



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

PLANNING BOARD MEMBERS

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JAMES KIRYLO
MICHAEL A. CAPUANO, ESQ.
ELIZABETH MORONEY
JERRY AMARAL, (ALT.)

Case #: PB 2013-14
Site: 16-18 Bow Street
Date of Decision: August 8, 2013
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: August 13 2013

PLANNING BOARD DECISION

Applicant Name:	United States Postal Service, Facilities Service Office
Applicant Address:	6 Griffen Road North, Windsor, CT 06006
Property Owner Name:	14 Bow St. Realty Trust
Property Owner Address:	424 Broadway, Somerville, MA 02145
Agent Name:	N/A

Legal Notice: Applicant, the United States Postal Service, and Owner, 16 Bow Street Realty Trust, seek a Special Permit under SZO §6.1.22.D.5.a to alter a nonconforming structure which includes modifications to signage and the rear egress as well as to provide ADA accessibility.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 3
<u>Zoning Approval Sought:</u>	§6.1.22.D.5
<u>Date of Application:</u>	July 9, 2013
<u>Date(s) of Public Hearing:</u>	8/8
<u>Date of Decision:</u>	August 8, 2013
<u>Vote:</u>	5-0

Appeal #PB 2013-14 was opened before the Planning Board at Somerville City Hall on August 8, 2013. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one (1) hearing of deliberation, the Planning Board took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
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DESCRIPTION:

Applicant, the United States Postal Service, and Owner, 16 Bow Street Realty Trust, propose to alter a masonry structure, which includes modifications to signage and the rear egress as well as to provide ADA accessibility.

The subject commercial space at 16-18 Bow Street is 1,438 net square feet and interior renovations would fit-out the interior space for the by-right post office use. The existing storefront has been heavily altered and a large sign band obscures a large portion of the original façade. The project would alter the existing storefront to allow for ADA accessibility. To provide a level accessible landing, the center of the entrance would be recessed further to allow a separate entrance into the Box Lobby and the Customer Lobby, which is required for postal operations.

The signage is proposed to be slightly larger than the existing and conform with CCD and Arts Overlay district guidelines. There is approximately 31 feet of frontage for this commercial space; therefore, approximately 62 square feet of signage is allowed. The main sign above the door would be approximately 51 square feet while vinyl decals identifying this branch of the post office would be located to the left of the center entrance, measuring 2.5 square feet. Hours of operation would be located to the right of the entrance and measure approximately 1.25 square feet. All signage would be approximately 55 square feet.

The rear egress currently consists of a single concrete step down to grade. The proposal would create a raised platform, which is necessary for postal deliveries. As part of the interior renovations, a ramp would extend toward the rear of this space and the egress would become slightly higher with a handrail and bollards on three sides.

FINDINGS FOR SPECIAL PERMIT (SZO §6.1.22.D.5):

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 considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal would allow the necessary modifications to the front entrance and rear egress that are necessary for a post office to operate in this commercial space. Signage would conform to CCD and Arts Overlay district guidelines. To further enhance the historic façade, streetscape, and nearby local historic district, the vertical metal siding between the first and second stories is conditioned to be removed and that either the brickwork beneath be appropriately restored to blend with the historic façade or that a new, more appropriate material replace the metal panel.

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 provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to facilitate the adequate provision of... other public



requirements; 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

The proposal is consistent with the purpose of the CCD55 district, §6.1.22, 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 CCD55 district are addressed with respect to the subject proposal below.

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.

The proposal incorporates a by-right institutional use into this area of Union Square that will contribute to a multi-modal-friendly street. Enhancing the historic masonry façade, through the removal of metal siding and either the restoration of brickwork or the installation of a more appropriate material, will encourage commercial investment in the surrounding buildings and will serve to preserve and complement adjacent historic structures within the streetscape as well as the Bow Street Local Historic District. This post office branch would be a contributory neighborhood amenity that is not auto oriented and would encourage pedestrian and bicycle activity.

The proposal is consistent with the purpose of the Arts Overlay District, §6.1.23, which is, “to encourage the preservation and enhancement of Arts-Related Uses, particularly within Union Square. The district is also intended to preserve and enhance the area as a center for a variety of retail, business services, housing, and office uses and to promote a strong pedestrian character and scale throughout the district.”

The design guidelines of the Arts Overlay district, SZO §6.1.23.G, are addressed with respect to the subject proposal below.

1. Building(s) should complete the streetwall along the primary street edge(s).
2. Massing of the building should be articulated in a manner compatible with the surrounding district, particularly where a building abuts a lot or lots within a residential district.
3. Major building entrances and entrances to retail stores and other sources of pedestrian activity should be oriented to existing public sidewalks and other open space.
4. On-site, off-street parking should be located either at the rear of the lot behind the building or below street level; parking should not abut the primary street edge(s) of the parcel.
5. Access to on-site, off-street parking should be provided from either a side street or an alley; Where this is not possible, provide vehicular access through an opening in the street level facade of the building of a maximum of twenty-five (25) feet in width.
6. 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 subject building completes the streetwall and has a two-story massing that is compatible with the surrounding structures. The primary entrance is oriented to the sidewalk and parking is not part of this proposal. The proposed painted wood sign conforms to CCD and Arts Overlay district guidelines in size and material, and would not be lit.

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 proposal to alter a masonry structure, which includes modifications to signage and the rear egress as well as to provide ADA accessibility is compatible with the site and the neighborhood. This project will enhance the historic structure, due to appropriate signage, the removal of metal siding, and either the restoration of brickwork or the installation of a more appropriate material, as well as relocate a useful neighborhood amenity to this area of Union Square. There will likely be no impact on the surrounding neighborhood as this proposal enables the necessary modifications for a by-right institutional use to operate in this commercial space.

Further, this proposal adheres to CCD signage guidelines, as outlined below.

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 proposed painted wood sign conforms to CCD and Arts Overlay district guidelines in size and material, and would not be lit.

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.

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 proposal would not alter circulation patterns for motor vehicles or pedestrians as a result of this project.



DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Michael Capuano, Esq., James Kirylo, and Gerard Amaral. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Michael Capuano, Esq. 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 to alter a mixed use structure which includes modifications to signage and the rear egress as well as to provide ADA accessibility. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.											
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(July 9, 2013)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>June 18, 2008 (August 1, 2013)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>June 26, 2013 (August 1, 2013)</td> <td>Demolition and floor plans submitted to OSPCD (D1.1, A1.1, A1.2, & A2.2,)</td> </tr> <tr> <td>August 1, 2013 (August 1, 2013)</td> <td>Proposed elevation & signage</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(July 9, 2013)	Initial application submitted to the City Clerk's Office	June 18, 2008 (August 1, 2013)	Plot plan submitted to OSPCD	June 26, 2013 (August 1, 2013)	Demolition and floor plans submitted to OSPCD (D1.1, A1.1, A1.2, & A2.2,)	August 1, 2013 (August 1, 2013)	Proposed elevation & signage
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.														
Design														
2	The vertical metal siding between the first and second stories shall be removed. The brickwork behind the panel shall be appropriately repaired to be consistent with the existing in color, texture, tooling, and vapor permeability. Should Staff determine that the above is not an option, the Applicant shall work with Staff to determine an appropriate alternate material other than the existing metal panel.	BP	Plng.											
Public Safety														
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP											
Signage														
4	Signage will be limited in size and location to that shown in the elevation diagrams and lighting after 10p.m. facing residential property will be turned down or off.	CO/Cont.	Plng.											
Final Sign-Off														



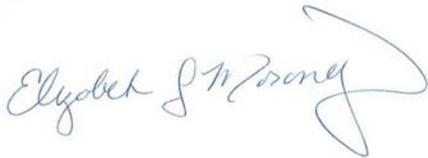
5	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	
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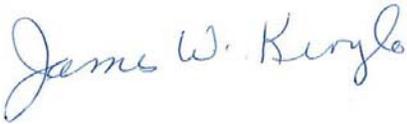
Attest, by the Planning Board:



Kevin Prior, Chairman



Elizabeth Moroney



James Kirylo



Michael A. Capuano, Esq.



Gerard Amaral (Alt.)

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 _____

