



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

PLANNING DIVISION

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

Case #: PB 2014-03
Site: 337-341 Broadway
Date of Decision: March 6, 2014
Decision: Petition Approved with Conditions
Date Filed with City Clerk: March 13, 2014

PLANNING BOARD DECISION

Applicant Name:	Winter Hill Bank, FSB
Applicant Address:	342 Broadway, Somerville, MA 02145
Property Owner Name:	KLT Corp.
Property Owner Address:	20 Red Coat Road, Framingham, MA 01701
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144

Legal Notice: Applicant, Winter Hill Bank, FSB, and Owner, KLT Corp., seek a Special Permit under SZO §6.1.22, for new signage.

<u>Zoning District/Ward:</u>	CCD 45 zone/Ward 4
<u>Zoning Approval Sought:</u>	§6.1.22
<u>Date of Application:</u>	January 14, 2014
<u>Date(s) of Public Hearing:</u>	2/20 & 3/6/14
<u>Date of Decision:</u>	March 6, 2014
<u>Vote:</u>	5-0

Appeal #PB 2014-03 was opened before the Planning Board at Somerville City Hall on February 20, 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.



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

The proposal is to replace the prior Citibank signage on the building facing Broadway and the parking lot, add a third sign on the angled building face between the two other signs and replace the Citibank sign area on the pylon sign with Winter Hill Bank signage. The two signs on the building will have a slightly different footprint than the Citibank signage. Each Citibank sign was 300 inches by 52 inches (25 feet by 4.3 feet) and the Winter Hill Bank signage will be 275 inches by 54 inches (22.9 feet by 4.5 feet). The third sign on the building will be 140 inches by 50 inches (11.6 feet by 4.2 feet).

FINDINGS FOR SPECIAL PERMIT (SZO §5.1):

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."

The structure is located in a CCD55. In accordance with SZO §6.1.22.D.5.a, alterations to an existing façade, other than one-for-one replacement of signage, require a Special Permit. Therefore, the proposed signage requires Special Permit approval. The replacement of the panel on the existing pylon sign does not require a special permit because it is a one-for-one replacement. The two signs on the building are arguably the same size as the existing signs if the gray background color is included. Each Citibank sign was 300 inches by 52 inches (25 feet by 4.3 feet) and the Winter Hill Bank signage will be 275 inches by 54 inches (22.9 feet by 4.5 feet).

The third sign on the building is a new sign that does as redesigned complies with the design guideline for signage in the CCD (§6.1.22.H). The sign has been redesigned with individual letters that are halo lit. This type of lighting is softer and provides more visual interest. The letters will sit on a painted cabinet that will not glow.

Other elements of the sign comply with the design guidelines. The signage design respects the building's context as it is in the sign band of the building and does not conceal any interesting architectural elements of the building.

Ideally the other two signs on the building would also comply with this standard.

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 encouraging the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the district as the signage meets the design guidelines for the district.

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



The new sign would be compatible with the design guidelines and surrounding mixed use area as explained in finding two.

DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, Michael Capuano and Gerard Amaral with James Kirylo absent. Upon making the above findings, Joseph Favaloro made a motion to approve the request for a Special Permit. Michael Capuano seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the installation of signage. 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>Jan 14, 2014</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>Aug 14, 2013 (Mar 6, 2013)</td> <td>Modified plans submitted to OSPCD (Halo lit channel letters)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	Jan 14, 2014	Initial application submitted to the City Clerk's Office	Aug 14, 2013 (Mar 6, 2013)	Modified plans submitted to OSPCD (Halo lit channel letters)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
2	To the extent possible, all exterior lighting must be confined to the subject property, cast light on the signage/building and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.							
3	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



Elizabeth Moroney



Joseph Favaloro



Michael A. Capuano, Esq.



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 _____

