than 20 feet of clearance) and the single foundation which encompasses an underground parking structure and unites the two massings below ground. The building will be four stories in height with 49 parking spaces underground, 11 parking spaces behind the building, one loading dock, and bike storage for 24 bikes. Access to the underground parking will be provided by a ramp located at the south end of the building while access to the surface parking will be provided by a two-way driveway located between the two building components. The footprint will be approximately 17,600 square feet providing 48% groundcover. The landscape will exceed the requirement at 23% (about 8,500 square feet) of the site and the floor area ratio will be 2.03 with approximately 75,000 net square feet.

The building component located on the corner of Greenville Street and McGrath Highway will have a residential lobby with an elevator and three small retail spaces with a corridor at the back. Two retail spaces and the residential entrance will have access directly to the street. Floors two through four will be comprised of 15 units total, many with access to a balcony. The fourth floor will also provide patio space and a green roof area for the two rear units.

The second building component will also have a residential lobby with an elevator, a second residential entrance will provide access to a stairwell and seven small retail spaces with corridors along the rear of the ground floor with access to the parking lot. The residential entries as well as five of the retail spaces will have access directly to the street. Floors two through four will be comprised of 33 units total, and all will have access to a balcony. The basement will contain 49 parking stalls, 12 storage lockers, bike storage for 24 bikes, a recycle room as well as a separate trash room.

The site will incorporate benches, bike parking, and patio space for the ground floor retail establishments along McGrath Highway. The sidewalk will be approximately 15' in width as the building is setback about 5' and the sidewalk is almost 10' in width. The ground floor will be approximately 13' in height, from the ground to ceiling. The dumpster will be located in a central corner at the rear of the site and will be enclosed. There is also a patio space nearby marked with landscaping and benches. A retaining wall is located along the rear parcel line due to the change in grade as the site begins to extend uphill. This wall follows around the parking lot. A number of trees are noted in the landscape plan to be retained and there is a landscape buffer has been created along the entire rear boundary of the site.

FINDINGS FOR SPECIAL PERMIT (SZO §7.13.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."*

Under SZO §6.1.22.D.1, all new development for a use requiring a Special Permit shall be subject to Special Permit with Site Plan Review (SPSR).

Under SZO **7.13**, residential uses in a CCD require a Special Permit. Uses that will require a Special Permit shall require a Special Permit with Site Plan Review approval in order to be established.

Under SZO §6.1.22.G CCD, all new developments shall meet the following standards:

1. Penthouses and Mechanical Equipment. *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. Ventilation for restaurants and other businesses producing odors should vent away from residential districts. Equipment shall be designated to comply [with] the City's Noise Ordinance during operation. The first fifteen (15) feet in height of such equipment shall be exempt from the calculation of maximum height; if such equipment is greater than fifteen (15) feet in height, the additional height shall count toward the building's height.*

Each of the two massing components will have one elevator which requires a roof top penthouse. These penthouses will be set back behind the required plane. Mechanical equipment such as A/C condensers will be located on the rooftop of each massing while a transformer is conditioned to be located in the rear of the development site and to be fully screened.

2. Service Areas and Loading Spaces. *Ground level mechanical equipment, utility and trash enclosures, loading docks and other utilitarian and service elements shall not abut the street edge(s) of the parcel and shall be visually and acoustically screened (sufficient to conform to the City's Noise Ordinance during operation). Access to these areas shall not interrupt pedestrian and sidewalk treatments. The SPGA may limit the hours of delivery so as to minimize any adverse impacts the service and loading aspects of proposed use may have on the surrounding neighborhood. Generally, loading times should take local traffic patterns into consideration.*

The transformer, trash enclosure, and loading dock as well as other service elements do not abut the street and are located at the rear of the site or the backside of the building. A transformer is conditioned to be located in the rear of the development site and to be fully screened. There are mechanical and electrical rooms in the basement as well as space for trash and recycling.

3. Pedestrian Oriented Requirements. *To promote pedestrian activity, buildings shall be designed with separate front entrance doors to lobbies, cultural spaces, retail and business, and other sources of pedestrian activity. These entrances shall be oriented to existing public sidewalks and other open space (as opposed to a central "mall" entrance).*

Each small retail space with street frontage has an individual entrance off McGrath Highway. Residential entries also have separate entries in three locations. These entries are identified by the pavers and bench seating as well as planters.

4. Lighting. *Lighting shall be appropriate to the historic and pedestrian-oriented character of surrounding neighborhoods and buildings, and shall enhance safety and security while minimizing glare and light trespass.*

Lighting is conditioned to be appropriate to the historic context and pedestrian oriented nature of the



streetscape and surrounding residential uses. Lighting is conditioned to not interfere with adjacent properties and to be fully reviewed and approved by Planning Staff at a later date.

5. Transition to Abutting Residential District. *The minimum side or rear yard setback of a property abutting or spanning a residential district line (RA, RB, RC) shall be 20 feet from the district line with outermost 10 feet of the setback to consist exclusively of vegetative landscaping. The building shall have a 15 foot Upper Level Setback at a Tapering Height of 35 feet from the property line(s) abutting the residential district. The building shall be designed so that its massing is concentrated along the commercial corridor and away from properties in residential zoning districts to the extent possible.*

Due to the residential district located at the rear of the site, the rear yard setback is at minimum 20 feet; some portions of the site provide more than the required setback. The outermost 10 feet will be landscaped and will retain several of the existing trees. There is an additional setback of 15' for the uppermost level, providing a total 35' setback for the fourth floor. The design of the building concentrated the two massing components along the McGrath Highway corridor and anchors the corner of McGrath and Greenville Street.

6. Parking Design. *Parking and loading areas shall be hidden from view from public ways. They may be located at the side or rear of a lot or in concealed structures shall be suitably screened both visually and acoustically from the street and abutters (sufficient to conform to the City's Noise Ordinance during operation). Any views into parking structures shall be minimized through use of landscaping or architectural treatment.*

Parking is located beneath the structure and at the rear of the site to mitigate views from the public way. The loading dock is located directly behind the building and is out of public views.

7. Payment in Lieu of Parking. *With the approval of the SPGA, the applicant may make either a cash payment in lieu of providing the required parking, or a partial cash payment combined with a partial provision of the required vehicle or bicycle parking. Applicants wishing to make use of this option are strongly encouraged to meet with the Planning Director prior to formal submission of an application to help determine project compliance. Payment must be made in an accordance with an adopted plan for payment-in-lieu of parking, and must be applied to the nearest planned or existing municipal facility to the site in question.*

The proposal exceeds the parking requirement with one additional space for a total of 60 parking spaces. One space is required for each of the 48 residential units (48 total) and one space is required for every 1500 square feet of small retail space (10 total).

8. Credit for Provision of Land for Public Infrastructure. *Where land is to be dedicated to the City of Somerville for public infrastructure (including roadways, sidewalks, public paths, parks, and other public infrastructure), the area of dedicated land shall be applied to calculations for dimensional requirements except for setbacks requirements.*

Land is not intended to be dedicated to the City.

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 Corridor Commercial district (CCD), which is, "to promote appropriate infill development along heavily traveled transportation corridors, especially where those corridors meet at named Squares. The district recognizes that such corridors present opportunities for an active mix of uses while also addressing development challenges posed by smaller lots and nearby existing residential development and the need to be accessible by multiple modes of transportation. The major objectives of the districts are to:

1. Encourage active mid-rise commercial and residential uses that contribute to a multi-modal-friendly street;



2. Increase commercial investment in high-profile, accessible areas including retail that is largely neighborhood-serving in multi-tenant, mixed use buildings;
3. Preserve and complement historic structures;
4. Discourage inappropriate auto-oriented, significant trip-generating uses along transit corridors; and,
5. Promote pedestrian and bicycle activity.”

•CCD-45. This sub-district shall provide for mixed-use or commercial development at a small to mid-rise scale.

The proposal is appropriate infill urban residential development with a ground floor retail component to activate the streetscape and enhance the pedestrian quality of this intended commercial corridor. This will be a mixed-use building with auto and bike parking as well as a pedestrian friendly streetfront. The masonry material and rhythm of the primary façade is compatible with the adjacent residential properties and complies with the intent of the district.

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 land uses are primarily residential. While single, two- and three-family dwellings are located in the residential district uphill of this project and in the Business district located along Chester Avenue, there are large-scale apartment buildings located north of the project site.

For SPSR under SZO §6.1.22.H. the following are not intended to inhibit design creativity or discourage innovative architectural design solutions. Rather, they provide general standards for building massing, siting and articulation. It is understood that Buildings and Structures may not be able to comply with all of the following Guidelines.

1. *Building(s) should complete the streetwall along the primary street edge(s).*

The proposal creates a streetwall along McGrath Hwy as well as at the corner of Greenville Street and continues up the hill to anchor the corner of this intersection.

2. *Massing and height of buildings should be articulated in a manner compatible with the physical character of the surrounding districts, particularly where a building abuts a residential or historically designated property. Whenever possible, historical variety in the scale, rhythm, and relationship of buildings to pedestrian public ways should be preserved.*

The building has two separate four-story components which serves to break up the larger massing of the overall building. The rear of the fourth floor provides an additional 15’ setback due to the residential district behind this parcel. The design illustrates a traditional rhythm of projecting and recessed bays above the ground floor which provides visual interest and an appropriate scale to enhance the quality of this corridor.

3. *A transition in height should be established between residential or historically designated properties and new development.*

The building is setback an additional 15’ at the fourth floor due to the adjacent residential properties.

4. *Thirty-foot-wide commercial bays with independent entrances onto the street are typical in Somerville and should be repeated in new developments to create visual and pedestrian interest. Varied architecture should be created and flat facades avoided by using recessed or projected entryways, bays, canopies, awnings, residential balconies on 2nd floor or above, and other architectural elements. Non-residential*



ground floor façades should have a minimum seventy-five (75) percent transparent material, and second floor facades should have a minimum of forty (40) percent transparent material. These openings should provide views into the building and should not be blocked by interior storage, nonartistic displays, or greater than thirty (30) percent internally mounted signage.

Each bay is approximately 30' in length with one entrance to either a retail space or the residential component. The architecture is varied along the façade in that there are projecting and recessed bays, balconies, and varied color in the masonry façade. There is a cornice above the first and fourth floors as well as the third floor when the fourth floor component is recessed. The ground floor façade is primarily transparent while the second through the fourth floors has a consistent window pattern which also provides a large amount of glazing.

5. *Exterior building materials for all visible portions of the building should be high quality, durable, and aesthetically appropriate. Particular attention should be paid where properties abut residential districts and historically designated property. Predominant exterior building materials should include an appropriate combination of brick, glass, wood, artistically used metal, stone, or stucco. Precast concrete panels, EIFS-type finishes, and large expanses of glass or corrugated sheet metal are generally discouraged. Bare or painted concrete as the only exterior facade material shall not be allowed.*

The building is proposed to be composed of two colors of real brick which has been conditioned in this report. The ground floor will be primarily glazing due to the storefronts while there will also be space for artwork. Windows for the upper stories have not yet been determined; however, Staff proposes these not to be vinyl and are subject to Staff review and approval.

6. *Visible rear and side façades should maintain a similar character to the front façade of the building and the intended character of the surrounding district.*

Visible rear and side facades maintain a similar architectural rhythm with the bays as well as provide consistency with the masonry material.

7. *Signage and awning design should respect buildings' context (e.g., scale, design, style, colors, materials), be oriented to pedestrians, and be subordinate to the overall building composition. Creative shapes must be carefully designed and coordinated with the overall appearance of the building. The design should also maintain an existing "signage line" and respect the character, scale, and locations of adjacent signs and awnings. Large, interior-lit or back-lit signs or awnings, neon "open" signs, vinyl or plastic materials and overly bright colors are generally discouraged. To add interest and character to the retail environment signs or awnings may convey interesting elements or logos without excessive wording. They should be limited to advertising the business name and its main goods or services, with minimal or no national brand names or logos. Type styles should enhance readability of the sign and provide information simply and legibly. Use awnings to create pleasant shaded spaces in front of a building. Signs and awnings should enhance important architectural details and not conceal or obliterate them.*

Signage and awning design that counts as signage is conditioned to be reviewed by Staff at a later date. The building illustrates a sign band where signage can be appropriately located in a consistent manner along the street front.

8. *Retail, restaurant and other pedestrian-oriented uses are encouraged, particularly on the Ground Floor. As noted in 6.1.22.E, residential uses shall not be permitted on the Ground Floor street frontage along major streets unless they are located in structures that are historically residential on the Ground Floor.*

The ground floor contains 10 small retail spaces. There are three residential entries along the street; one is located at either end of the building and one near the center.

9. *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.

This proposal does not propose artist live/work space.

10. *Residential units should be of varying sizes to accommodate a range of family sizes. Generally dwelling units within a structure should not have an average size of less than 1,000 square feet.*

The size of the units and number of bedrooms varies with one, two and two plus-bedroom units being offered.

11. *A sidewalk depth of at least ten (10) feet from the street curb to building is strongly encouraged for developments fronting major streets.*

The sidewalk will be approximately 15' in width. The building is setback about 5' while there is additional sidewalk depth along the streetfront.

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

The proposal meets the accepted standards and criteria for a functional design. The site plan of the project locates the structure along McGrath Hwy while the parking is located at the rear and underneath the structure. The design of the site locates the trash at the rear of the parking lot. There is access to a patio as well as the retail corridor and loading dock. Several existing trees are proposed to be retained at the rear of the lot to serve as a landscape buffer to the adjacent residential buildings.

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."*

The approval of a Special Permit with Site Plan Review shall be contingent upon a determination by the City Engineer that no adverse impact on public systems will result from the proposed development. The change in use from auto service to mixed-use would not appear to greatly impact the City sanitary sewer system. Planning Staff has proposed a condition that requires the Applicant to demonstrate that the project is in compliance with the City stormwater policy.

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."*

Due to the mixed-use nature of the proposed structure, minimal negative environmental impacts are foreseen as a direct result of this development. Noise, smoke and vibration would be reduced as a result of the residential use. While there would be appropriate lighting for a commercial corridor district, this lighting would be confined as much as possible to the site. Hazardous materials and substances are not part of the proposed use and Staff has conditioned that the appropriate entities be notified to dispose of these materials or substances if unearthed upon demolition or construction.

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 provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality.”

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 project will primarily alter the portion of the site that is currently paved in asphalt. While the project does propose to maintain several trees currently located at the rear of the site, this vegetation will be cleaned up and planted according to the landscape plan, which includes a retaining wall, to provide an appropriate landscape buffer for the adjacent residential buildings. Landscape areas will be designed to allow passive uses in the rear and at the front along the street.

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.”*

The proposed project will enhance this commercial corridor as this is a major intersection of the McGrath Highway. The four-story height and large massing creates a streetwall along the McGrath corridor and serves to anchor the corner of Greenville Street. The project uses compatible masonry materials and traditional architectural features to visually relate to the surrounding built environment. The building will likely have views of Boston and Cambridge and is setback at rear on the fourth floor so as to also retain existing views from nearby buildings.

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.”*

While additional review is required of drainage plans, any approval of the Special Permit with Site Plan Review should be conditional upon approval by the City Engineer of such plans and determination that no adverse impact would result to the drainage system from the design of the project. Planning Staff therefore proposes a condition for the Applicant to demonstrate that the project meets the current City stormwater policy and that utility and drainage plans be submitted to the Engineering Department for review and approval.



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.”*

This project is not detrimental to historic structures or their architectural features. This project offers a design that is compatible in materials and aesthetic to the surrounding built environment.

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 project enhances the natural character and appearance of the City due to the creation of a streetwall which includes anchoring the corner of Greenville Street; enhances the pedestrian quality of this commercial corridor; and retains while also improving the landscape buffer at the rear of the parcel.

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.”*

Lighting is conditioned not to interfere with neighboring properties and to be fully reviewed at a later date.

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.”*

There is fire access on three sides of the building as well as from the driveway which provides access between the two main massing components.

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.”*

Vehicles entering and exiting the site would do so in a forward manner onto and off of McGrath Hwy. Access to the surface parking is located beneath the skybridge while access to the subsurface parking is located at the southern end of the site. The proposed curb cuts are 20’, enabling circulation into and from the parking lot and subsurface lot simultaneously. The existing curb cuts are conditioned to be removed.

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.”*

The Applicant shall tie into existing City services for electric, telephone and cable. These utility lines shall be placed underground. The site will require a transformer, which is conditioned to be located near the rear of the parking lot and to be fully screened.

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.”*



Minimal negative impacts are anticipated as a result of the proposed mixed-use project. Open spaces are designed and planted to enhance the site and the streetscape as well as mitigate views of the parking lot in the rear. The 35' setback at the fourth floor helps to preserve existing views while maintaining existing vegetation within the 10 foot landscape buffer serves to prevent additional adverse effects. Street trees would be located along McGrath Hwy as well as Greenville Street.

Due to the mixed-use nature of the proposed structure, minimal adverse impacts with regard to ground cover or machinery as well as from light, air, noise, wind, or temperature are foreseen as a direct result of this development. Noise, smoke and vibration would be reduced as a result of the mixed-use. While there would be appropriate lighting for a commercial district, this lighting would be confined as much as possible to the site. Hazardous materials and substances are not part of the proposed use and Staff has conditioned that the appropriate entities be notified to dispose of these materials or substances if unearthed upon demolition or construction.

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 will comply with district guidelines, be located within the sign band and be fully reviewed at a later date.

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.”*

The plans indicate that the trash and recycle area would be located in the basement level while a dumpster would be located at the rear of the building, adjacent to and accessible from the parking lot. The facilities would be completely enclosed within the building or would be screened from views. The transformer is conditioned to be located at the rear of the parking lot and also screened from views. Mechanicals, such as A/C condensers will be located on the rooftop. All mechanicals will be screened from view.

21. Screening of Parking:

The parking will be located below ground or located behind the building on a small surface parking lot. The building will screen parking from McGrath while a dense landscape buffer will screen parking from the residential buildings located up the hill.

22. Somerville Planning: *In addition to the above criteria and objectives listed above, the proposed development shall take into account, insofar as is practicable, any existing or proposed plans for the neighborhood which have been or may be adopted by the City of Somerville.*

This parcel was rezoned in 2013 from Business B to CCD-45 to further SomerVision, as the Future Land Context Map calls for this site to be Urban residential.

23. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

This project will add 6 new affordable units along this commercial corridor.

24. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social*



and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	0	48
<i>Affordable Units:</i>	0	6
<i>Commercial Sq. Ft.:</i>	0	14,975
<i>Estimated Employment:</i>	0	undetermined
<i>Parking Spaces:</i>	undetermined	60

The proposal complies with the SomerVision plan through the addition of 6 affordable dwelling units, the retention of existing vegetation at the rear of the site, and an enhanced pedestrian quality to this commercial corridor and streetscape. The parcel will incorporate one additional parking space over the requirement, bike parking for residents and retail patrons, and add balconies to the streetfront serving to further activate this corridor. The proposal will dramatically improve the streetscape and this corner of Greenville through the use of compatible materials, a traditional form and rhythm of bays .



DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, James Kirylo, Michael Capuano, Dorothy Kelly Gay, Gerard Amaral. Upon making the above findings, Dorothy Kelly Gay made a motion to approve the request for a Special Permit. 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	Approval is for the Special Permit with Site Plan Review under SZO §6.1.22.D.1 to construct one new four-story building composed of 48 residential units (§7.13) and small retail/service space. 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>(July 8, 2014)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>October 1, 2014 (October 9, 2014)</td> <td>Plans submitted to OSPCD (A-000, A-001, A-002, A-100, A-101, A-102, A-103, A-104, A-105, A-300, AV-1, AV-2, & AV-3)</td> </tr> <tr> <td>March 13, 2013 (October 9, 2014)</td> <td>Existing Conditions plan submitted to OSPCD</td> </tr> <tr> <td>August 26, 2014 (October 9, 2014)</td> <td>Utility & Grading plan submitted to OSPCD</td> </tr> <tr> <td>October 6, 2014 (October 9, 2014)</td> <td>Landscape plan & Shadow study submitted to OSPCD</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(July 8, 2014)	Initial application submitted to the City Clerk's Office	October 1, 2014 (October 9, 2014)	Plans submitted to OSPCD (A-000, A-001, A-002, A-100, A-101, A-102, A-103, A-104, A-105, A-300, AV-1, AV-2, & AV-3)	March 13, 2013 (October 9, 2014)	Existing Conditions plan submitted to OSPCD	August 26, 2014 (October 9, 2014)	Utility & Grading plan submitted to OSPCD	October 6, 2014 (October 9, 2014)	Landscape plan & Shadow study submitted to OSPCD
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.																
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	
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 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	
7	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				
8	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.	
9	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	



10	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				
11	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.	
12	The exterior façade shall be composed of real brick.	BP	Plng.	
13	Residential windows on the upper floors shall not be composed of vinyl.	BP	Plng.	
14	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	
Site				
15	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
16	There shall be a minimum of one tree for each 1,000 sf of required landscaped area under SZO §10.3.	CO	Plng.	
17	The Applicant shall make best efforts to retain the existing trees currently located at the rear of the property.	CO/BP	Plng.	
18	There shall be a minimum of 7 street trees planted along the McGrath Hwy & Greenville streetscape.	CO	Plng.	
19	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	
20	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.	
21	The two existing curb cuts shall be closed.	CO	Plng.	
22	Bike parking for 10 bikes shall be provided behind the proposed building, near the parking lot.	CO	Plng.	
23	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
Miscellaneous				
24	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				

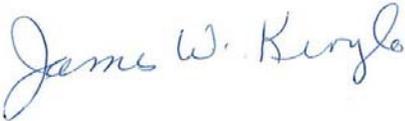


25	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
26	Any transformers should be located as not to impact the 10' landscaped buffer and shall be fully screened.	Electrical permits & CO		
27	Notification must be made, within the time period required under applicable 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.	CO	OSE/FP/B OH	
28	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.	
29	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				
30	Signage & sign lighting shall be reviewed and approved by Planning Staff. Lighting after 10p.m. facing residential property will be turned down or off.	CO/Cont.	Plng.	
Final Sign-Off				
31	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.	
32	Dumpster will be removed from the site plan and will be replaced with a trash room interior to the building - the location of which will be reviewed and approved by Planning Staff.	BP	Plng.	
33	The retail spaces shall not be used for a fast food use, under 7.13D of the SZO, unless the Applicant returns to the Planning Board for review and approval.	Perp.	Plng.	
34	The Applicant shall add a minimum of four bollards on the sidewalk at the corner of Greenville Street and McGrath Highway, subject to review and approval of Planning Staff.	BP	Plng.	
35	Planning Board encourages Applicant to meet with and work with the city on issues of air and noise pollution.	Perp.	Plng.	

Attest, by the Planning Board:



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.


Dorothy A. Kelly Gay

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 _____

