



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-91
Date: September 25, 2014
Recommendation: Conditional Approval

UPDATED PLANNING STAFF REPORT

Site: 318 Beacon Street

Applicant & Property Owner Name: Beacon Street Partners, LLC

Applicant & Property Address: PO Box 920757 66 Cranberry Lane Needham, MA 02492

Agent Name: Terrence Morris

Agent Address: 57 Elm Road Newton, MA 02460

Alderman: Maryann Heuston

Legal Notice: Applicant and Owner, Beacon Street Partners, LLC, seek a Special Permit with Site Review to establish 7 residential units per SZO §7.11.1.c, a Special Permit per SZO §9.13 for modification of parking design standards and a Variance §9.13 for parking relief. RC Zone. Ward 2.

Dates of Public Hearing: Zoning Board of Appeals – September 3, 2014

*Note: This staff report has been updated since the original report dated August 28, 2014. Additions are underlined, ~~deletions~~ are struck.

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 7,485 square foot lot with frontage on Beacon Street and Harris Street in Cambridge. There's an existing triple decker fronting Beacon Street with a wide sideyard. The rear yard is mostly grass but is also used as a parking area. Beacon Street will be going under major reconstruction in the next 24 months. This includes infrastructure work underneath the street and repaving/restriping to include a cycletrack. Harris Street is essentially a private way. The street is narrow, quiet, and has no sidewalks or curbscuts. Although there is no prior zoning relief for this address, the Board has seen similar cases to establish units on the Harris Street frontage for 308 Beacon and 312 Beacon Street.





2. Proposal: The proposal is to build a second structure with 4 3 dwelling units facing Harris Street. There will be 6 parking spaces underneath the building with 1 additional space on site, just outside of the garage entrance. The building is zero-entry and will be 3 stories tall with a flat roof. The first and second floor units are stacked. The third floor is two units in a townhome style, one in the front of the house and one in the back of the house. Each unit is a 2 bedroom unit with a study. The third floor unit has access to a roof deck. They each have access to a roof deck built into the pitch of the roof.

3. Green Building Practices: None listed on the application.

4. Comments:

Fire Prevention: Fire prevention has been contacted but has no comments at this time.

Traffic & Parking: The applicant is proposing to modify the existing three family structure on 318 Beacon St by adding an additional four family structure to the rear of the property which is located on Harris St in Cambridge. Proposed off street parking includes seven parking spaces with six of the parking spaces located in a garage beneath the new dwelling which will have access to/from Harris St. in Cambridge. Per the Somerville Zoning Ordinance (SZO) twelve off street parking spaces are required. Obviously five parking spaces are not being provided per the SZO.

The applicant has hired a professional Transportation Consultant, Design Consultants Inc. to prepare a Parking Study. This Consulting Firm has submitted a well prepared and professional Parking Study.

Based on empirical data of available and occupied parking spaces during three distinct time periods on two days, the Parking Study states that there is available on-street parking spaces in the vicinity of 318

Beacon St. The Parking Study was conducted within a reasonable walking distance of the proposed project. The area which was surveyed for the availability of the on street parking spaces was a reasonable area to conduct a survey.

This Parking Study concludes that there is available on street parking spaces in the vicinity of 318 Beacon St. Based on the submitted Parking Memorandum, Traffic and Parking does not disagree with this assessment.

However and notwithstanding the above, it should be noted that vehicles will be circulating through this area of Beacon St. to locate these available parking spaces. The lack of providing all the required off-street parking spaces will result in an increase of vehicle queues and delays and a minor decrease in pedestrian safety in this area. Traffic mitigation to offset this lack of required parking spaces and decrease in pedestrian safety and increase in vehicle congestion and queues can be provided by the applicant purchasing and delivering to Traffic and Parking five Pedestrian Impact Recovery Systems which will be installed in the vicinity of 318 Beacon St to enhance pedestrian safety.

Provided the above traffic mitigation is provided, Traffic and Parking has no objections to this application.

Engineering: The project will need to comply with engineering policies including the site review checklist. Due to the activity surrounding the site, Applicant is encouraged to meet with Engineering Staff.

Design Review Committee: The project went before the Design Review Committee on two occasions. At the second meeting they reviewed the current design. The recommendations from the committee are below:

- The DRC inquired about the discontinuity of representation of materials on the elevations and perspectives presented. The perspectives implied the use of vertical and horizontal natural wood siding for the entirety of the exterior of the building. The elevations drawings implied the use of flat fiber cement paneling over certain areas of the exterior. The Applicant noted that the elevation drawings were inaccurate, and that the entirety of the building exterior would make use of the natural wood siding in various configurations.
- The condensing units required for air conditioning need to be incorporated into the site plan.
- The window pattern is busy on the side elevation, and a request was made to review potential options to simplify the organization. The sun shade located on the front corner of the building should be moved down to the head of the window that it's shading. This shade should also be extended to align with the edges of the window.
- The window head heights along Harris St. should be dropped when they interfere physically and visually with the roof eaves.
- If the design will incorporate prominent street numbers located at the main building entrance they should complement the building design. To that end, a sans serif font should be used for the street number.
- The material palette is of high quality and the wood siding will be a beautiful feature.

Ward Alderman: Alderman Heuston hosted two neighborhood meetings regarding the development of 318 Beacon Street, she has not submitted comments at this time. An additional neighborhood meeting is being held on September 30, 2014. Alderman Heuston cannot attend due to a scheduling conflict but asked the applicant to proceed with the neighborhood meeting.

II. FINDINGS FOR SPECIAL PERMIT (SZO §9.13):

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 Staff 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 SPGA may grant a special permit modifying certain parking/loading standards of Article 9 including modification of the modification of parking/loading area design standards. The relief requested must comply with applicable criteria. The Applicant is seeking relief from driveway width and compact spaces.

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 and to lessen congestion in the streets.

The proposal is consistent with the purpose of the district, which is, "To establish and preserve a district for multi-family residential and other compatible uses which are of particular use and convenience to the residents of the district."

In considering a special permit under §9.13 of the SZO, Staff find that the modifications proposed would not be detrimental to the neighborhood.

1. Increase in traffic volumes – The parking spaces provided are 8-6' instead of the required 9'-0". The driveway varies in width but is at its narrowest at 8'-9" wide. It will accommodate slow moving, forward facing traffic typical of a residential street. The compact spaces and driveway will not create an increase of traffic volumes.
2. Increased Traffic congestion or queuing of vehicles – The project will not cause congestion or queuing of vehicles of what is beyond typical for a residential street.
3. Change in type of traffic – The site will be residential traffic.
4. Reduction in on-street parking – There will be no reduction in on street parking on Beacon or Harris Streets.
5. Unsafe conflict of motor vehicle and pedestrian traffic – There will not be unsafe conflicts. There is an existing fence gate where vehicles enter the rear of the site. The proposed driveway will be the same condition.

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 surrounding neighborhood is a mix of uses. The west end of Beacon Street is primarily residential with some business uses. Beacon Street is a major street in Somerville that connects Somerville with Inman and Kendall Squares. Beacon Street, as stated before, is going through a major reconstruction in the next 24 months to provide for multimodal transportation. In the most recent city inventory, there were 370 cyclists and 395 pedestrians during the morning hour. Harris Street is a residential street with a variety of unit counts. The three unit building will match in context to what exists on the street.

The driveway and compact parking space design will have no impact on the surrounding 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.*

Circulation on the site will not change, vehicles are already accessing the rear of 318 Beacon Street. The driveway entrance will cause vehicles to slow but not anything beyond typical for a residential street.

III. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.11.1.c):

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 Staff 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.”

To establish 7 6 units in a Residential C zone requires a Special Permit with Site Review.

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”.

See Section II, number 3, above.

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”.

See Section II, number 4, above.

The design complies with the Design Guidelines in SZO §5.2.4

1. The building is of the same size and proportion to those existing in the neighborhood.
2. The building uses traditional and natural materials. A condition of the report is that the materials be reviewed by the DRC and approved by Planning Staff prior to construction. Wood siding is proposed.

3 & 4. Additions to existing structures are not applicable.

5. New infill building construction should share the same orientation to the street as is common in the neighborhood. The proposed development has a front entry similar to the rest of the neighborhood.

6. Driveways should be kept to minimal width (perhaps a maximum of 12 feet). The driveway is of minimal design. Vehicles will enter and exit forward facing.

7. Transformers, heating and cooling systems, antennas, and the like should be located so they are not visible from the street or should be screened. The condensers will be located on site at the back of the building.

8. Overlay Districts, not applicable.

5. Functional Design: The project must meet “accepted standards and criteria for the functional design of facilities, structures, and site construction.”

The project is essential infill development on Harris Street and will function similarly to other multi-family buildings in the area.

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 project will not create adverse impacts on the public system. There are several conditions proposed as part of this report including complying with the city stormwater and drainage policies. If the bedroom count exceeds the City threshold, the project will have to comply with the I/I removal policy.

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 proposal will not have any adverse impact beyond a typical residential development.

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.”

See Section II, number 3, above.

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.”

There are no existing landforms to preserve.

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 design is compatible in scale, design and use with the abutting buildings.

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.”

Complying with city stormwater drainage is a condition of this report.

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.”

There are no historic or architecturally significant properties in the area.

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 natural character and appearance of the City will be enhanced by the proposed design and landscaping.

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.”

The lighting will be appropriate for a residential structure.

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 possible from Harris Street.

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 will not be a change to the traffic pattern as a result of this proposal.

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.”

A condition of this report is that all utilities for the new structure 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.”

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.”

There is no signage as part of this proposal.

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 air conditioning units will be screened by the building.

21. Screening of Parking:

Six of the seven parking spaces are below ground.

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

This development will provide 4 3 additional units of housing.

23. 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> | 3 | 7 <u>6</u> |
| <i>Affordable Units:</i> | 0 | 0 |
| <i>Parking Spaces:</i> | Various | 7 |

IV. FINDINGS FOR VARIANCE (SZO §9.13) for PARKING:

In order to grant a variance the Board must make certain findings and determinations as outlined in §5.5.3 of the SZO.

The building is currently conforming to the parking requirement. Although it doesn’t have a driveway off of Beacon Street, the rear yard is accessed from Harris Street. On multiple occasions, Planning Staff have observed cars parked in the rear area (this is also reflected on Google Street View). It is our understanding that tenants of the building are allowed to park on site. The current building requirement is ~~4.5~~ (3 units x 1.5 spaces per unit) spaces which can be accommodated currently. The additional units require an additional ~~6~~ 4.5 spaces (3 units x 1.5 spaces per unit) plus a visitor’s space which equals ~~12~~ 10 spaces. Seven spaces are being provided. A variance for ~~5~~ 3 spaces is required.

1. *There are “special circumstances relating to soil conditions, shape or topography of land or structures which especially affect such land or structures but not affecting generally the zoning district in which it is located, causing substantial hardship, financial or otherwise.”*

Special circumstances affecting this site that are unusual and do not affect other properties are that the existing rear yard is used for parking. It is unsightly for cars to be parked in any manor without landscaping or screening. However, the yard makes the existing building compliant in its parking requirement. Any development on the property would require a Variance due to the manor in which the rear yard is used. 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 ~~12~~ 10 parking spaces. Therefore, in providing one space per each unit, the project is able to provide on-site parking without compromise to the quality or feasibility of the project plus a visitor’s space to keep vehicles off of Beacon or Harris Street.

Applicant’s Response: The locus is one of 18 lots located in a block bounded by Beacon Street, Eustis St., Prentiss Street and Harris Street (Cambridge), identified on Somerville Assessors Map 39 Block F. There

are special circumstances related to the configuration (shape) of the subject lot that collectively do not affect other lots in the block. Taken together these special circumstances create a hardship in locating additional parking on-site other than what has been proposed.

The lot is not uniformly rectangular in shape as the side lot lines are not parallel. The lot width ranges from 58.33 feet on Beacon Street to a pinch point of 44 feet midway through the lot, which constricts efficient parking layout on the lot. The subject lot, which is the second largest lot on the block (15 of the 18 lots being less than 4200 square feet), contains a total of 7,485 square feet. However 645 square feet are located in Cambridge, which effectively makes compliance with the parking requirements a hardship.

The lot is one of five "through" lots that have frontage on both Beacon Street in Somerville and Harris Street in Cambridge. However this is one of only two lots that have sought or are seeking, separate building addresses on each street. Of the "through" lots, the subject lot is the one most impacted by having so much of its lot (645 SF) located in Cambridge. This land area would be more than enough to accommodate the two parking spaces for which the waiver is being requested. However for the reasons set forth hereafter, use of this land for parking would not be in the public interest.

2. *"The variance requested is the minimum variance that will grant reasonable relief to the owner, and is necessary for a reasonable use of the building or land."*

The parking variance will allow for the reasonable use of the land for residences in this neighborhood over parking. It is typical in the City's vibrant, walkable corridors that off-street parking is not always provided. In this instance, there would be one space per unit. Many patrons walk, take the bus and for those who drive and park on the street the parking study submitted shows that sufficient on-street parking exists.

Applicant's Response: The existing three-unit, "triple-decker", currently on the site was erected in 1920 prior to the advent of the zoning code and any parking requirements subsequently introduced. From the time parking regulations were adopted and continuing to date, there have never been more than two parking spaces on site dedicated to the residents of the building¹, when five would have been required. Since there is no proposed increase in the net floor area of the three-family dwelling, the petitioner respectfully suggests that the building is legally nonconforming as to the three additional spaces².

The construction of the new four-unit dwelling requires 6 new parking spaces ($4 \times 1.5 = 6$). Since the project as a whole would contain more than six units, one additional space for visitors is required. According to the staff, the net result is that the two residential buildings would generate a need for twelve (12) spaces [$5\text{sp} = 3\text{F}$; $6\text{sp} = 4\text{F}$; $1\text{sp} = \text{visitor}$]. The site plan shows seven (7) spaces with 6 of those out-of-sight, garaged beneath the new building. Accordingly, a variance for as many as five spaces for the project is requested.³

That a variance of as many as 5 spaces is the minimum necessary to grant reasonable relief to the owner and would result in a reasonable use of land or structure is substantiated by the actual occupancy of the property by tenants without automobiles. This conclusion is also supported by a Parking Study submitted herewith, prepared Design Consultants, Inc. that finds "*318 Beacon Street is located in an area where the*

¹ However, there is vehicular access to the rear of the site from Harris Street. Statements from the former and current owners indicate of the three tenancies that have occupied the apartments, no more than two of the units have ever needed/used parking behind the building.

² It should be noted that the Planning staff takes issue with this position (see below).

³ Accordingly the petitioner has agreed to formally request a variance for as many as five parking spaces based upon the staff interpretation of the ordinance which would require 12 spaces of which only seven are available. Nonetheless the petitioner reserves the right to present the nonconformity argument for a reduction in that number before the ZBA.

automobile as means of transportation to work is relatively obsolete” compared to Massachusetts as a whole. The Study goes on to state that “*For the local community that encompasses 318 Beacon Street, 22.8% of the occupied housing units have no automobile.*” This finding is consistent with the historical use of the subject property wherein two of three units have at various times been occupied by tenants without automobiles and would also support a variance for the three spaces normally required for those units.

In addition, the Parking Study goes on to survey the existing on-street parking utilization in the vicinity of the locus within 500 linear feet. The survey concludes with a finding that there is a consistent underutilization of 68-69 permit parking spaces spread among the study areas streets without regard to the time of day or the day of the week. In seeking a variance for as many as 5 spaces for this project, the request is in line with the statistical incidence of automobile usage and available on-street parking inventory in the neighborhood.

3. *“The granting of the variance would be in harmony with the general purpose and intent of this Ordinance and would not be injurious to the neighborhood or otherwise detrimental to the public welfare.”*

Somerville’s car ownership rate is at 1 car per unit. In this neighborhood, the car ownership rate is .72 per unit. Providing one space per unit will provide the appropriate amount of parking without compromising landscaping and pervious area or attracting tenants with multiple cars. Granting a variance would not be injurious to the neighborhood or to the public welfare.

Applicant’s Response: With frontage on two streets in two cities, the project has attempted to be respectful to both communities by presenting the front facade of each building on their respective streets with appropriate front yards. To achieve this end we have located a single curb cut on Harris Street to access the accessory parking for the project and forgone the ability to park in what would be the rear yard in Somerville, but the front yard in Cambridge. Further, to mitigate the visual impact on the streetscape, six of the seven spaces are located within the garage beneath the building. To preserve the streetscape on Beacon Street the petitioner has opted not to install a curb cut which could accommodate additional parking, but which would result in the loss of front yard open space especially beneficial to the public view. Moreover, since the three-family dwelling has never had a curb-cut on Beacon Street for accessory parking, there always has been at least one on-street, parking space available to the residents and/or the public, that otherwise would have been usurped by a curb-cut.

V. RECOMMENDATION

Special Permit under SZO §9.13, Special Permit with Site Plan Review under SZO §7.11.1.c, and a Variance under §9.13

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT, SPECIAL PERMIT with SITE PLAN REVIEW, AND VARIANCE**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

| # | Condition | Timeframe for Compliance | Verified (initial) | Notes | | | | | | | | |
|-------------------------|--|--------------------------|--------------------|-------------------|--|-------------------|---|----------------------|--|---------|-----------|--|
| 1 | <p>Approval is to establish 7 6 units with 7 spaces of compact parking with a narrow driveway. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" data-bbox="248 457 885 1201"> <thead> <tr> <th data-bbox="248 457 570 489">Date (Stamp Date)</th> <th data-bbox="570 457 885 489">Submission</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 489 570 590">December 31, 2013</td> <td data-bbox="570 489 885 590">Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td data-bbox="248 590 570 1018">(August 28, 2014)</td> <td data-bbox="570 590 885 1018">Modified plans submitted to OSPCD (A-000 Title Sheet, Preliminary Site Plan, Profile & Section, Detail Sheet, Landscape Plan, Landscape Concepts 1 & 2, SHD Shadow, A-010 Site Plan, A-100 Bsmt, First & Second Floor Plan, A-101 Second, Mezz & Roof Plan, A-300 Ext Elev, A-301-A302B Perspectives, A-303 Site Context)</td> </tr> <tr> <td data-bbox="248 1018 570 1201">(September 24, 2014)</td> <td data-bbox="570 1018 885 1201">Modified plans submitted to OSPCD (A-001 Area Plans, A-100 Bsmt, First & Second FP, A-101 Second & Roof FP, A-300 Exterior Elev)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p> | Date (Stamp Date) | Submission | December 31, 2013 | Initial application submitted to the City Clerk's Office | (August 28, 2014) | Modified plans submitted to OSPCD (A-000 Title Sheet, Preliminary Site Plan, Profile & Section, Detail Sheet, Landscape Plan, Landscape Concepts 1 & 2, SHD Shadow, A-010 Site Plan, A-100 Bsmt, First & Second Floor Plan, A-101 Second, Mezz & Roof Plan, A-300 Ext Elev, A-301-A302B Perspectives, A-303 Site Context) | (September 24, 2014) | Modified plans submitted to OSPCD (A-001 Area Plans, A-100 Bsmt, First & Second FP, A-101 Second & Roof FP, A-300 Exterior Elev) | CO / BP | ISD/Plng. | |
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| Pre-Construction | | | | | | | | | | | | |
| 2 | The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued. | BP | Eng | | | | | | | | | |
| 3 | Full site/civil plans, prepared by a Massachusetts registered PE, in conformance with the City's site plan review checklist must be submitted to Engineering. Conformance with the City's Stormwater Management Policy must be adhered to. The design engineer must demonstrate that the City system downstream of the proposed sewer connections is capable of handling increased sewer flows. | BP | Eng. | | | | | | | | | |
| 4 | If the project generates flows greater than 2,000 GPD require a 4:1 removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a mitigation payment to the City based on the cost per gallon of I/I to be removed from the sewer system. The Applicant shall work with Engineering to meet this condition before a certificate of occupancy is issued. | BP | Eng. | | | | | | | | | |

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| 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 electrical receptacle is required for porches with no access to the ground. | Final Sign Off | Wiring Inspector | |
| 11 | The Applicant shall only install the square window on the front elevation that is centered under the peak of the roof. | BP | Plng. | |
| Site | | | | |
| 12 <u>11</u> | Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards | Perpetual | Plng. / ISD | |
| 13 <u>12</u> | 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 | |
| 14 <u>13</u> | The Applicant will supply 1 bicycle parking space on site. | CO | Plng. | |
| 15 <u>14</u> | The Applicant will supply wall mounted bicycle parking in front of parking spaces 1-6. | CO | Plng. | |
| Traffic & Parking | | | | |
| 16 <u>15</u> | The Applicant shall purchase and deliver to Traffic and Parking 5 <u>3</u> Pedestrian Impact Recovery Systems. | CO | Plng./ T&P | |
| Miscellaneous | | | | |
| 17 <u>16</u> | 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 | |

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| 18 | The Owner/Applicant is required to hire a private company to remove trash and recycling on a regular basis. | Cont. | DPW | |
| Public Safety | | | | |
| 18 17 | The Applicant or Owner shall meet the Fire Prevention Bureau's requirements. | CO | FP | |
| 19 18 | If needed, any transformers should be located as not to impact the landscaped area, and shall be fully screened. | Electrical permits & CO | Png. | |
| 20 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 | Png. | |
| Final Sign-Off | | | | |
| 21 20 | 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 | Png. | |

