



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

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JERRY AMARAL, (ALT.)

**Case #: PB 2014-22**  
**Site: 314-316 Somerville Avenue**  
**Date of Decision: October 2, 2014**  
**Decision: Petition Approved with Conditions**  
**Date Filed with City Clerk: October 7, 2014**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	Belmont Hill Corporation
<b>Applicant Address:</b>	P.O. Box 187, Somerville, MA 02143
<b>Property Owner Name:</b>	Belmont Hill Corporation
<b>Property Owner Address:</b>	P.O. Box 187, Somerville, MA 02143
<b>Agent Name:</b>	Malitta Knaut
<b>Agent Address:</b>	P.O. Box 187, Somerville, MA 02143

Legal Notice: Applicant and Owner, Belmont Hill Corporation, seeks a Special Permit with Site Plan Review under SZO §6.1.22.D.1 to build two floors above the existing for two residential units and Special Permits under SZO §6.1.22.5.a to alter the existing storefront and under SZO §9.17.2 to park on a separate lot in a NB district. Ward 2. CCD55 zone.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 2
<u>Zoning Approval Sought:</u>	§6.1.22.D.1, §6.1.22.5.a & §9.17.2
<u>Date of Application:</u>	July 17, 2014
<u>Date(s) of Public Hearing:</u>	8/21, 9/4, 9/18 & 10/2/14
<u>Date of Decision:</u>	October 2, 2014
<u>Vote:</u>	5-0

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Appeal #PB 2014-22 was opened before the Planning Board at Somerville City Hall on August 21, 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 two hearings of deliberation, the Planning Board took a vote.

### **DESCRIPTION:**

The Applicant proposes to build two additional stories above the existing single-story commercial structure for a total of 34 feet in height. Each floor will be one residential unit with two bedrooms and two parking spaces will be supplied on the adjacent lot, one for each unit. The project will retain the existing footprint (1095 sf), demolish the garage and improve the site overall.

Due to the existing conditions related to structural damage and deterioration of the commercial building, more than 25% must be demolished in order to rehabilitate the existing building; therefore, the Applicants have already worked through the demolition process and have agreed to a Memorandum of Agreement with the Historic Commission, which addresses the rhythm of the new storefront and compatibility of the upper stories with the adjacent historic buildings.

The resulting building will have one retail entrance and one residential entrance along Somerville Avenue. The ground coverage will be reduced to 63%, pervious areas will increase to approximately 20%, and the floor area ratio will increase to 1.7. Lot area per dwelling unit will comply with the SZO at 667 sf. The site will include 10 new bike parking spaces, an organized trash location, and garage demolition will increase the pervious area by almost 600 sf. A/C units will be located in the alcove along the right side while mechanicals will be located in the basement or at the rear of the building.

### **FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §6.1.22.D.1) & SPECIAL PERMITS (SZO §6.1.22.D.5.a & §9.17.2):**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

#### 1. Information Supplied:

The Board finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.

#### 2. Compliance with Standards: *The Applicant must comply “with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit with site plan review.”*

Under **SZO** §6.1.22.D.1, all new development for a use requiring a Special Permit (SP)<sup>4</sup> in a CCD55 district shall be subject to Special Permit with Site Plan Review (SPSR). The addition of two additional floors for residential requires a Special Permit and triggers an SPSR.

Under **SZO** §6.1.22.D.5.a, alterations to structures in the CCD, other than one-for-one replacement of signage shall require a new Special Permit.

Under SZO §9.17.2.B, a Special Permit may be granted to park on a separate lot.

*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.*

There will be no penthouse. A/C condensers will be located in the alcove at the rear of the building while other mechanical equipment will be located in the basement.

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.*

There are no service areas or loading spaces; mechanical equipment and trash areas are located in the center of the lot.

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).*

The building has separate retail and residential entries.

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 will be appropriate to the retail and residential entries along Somerville Avenue. A condition will require light not to spill onto adjacent properties.

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.*

The parcel abuts a parking lot in an NB district at the rear.

6. *Parking Design. Refer to Section 9.17 for parking requirements. 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.*

There is no parking on-site. However, each residential unit will be provided with one parking space in the adjacent lot along Hawkins Street.

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 Applicant has decided to comply with the parking requirement.

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.*

Not applicable.

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 CCD55 district, which is, "The Corridor Commercial Districts have been established 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;
5. Promote pedestrian and bicycle activity."

The project adds two residential units and rehabilitates an existing retail storefront within an urban center. The additional stories will create an appropriate street wall and be compatible with the nearby historic structures.

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 subject building shares a site with three other structures; one is mixed-use and the other one is residential. Along Somerville Avenue is a variety of uses that include commercial, institutional, residential, and office. The additional stories have been designed to be compatible with the adjacent historic buildings. and the height along this portion of the street ranges from one to three stories. The additional height will be compatible with existing buildings.

6.1.22.H. *Design Guidelines for the CCDs.*

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

The additional floors will enhance this corridor, strengthen the street wall, and rehabilitate and existing storefront.

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 footprint will be retained at 1100 sf and the building height will be 37 feet, which is consistent with the adjacent building. The Applicant has worked with the HPC to ensure the proposed additional height is compatible with the adjacent historic buildings.

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

This project incorporates new development above an existing historic storefront, which is designed to be compatible with the existing floor and adjacent building.

*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.*

The project proposes approximately 35' of frontage. Each use will have a separate entrance. The ground floor design incorporates a compatible rhythm that emulates the original storefront with mostly transparent material. The upper stories incorporate more than 40% glazing due to the five windows.

*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 exterior will be masonry, fiber cement clapboard and trim.

*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.*

The side facades will be either fiber cement or masonry, which is reminiscent of the existing.

*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.*

The Board has added a condition that requires the future retail establishment to submit signage and lighting plans to staff for review and approval.



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 is a retail use.

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.*

Not applicable

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.*

Due to the number of units being added and footprint of the additional two floors, variety is difficult to provide in this project.

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 adjacent sidewalk is approximately 10 feet in width.

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. There is a front and rear stairwell, and parking is located nearby along Hawkins St. The project is retaining a portion of the existing building and not enlarging the footprint, but adding height.

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.

7. Environmental Impacts: *"The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception."*

The additional residential floors will not have an adverse effect on the surrounding area but will put a commercial space back into use and provide residential units within the commercial center.

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 secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; 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 footprint will not be altered. The land form will not change, but will be improved through landscape and demolition of the garage.

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 additional two stories of height will be appropriate in context to the related historic buildings. The design, scale and material will be consistent with the surrounding building stock. There is one window on the side facade of the adjacent building and there will be views of Union Square.

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.”*

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.”*

Due to the existing conditions of the commercial building, the Applicant has entered into an MOA with the Historic Commission. This MOA addresses the compatibility of the design with the adjacent historic resources.



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 will retain a large portion of the existing structure and continue the existing footprint to add two stories. Rehabilitating the ground floor retail will enhance the pedestrian experience of Somerville Avenue and Union Square, provide two housing units.

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 will be appropriate to the retail and residential units, which will be accessible directly from Somerville Avenue.

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.”*

Emergency access is provided from Somerville Avenue.

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 no parking on-site. Residents will park at the adjacent lot and pull out in a forward manner.

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.”*

Staff has conditioned that the utilities will be placed 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 project does not propose a detrimental effect to adjacent properties or the general neighborhood; rather, the project proposes to enhance the neighborhood and streetscape as well as provide an amenity to Union Square.

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.”*

Staff has conditioned that the retail establishment on the ground floor submit signage and lighting plans to planning staff for review and approval.

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 project does not require a transformer. If a transformer is required, this shall be screened.

21. Screening of Parking:

There is no parking on-site. The residents will park at the adjacent parking lot.

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.

While there are larger plans associated with the green line for Union Square, the city does not have a neighborhood plan to implement on this portion of Somerville Avenue at this time.

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

This proposal will not add to nor negatively affect the stock of existing affordable housing.

22. 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>	10	12
<i>Commercial Sq. Ft.:</i>	1100	1100
<i>Estimated Employment:</i>	1-3	1-3



**DECISION:**

Present and sitting were Members Kevin Prior, Joseph Favaloro, James Kirylo, Michael Capuano and Dorothy Kelly Gay. Upon making the above findings, Kevin Prior 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 a Special Permit with Site Plan Review under SZO §6.1.22.D.1 to build two floors above the existing for two residential units and Special Permits under SZO §6.1.22.5.a to alter the existing storefront and under SZO §9.17.2 to park on a separate lot in a NB district. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(July 17, 2014)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>January 24, 2014 (August 13, 2014)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>July 15, 2014 (August 13, 2014)</td> <td>Modified plans submitted to OSPCD (L1.1, A1.3, A1.4, A1.1, A1.2, SH-1, &amp; A1.5)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(July 17, 2014)	Initial application submitted to the City Clerk's Office	January 24, 2014 (August 13, 2014)	Plot plan submitted to OSPCD	July 15, 2014 (August 13, 2014)	Modified plans submitted to OSPCD (L1.1, A1.3, A1.4, A1.1, A1.2, SH-1, & A1.5)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
<b>Pre-Construction</b>												
2	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Civil plans must be submitted to the Engineering Department for review and approval.	BP	Eng.									
3	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									
<b>Construction Impacts</b>												
4	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.									



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 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	
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	
<b>Design</b>				
7	Applicant shall provide final material samples for siding, trim/details, windows, and doors to Planning Staff for review and approval prior to construction.	BP	Plng.	
<b>Site</b>				
8	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	
9	If adjacent sidewalk are damaged due to construction, all new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent.	CO	Plng.	
10	Two trees must be planted and maintained according to National Nurseryman's Standards, and in accordance with SZO §10.2.2 and §10.6.2;	CO	Plng.	
11	Applicant will screen the trash area with fencing that blocks any view of the totes.	CO	Plng.	
12	Applicant will supply 10 bicycle parking spaces.	CO	Plng.	
13	Should a transformer be necessary, this will be screened.	CO	Plng.	
<b>Miscellaneous</b>				
14	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, bike parking, trash areas, lighting and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
15	The Applicant shall submit to Planning Staff a copy of the agreement for the two new residential units to park on the adjacent lot.	CO	Plng	
<b>Public Safety</b>				
16	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
17	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened.	Electrical permits & CO		



18	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	
19	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.	
<b>Signage</b>				
20	Planning Staff shall review and approve signage and lighting for the retail establishment. Signage shall be located within the sign band provided and shall not comply with	CO/Cont.	Plng.	
<b>Final Sign-Off</b>				
21	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.	



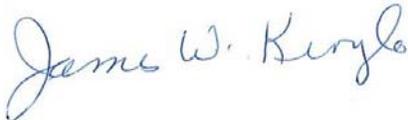
Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

  
Dorothy A. Kelly Gay

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 \_\_\_\_\_

