



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-14
Site: 510 Somerville Avenue
Date of Decision: August 6, 2014
Decision: Petition Approved with Conditions
Date Filed with City Clerk: August 8, 2014

ZBA DECISION

Applicant Name:	Douglas S. Beaudet
Applicant Address:	14 Ibbetson Street, Unit #3, Somerville, MA 02143
Property Owner Name:	Carl & Joan Razzaboni
Property Owner Address:	510 Somerville Avenue, Somerville, MA 02143
Agent Name:	Richard G. DiGirolamo, Esq.
Agent Address:	424 Broadway, Somerville, MA 02145

Legal Notice: Applicant, Douglas Beaudet, and Owners, Carl and Joan Razzaboni, seek Special Permits under SZO §7.11.1.c for five residential units with a small ground floor retail component, SZO §9.13.b to create compact spaces, SZO §9.13.c to share a driveway, SZO §9.13.d to park on a separate lot, and SZO §9.13.e to share parking. A Variance is also sought for parking relief.

<u>Zoning District/Ward:</u>	BA zone/Ward 2
<u>Zoning Approval Sought:</u>	§7.11.1.c, §9.13.b, §9.13.d & §9.13.e
<u>Date of Application:</u>	March 10, 2014
<u>Date(s) of Public Hearing:</u>	7/16 & 8/6/14
<u>Date of Decision:</u>	August 6, 2014
<u>Vote:</u>	(5-0 – SPSR), (5-0 – Variance)

Appeal #ZBA 2014-14 was opened before the Zoning Board of Appeals at Somerville City Hall on July 16, 2014. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L.



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c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Zoning Board of Appeals took a vote.

DESCRIPTION:

The Applicant proposes a mixed-use building that consists of five (5) residential units with a small commercial component (560 square feet) on the ground floor. The Applicant also proposes a shared site plan with the proposed development at 508 Somerville Avenue (6,858 square foot lot) which includes a shared driveway and fourteen (14) parking spaces.

Mixed-Use Structure:

The proposed mixed-use structure would be three stories, 37' in height, with a footprint that is 2,100 square feet (40' x 53') and a floor area ratio (FAR) of 1.28. The ground floor retail space is 560 square feet with a main entry on Somerville Avenue. There will be 5 two-bedroom units that are approximately 900 - 1,100 square feet. Each unit has access to a balcony or patio. The main residential entrance will be located on the west side of the building; Unit 1 (ADA unit) will be accessible from the rear of the building, directly adjacent to the ADA parking space. This solution also addresses Fair Housing regulations. Bike parking, or a small private storage area, is provided on the ground floor for each unit.

The Somerville Avenue façade of the new structure is three bays, 40' wide, with recessed balconies and projecting bays, and a flat roof. A dentiled cornice above the third floor extends around each facade of the building while a more simple cornice is located above the first floor, which does not extend to the rear of the building. The east elevation features projecting bays on floors two and three. The west elevation illustrates a pergola that extends from the Somerville Avenue facade around the corner to the residential entrance. The rear facade illustrates balconies on floors two and three. The rooftop features skylights and mechanicals which are conditioned to be screened.

Due to the project simultaneously proposed at 508 Somerville Avenue (ZBA 2014-15), the Applicants of both projects have decided to move forward with a combined site plan to better address access and parking between the two projects.

Site Plan

The site plan provides access to both development sites from a shared driveway, 20.5', along Somerville Avenue. The subject property does not currently meet the 10% landscape requirement; however, the proposal would increase the landscaped area to approximately 18% (900 sf), which is compliant in the BA zone. Pervious pavers would be introduced around the perimeter of the driveway and a transformer would tentatively be located behind 510 Somerville Avenue, near two bike spaces. There will be landscaping in front of the building, along a portion of each side, and a small patio is located at the rear of each building. One public bike rack is currently located in front of 510 Somerville Avenue and a second is proposed in front of 508 Somerville Avenue. The trash areas for each building would be located at the rear of each building.

Parking

The parking calculation requires a total of 9 spaces for the subject development; 8 spaces for residential and one space for the retail component. Four (4) compact parking spaces are located at the rear of the building for each of four upper units and two spaces are located adjacent to the building. One is ADA compliant for the first floor accessible unit and the second is for the commercial component.



FINDINGS FOR SPECIAL PERMIT (SZO §):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied:

The Board finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

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."*

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."*

Under SZO §7.11.1.c, a Special Permit is required in a Business A district to construct 5 units of housing.

A Variance is required under SZO §9.5 for parking relief. The parking requirement is 9 and the project proposes 6 spaces.

Special Permits are required under SZO §9.13.b to create compact spaces, under SZO §9.13.c to share a driveway, under SZO §9.13.d to park on a separate lot (one parking space straddles the property line), and SZO §9.13.e to share parking (no longer applies).

In considering a Special Permit under §9.13 of the SZO the Applicant must be able to demonstrate that granting the requested special permit would not cause detriment to the surrounding neighborhood through any of the criteria as set forth under SZO §9.13, which are as follows:

- 1) increase in traffic volumes;
- 2) increased traffic congestion or queuing of vehicles;
- 3) change in the type(s) of traffic;
- 4) change in traffic patterns and access to the site;
- 5) reduction in on-street parking; and
- 6) unsafe conflict of motor vehicle and pedestrian traffic.

A common driveway and compact parking stalls would not cause detriment to the surrounding neighborhood as each residential (12) and commercial (2) unit would be provided with one dedicated parking space. The proposed use would reduce the overall amount of traffic as the occupants will use public transportation on a regular basis and the ground floor retail will attract local pedestrian traffic. The type and frequency of traffic will change, due to eliminating the automotive use and creating a residential building with a small retail component. However, the traffic would be generated will be more appropriate to a residential complex and a vibrant commercial corridor as this mix of uses will encourage pedestrian activity. Pedestrians will have better access, due to the shared drive and reduced curb cut, and access to the combined site would be clearly organized and more efficient.

All developments within the BA District that require a special permit with site plan review should comply with the following guidelines to the highest degree practicable.

1. *Give preference to locating on-site, off-street parking at the rear of the lot, behind the building or below street level, providing vehicular access from either a side street or alley where possible.*



The project proposes 14 on-site parking spaces at the rear of the lot, behind the buildings. An access aisle of 20' is provided from Somerville Avenue. The entrance drive is outlined in a 4' band of pervious pavers and the rear of the lot between the buildings has shrubs and landscaping to soften this view.

2. *Give preference to providing landscaping along the primary street edge.*

The project proposes landscaping along the retail storefront, a pergola around the southwest corner, and patios in the rear. The rear of the lot also has a 2-3 foot landscape buffer with shrubs and hedges.

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

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 lessen congestion in the streets; to protect health; 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 encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

The proposal is consistent with the purpose of the Business A district, §6.1.6, which is, "To establish and preserve business areas bordering main thoroughfares that are attractive to a wide range of uses, including retail business and services, housing, government, professional and medical offices, and places of amusement. While it is anticipated that most users will arrive by motor vehicle, it is intended that the area should be safe for and conducive to pedestrian traffic."

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

The parcel is located in a Business A district and abuts an industrial building at the rear, a two-family dwelling to the west, and a proposed new development to the east, 508 Somerville Avenue. This adjacent development shares a site plan with the Applicant at 510 Somerville Avenue. The subject parcel is located midway between Union and Porter squares, near Properzi Way and Park Street. Somerville Avenue is comprised of a mix of uses that includes municipal, open space, office and retail while the area south of Somerville Avenue is comprised primarily of large industrial buildings, apartment buildings and multi-family dwellings. The development site is one mile from Porter and Harvard Square T-stations, and near two bus routes (#83 & #87).

The use, site plan and building design will not be detrimental to the Somerville Avenue corridor nor the adjacent uses or neighborhood. The project has been devised to be compatible with the built and unbuilt surrounding area. The proposed seven-unit residential use with ground floor retail space (560 sf) is more appropriate for this commercial and transit-oriented corridor. The proposed structure is located at the sidewalk, incorporates ground floor retail, is pedestrian friendly and activates Somerville Avenue near the intersection of Park Street. The site plan, as combined with the adjacent development at 508 Somerville Avenue, provides a 20' shared driveway, 14 parking spaces, and bike parking while also closing curb cuts, adding one new public bike rack, and one new street tree since several currently exist already. The building design proposes hardy materials and a contextual building design that is compatible with the adjacent residential neighborhood, continues the street wall and develops the character of the streetscape, and enhances the pedestrian quality of the corridor.

A shadow study illustrates that during the summer solstice, the proposed development will cast a shadow behind the development in the morning hours and extend toward Somerville Avenue in the evening. The fall/spring equinox will cast morning shadows on the dwelling located to the west of the combined development and by evening, this shadow will extend toward Somerville Avenue. The winter solstice also casts morning shadows on the adjacent dwelling to the west.



Design Guidelines for Business Zones. *The following guidelines are intended to promote certain urban design principles and physical building characteristics within business districts. These guidelines are not intended to discourage innovative architectural design solutions. Rather, they provide general standards for the massing, siting and articulation of buildings for developers and architects to work from. They also provide parameters for dialogue between the Applicant and SPGA on design issues. The guidelines are particularly applicable to smaller and infill sites within a streetscape, while for larger buildings on highly visible sites (especially those directly facing on major squares) they are intended as a beginning basis upon which the SPGA will judge proposals.*

1. *Maintain a strong building presence along the primary street edge, continuing the established streetwall across the front of the site so as to retain the streetscape continuity; however, yards and setbacks as required by Article 8 shall be maintained.*

The project proposes a 37' height with a 3' setback along Somerville Avenue while the adjacent development proposes 49', also with a 3' front setback.

2. *Differentiate building entrances from the rest of the primary street elevation, preferably by recessing the entry from the plane of the streetwall or by some other articulation of the elevation at the entrance.*

The retail entrance is slightly recessed with glazing on either side and the address noted above.

3. *Make use of the typical bay widths, rhythms and dimensions prevalent in buildings adjacent to the site, especially in new construction or substantial redevelopment.*

The 12' bay widths are appropriate and compatible with the existing built environment. This portion of Somerville Avenue has a development site directly across the street and to the west. These three combined sites will set the tone and character for this block and should be compatible with each other as well as the surrounding area.

4. *Clearly define these bay widths, rhythms and dimensions, making them understandable through material patterns, articulations and modulations of the facades, mullion design and treatment, etc.*

The three-bay primary facade is clearly articulated with recessed and projecting window bays, cornerboards, and a consistent rhythm along the facade with 12' bays. The windows, sliding doors, and storefront system all illustrate glazing patterns or a transom.

5. *Provide roof types and slopes similar to those of existing buildings in the area.*

The roof is flat with skylights and screened mechanicals.

6. *Use materials and colors consistent with those dominant in the area or, in the case of a rehabilitation or addition, consistent with the architectural style and period of the existing building. Use of brick masonry is encouraged, but not considered mandatory.*

Quality and long-lasting materials, such as hardboard, will be used to compose this building. The exterior proposes to emulate clapboard with an alternate finish to compose the fourth floor. A condition of this report requires the Applicant to submit material samples to the Design Review Committee for review and comment and to Planning Staff for approval prior to a building permit.

7. *When parking lots are provided between buildings, abutting the primary street and breaking the streetwall, provide a strong design element to continue the streetwall definition across the site, such as a low brick wall, iron works or railing, trees, etc.*

The parking lot is provided at the rear of the site, but is accessible from Somerville Avenue. Pervious pavers will outline the access drive and each building will have landscape within the 3' front setback.



8. *Locate transformers, heating and cooling systems, antennae, and the like, so they are not visible from the street; this may be accomplished, for example, by placing them behind the building, within enclosures, behind screening, etc.*

The transformer will be located behind the western building, screened with landscaping. A/C condensers will be located and screened on the rooftop while other mechanicals will be on the first floor.

9. *Sites and buildings should comply with any guidelines set forth in Article 6 of this Ordinance for the specific base or overlay zoning district(s) the site is located within.*

The proposal is consistent with the purpose of the Business A district, §6.1.6, which is, “To establish and preserve business areas bordering main thoroughfares that are attractive to a wide range of uses, including retail business and services, housing, government, professional and medical offices, and places of amusement. While it is anticipated that most users will arrive by motor vehicle, it is intended that the area should be safe for and conducive to pedestrian traffic.”

5. Adverse 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 of the proposed building, 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 residential 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.

The landscape and pervious areas would increase to approximately 18% (900 sf). Fencing and landscaping, as well as the existing concrete block building, that surround the parking lot will buffer and mitigate vehicle noise.

The proposal would not result in an adverse impact on the surrounding area as the proposed use is more appropriate than the automotive use; the site plan is efficient and has considers the surrounding parcels and their buildings. The building proposes an appropriate scale, quality materials and a contextual design that is appropriate for Somerville Avenue and compatible with the adjacent residential neighborhood.

6. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

The proposed use would reduce the overall amount of traffic as the occupants will use public transportation on a regular basis and the ground floor retail will attract local pedestrian traffic. The type and frequency of traffic will change, due to eliminating the automotive use and creating a residential building with a small retail component. However, the traffic would be generated will be more appropriate to a residential complex and a vibrant commercial corridor as this mix of uses will encourage pedestrian activity. Pedestrians will have better access, due to the shared drive and reduced curb cut, and access to the combined site would be clearly organized and more efficient.

The Traffic Impact and Access Study concludes that the combined development proposal (508 & 510 Somerville Avenue) will not have negative Level-of-Service or intersection capacity impacts to the surrounding transportation system. The project is expected to generate 87 daily weekday and 82 daily weekend trips. During the weekday AM and PM peak hour, the development is expected to generate 10 trips and 6 trips, respectively. During the Saturday



midday peak hour, the Site is expected to generate 5 trips. The Site is located in an area where non-vehicular forms of traffic dominate the weekday peak hours of commuting. Non-vehicular modes of transportation include bicycling, walking, transit, and telecommuting. US Census Tract Data (Tract 3512.04) from 2008 to 2012 indicates that 33.5% of Somerville residents in the area do not own a vehicle. According to the same Census Tract Data (Tract 3512.04), 57.8% of existing Somerville workers in the area travel to work without use of an automobile. The Site is conveniently situated close to public transportation and bicycle and pedestrian facilities. The Site is approximately 1-mile away from the Porter Square Transit Station and approximately 1-mile from the Harvard Square Transit Station. Moreover, the Site is served by the following MBTA bus routes #83 and #87 on Somerville Avenue. The transit share is expected to increase with the future stations as part of the Green Line Extension. Once completed, trains will operate every five to six minutes in the peak periods, providing fast and efficient service to downtown Boston.

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

The proposal does not supply or contribute toward affordable housing.

8. 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	5
<i>Affordable Units:</i>	0	0
<i>Commercial Sq. Ft.:</i>	1400 sf	560
<i>Estimated Employment:</i>	1-3	Potentially 1-3 sf
<i>Parking Spaces:</i>	6+	6

The proposal complies with the SomerVision plan through the addition of dwelling units and retail space near transit and along this commercial corridor. The parcel will increase the overall pedestrian quality of this urban corridor. The proposal will decrease the impervious nature of the existing lot and provide a better use for the site and the area. The proposal will continue the streetscape, enhance the area, and increase the amenities of this portion of the corridor.

FINDINGS FOR VARIANCE (SZO §9.5)

1. Explain any special circumstances affecting the land or structure (related to soil conditions, shape or topography) that are unusual and do not affect other properties and any hardship that results from these special circumstances.

Special circumstances affecting this site that are unusual and do not affect other properties are that the existing mixed-use is compliant with regard to parking, which is due to the entire rear lot being paved in asphalt. Any



viable mixed- or single-use development that is a more appropriate use for this area than the existing use will likely require a Variance due to the parking requirements for residential and retail uses. Solutions to create additional on-site parking compromise other components of this project. The SomerVision Comprehensive Plan, which asserts that this is a community to live, work, play and raise a family, does not fully align with the existing zoning ordinance which requires a total of 9 parking spaces. Therefore, in providing one space per each residential and retail unit, the project is able to provide on-site parking without compromise to the quality or feasibility of the project.

Applicant response: The lot shape and size would not allow for the required nine (6) parking spaces on this site. This project will offer many amenities to the residents. Further, this project will be an asset to the surrounding neighborhood which is currently under much needed redevelopment for residential housing and commercial businesses.

2. Explain if and how the Variance is the minimum approval necessary to grant reasonable relief to the owner and results in a reasonable use of the land or structure.

The Applicant devised a building design and combined site plan that reduces the number of on-site parking stalls, while still maintaining enough parking so as to accommodate the needs of the project. Due to accessible public transportation as well as proximity to transit stations, the request for three spaces of parking relief is all that is necessary for a reasonable use of this parcel.

Applicant response: A variance for parking would be the minimum relief necessary as discussed previously, the lot shape and size would not provide for the required eight (8) parking spaces. There is a close proximity to bike paths, public transportation, as well as an increase in residents that walk as their method of transportation, this would offset the need for parking spaces on the site, based on nearly 15% of Somerville residents walk or use a bike to get to work. Bike paths are used as a means of travel by walkers and bicyclists and not just for recreational purposes in the Somerville area.

3. Explain if and how the granting of the Variance will be in harmony with the SZO and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Granting the Variance would be in harmony with the SZO and is not injurious to the surrounding neighborhood, nor otherwise harmful to the public welfare. This project meets all dimensional requirements and is in accordance with the SZO as well as the SomerVision Comprehensive Plan as this project provides appropriate uses for this portion of Somerville Avenue, creates a walkable and pedestrian friendly streetscape and commercial corridor, and contributes to the diversity, location and type of residential units offered within the City.

Applicant response: The requested variance would be in harmony with the Somerville Zoning Ordinance and the surrounding neighborhood, as the proposal does allow for a residential project. If the variance is granted it is highly unlikely that the residents of the project will need to park on the street, thus taking up additional on street parking spaces in the neighborhood. As a basis for this conclusion, almost 60% of the owner occupied homes/condos in Somerville have only one vehicle or less available to them. Such findings can be based on the excellent access to public transportation that Somerville provides, particularly a neighborhood so close to a rapid transit station, as is the case with this proposal. Also, as discussed many residents will use bike paths as their means of transportation. This proposal being so close to bike paths will attract residents that will want to utilize this type of transportation.



DECISION:

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Danielle Evans and Elaine Severino. Upon making the above findings, Susan Fontano made a motion to approve the request for a Special Permit with Site Plan Review. Richard Rossetti seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. Upon making the above findings, Susan Fontano made a motion to approve the request for a Variance. Richard Rossetti seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes														
	<p>Approval is for the Approval is for Special Permit under SZO §7.11.1.c for five residential units with a small ground floor retail component, and Special Permits under SZO §9.13.b to create compact spaces, SZO §9.13.c to share a driveway, SZO §9.13.d to park on a separate lot, and SZO §9.13.e to share parking. A Variance is also sought for parking relief (§9.5). This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <p>This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(March 10, 2014)</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>July 11, 2014 (July 30, 2014)</td> <td>Plans submitted to OSPCD (A-00, A-001, A-100, A-101, A-102, & A-300)</td> </tr> <tr> <td>March 5, 2014 (July 30, 2014)</td> <td>Site Context submitted to OSPCD (Z-001)</td> </tr> <tr> <td>February 20, 2014 (July 30, 2014)</td> <td>Shadow study & Perspectives submitted to OSPCD</td> </tr> <tr> <td>February 19, 2014 (July 30, 2014)</td> <td>Civil site plan submitted to OSPCD</td> </tr> <tr> <td>July 7, 2014 (July 30, 2014)</td> <td>Landscape plan submitted to OSPCD</td> </tr> </tbody> </table> <p>Any changes to the approved site plan, elevations, use that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(March 10, 2014)	Initial application submitted to the City Clerk’s Office	July 11, 2014 (July 30, 2014)	Plans submitted to OSPCD (A-00, A-001, A-100, A-101, A-102, & A-300)	March 5, 2014 (July 30, 2014)	Site Context submitted to OSPCD (Z-001)	February 20, 2014 (July 30, 2014)	Shadow study & Perspectives submitted to OSPCD	February 19, 2014 (July 30, 2014)	Civil site plan submitted to OSPCD	July 7, 2014 (July 30, 2014)	Landscape plan submitted to OSPCD	BP/CO	ISD/PIng.	
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Pre-Construction																		



2	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.	
3	The Applicant shall submit a proposed drainage report, stamped by a registered PE in Massachusetts that demonstrates compliance with the City's stormwater policy.	BP	Eng.	
4	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	
5	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				
6	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.	
7	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	
8	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				
9	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.	
10	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				
11	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	



12	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	
13	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.	
14	One tree minimum must be planted and maintained on-site according to National Nurseryman's Standards, and in accordance with SZO §10.2.2 and §10.6.2;	CO	Plng.	
15	Applicant will supply 2 bicycle racks on-site for a total of 4 bike parking spaces.	CO	Plng.	
16	508 & 510 Somerville Avenue shall be maintained by one management company.	In perpetuity	Plng/ISD	
17	Shrubs and climbing vegetation shall be densely planted at the rear of the driveway.	In perpetuity	Plng/ISD	
Traffic & Parking				
18	The Applicant shall purchase and deliver to Traffic and Parking three (3) single-spaced parking meters with the capacity to accept both coins and credit cards and are consistent with the current parking meter fleet in Somerville	CO	Traffic/Pkg	
Miscellaneous				
19	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	
20	Rooftop mechanicals shall be screened.	CO	Plng.	
21	Trash areas shall be enclosed and screened from view.	CO	Plng.	
Public Safety				
22	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
23	Any transformers should be located as not to impact the adjacent properties or landscaped area, and shall be fully screened.	Electrical permits & CO		
24	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/BOH	
25	The suspected underground fuel tanks on this site must be removed under the supervision of the Fire Prevention Bureau. Permits will be required for these removals.	CO	FP	
26	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	



27	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OSE	
28	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: 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 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.	Foundation Permit	Plng/ISD	
Signage				
29	Retail signage will be limited to the sign band and locations shown in the elevation. Signage material shall not be plastic or vinyl. Materials and lighting shall be reviewed and approved by Planning Staff.	CO/Cont.	Plng.	
30	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.	



Attest, by the Zoning Board of Appeals:

Herbert Foster, *Chairman*
Orsola Susan Fontano, *Clerk*
Richard Rossetti
Danielle Evans
Elaine Severino

Attest, by the Administrative Assistant:

Dawn M. Pereira

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 _____

