



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

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MICHAEL A. CAPUANO, ESQ.
REBECCA LYN COOPER
GERARD AMARAL, (ALT.)

Case #: PB 2015-08
Site: 92 Union Square
Date of Decision: August 6, 2015
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: August 19, 2015

PLANNING BOARD DECISION

Applicant Name:	Craig Murphy, Cambridge Reprographics
Applicant Address:	21 McGrath Highway, Somerville, MA 02143
Property Owner Name:	City of Somerville
Property Owner Address:	93 Highland Avenue, Somerville, MA 02143
Agent Name:	N/A

Legal Notice: Applicant, Craig Murphy, and Owner, City of Somerville, seek a Special Permit under SZO 6.1.22.D.5.a. to install signage.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 2
<u>Date of Application:</u>	June 16, 2015
<u>Date(s) of Public Hearing:</u>	August 6, 2015
<u>Date of Decision:</u>	August 6, 2015
<u>Vote:</u>	4-0

Appeal #PB 2015-08 was opened before the Planning Board at Somerville City Hall on August 6, 2015. 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.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov

DESCRIPTION:

The proposal is to remove the existing MAPS sign and install two, canvas, 36 inch by 102 inch banners on the building. One will be along Somerville Avenue and the other will be close to the main entrance to MAPS.

FINDINGS FOR SPECIAL PERMIT:

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."*

In the CCD, the SZO §6.1.22.D.5 states that any change in signage, other than a one-for-one replacement of an existing sign, and alterations to facades shall require a Special Permit.

The signage complies with the design guidelines for signage in the CCD (§6.1.22.G):

- The signs respect the building's context. The signs are subordinate to the overall building in size and appearance and do not conceal important façade details such as the brick patterns.
- The signs are made of canvas and are not lit from within. This complies with the list of recommended materials and sign technologies. The multi-colored lettering is vibrant without being excessively bright.
- The signs are legible and convey the MAPS name and logo without excessive wording.

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 providing for and maintaining the uniquely integrated structure of uses in the City. The proposal is also consistent with the purpose of the CCD by encouraging an active mix of uses and contributing to a pedestrian-friendly street.

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 banners will improve the visibility of MAPS and better orient people to the front door. Banner signage already exists on the building for SCAT and the proposed signs will continue this sign type on the building. The existing sign that covers a large portion of the brick above a door that is not an entrance for MAPS will be removed. The proposed signs are not overly large and the total square footage of signage on the building for MAPS will be approximately the same but will be divided between two sides of the building.

The signage and lighting will be compatible with the building's design as explained in finding two. The signs will also be compatible with the surrounding area. The signage should enhance the property and will not detract from the pedestrian experience in the area.

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

The proposal does not involve 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.*

The proposed signage will add to the vibrancy of this area of the City that is called out as being enhanced in SomerVision.

DECISION:

Present and sitting were Members Michael Capuano, Dorothy Kelly Gay, Rebecca Lyn Cooper and Gerard Amaral with Kevin Prior and Joseph Favaloro absent. Upon making the above findings, Dorothy Kelly Gay made a motion to approve the request for a Special Permit. Rebecca Lyn Cooper seconded the motion. Wherefore the Planning Board voted **4-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	<p>Approval is for the proposed signage. 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>June 16, 2015</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>(July 30, 2015)</td> <td>Plans submitted to OSPCD (Elevations and sign details)</td> </tr> </tbody> </table> <p>Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval. Sign replacement of the same size within the same sign footprint and using the same sign technology shall be permitted by right.</p>	Date (Stamp Date)	Submission	June 16, 2015	Initial application submitted to the City Clerk’s Office	(July 30, 2015)	Plans submitted to OSPCD (Elevations and sign details)	BP/CO	Plng.	
Date (Stamp Date)	Submission									
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2	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:



Michael A. Capuano, Esq.


Dorothy A. Kelly Gay

Rebecca Lyn Cooper



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 _____

