



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION  
**ZONING BOARD OF APPEALS MEMBERS**  
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RICHARD ROSSETTI, *CLERK*  
DANIELLE EVANS  
ELAINE SEVERINO  
JOSH SAFDIE  
ANNE BROCKELMAN, (ALT.)

**Case #: ZBA 2018-78**  
**Site: 1154 Broadway**  
**Date of Decision:** October 24, 2018  
**Decision:** Petition Approved with Conditions  
**Date Filed with City Clerk:** October 25, 2018

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**ZBA DECISION**

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**Applicant / Owner Name:** Anuj Pradhan, Trustee of 1154 Broadway Realty Trust  
**Applicant / Owner Address:** 8 Curtis Street, Somerville, MA 02144  
**Agent Name:** Richard G. DiGirolamo, Esq.  
**Agent Address:** 424 Broadway, Somerville, MA 02145  
**Alderman:** Katjana Ballantyne

Legal Notice: Applicant / Owner, Anuj Pradhan, Trustee of 1154 Broadway Realty Trust, seeks a Special Permit with Site Plan Review per SZO §7.11.10.5.b and Variances per Article 8 (dimensional requirements) and Article 9 (parking) of the SZO to construct a 75-room hotel with a first floor coffee shop and rooftop restaurant. NB Zone. Ward 7.

<u>Zoning District/Ward:</u>	7
<u>Zoning Approval Sought:</u>	§7.11.10.5.b
<u>Date of Application:</u>	June 4, 2018
<u>Date(s) of Public Hearing:</u>	10/24/18
<u>Date of Decision:</u>	October 24, 2018
<u>Vote:</u>	5-0

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Appeal #ZBA 2018-78 was opened before the Zoning Board of Appeals at the East Somerville Community School on October 24, 2018. 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. On October 24, 2018 the Zoning Board of Appeals took a vote.



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**DESCRIPTION:**

The proposal is to construct a six-story 75 room boutique hotel with a public cafe shop on the first floor, fitness center, and public restaurant on the top level. The site will include a courtyard in front of the proposed café as well as a two-lane drop area and ramp down to an underground garage off of Clarendon Avenue.

**FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.11.10.5.b):**

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 Board 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.”*

*Article 7: Permitted Uses*

As presented, under §7.11.10.5.b a hotel of 10,000 square feet or more of gross floor area in the NB district requires the Applicant to apply for a Special Permit with Site Plan Review pursuant to §5.2.

*Article 8: Dimensional Requirements*

This proposal also requires a Variance for building height, floor area ratio (FAR), and the number of parking spaces.

*Article 9: Off-Street Parking and Loading*

The minimum number of required off-street parking spaces is 73. A total of 35 off-street parking spaces are provided in the underground parking garage.

*Article 15: Linkage*

Applicants seeking special permits with site plan review for projects of new construction to be occupied by any single use or combination of uses referenced in Article 7 except for residential, protected religious uses, buildings and uses owned by the City of Somerville, and artist studio spaces, shall contribute the fees established in Section 15.5, which fees shall be referred to as the Project Mitigation Contributions (PMCs).

a) Affordable Housing linkage fee.

The PMC for the affordable housing linkage fee shall be calculated by multiplying the fee established in Section 15.5, which is \$10, times the total number of square feet in the project over and above thirty thousand (30,000) gross square feet that are occupied by or will be covered by a certificate of occupancy for any single use or combination of uses referenced in Section 15.2, and uses that are accessory thereto.



b) Jobs Creation and Retention linkage fee.

The PMC for the Jobs Creation and Retention linkage fee shall be calculated by multiplying the fee established in Section 15.5, which is \$2.46, times the total number of square feet in the project over and above 15,000 gross square feet that are occupied by or will be covered by a certificate of occupancy for any single use or combination of uses referenced in Section 15.2, and uses that are accessory thereto.

<i>Affordable Housing Linkage</i>		<i>Jobs Linkage</i>	
Total g.s.f	58,165	Total g.s.f	58,165
Minus 30,000 g.s.f	28,165	Minus 15,000 g.s.f	43,165
Fee is \$10 per ft.		Fee is \$2.46 per ft.	
<b>Total Fee</b>	<b>\$281,650.00</b>	<b>Total Fee</b>	<b>\$106,185.90</b>

*Article 6.1.4. NB - Neighborhood Business Districts.*

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

*1. When a fourth floor is included, provide a minimum five (5) foot deep setback from the front lot line building wall, such as a balcony or deck, for the purpose of promoting a scale appropriate to surrounding neighborhoods.*

The step back does not occur until the 6<sup>th</sup> story.

*2. 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 parking area will be below the street level. Vehicular access will be off of Clarendon Avenue. The Applicant will have to petition the Traffic Commission to convert this portion of Clarendon Avenue into a two-way street to allow for the proposed traffic movements to work.

*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".*

The proposal is consistent with the purpose of the NB district, which is, "To establish and preserve areas for small-scale retail stores, services and offices which are located in close proximity to residential areas and which do not have undesirable impacts on the surrounding neighborhoods."

*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".*

Special Permits with Design Review and Special Permit with Site Plan Review applications must meet the design guidelines under SZO §5.2.4. The design guidelines for business districts are as follows:

*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 proposed building maintains a strong building presence along the primary street edge with the exception of the café, which includes features to help maintain the continuity.

- 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 main building entrance is differentiated from the rest of the primary elevation with a recessed glass curtain wall entry.

- 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.*

Nearby buildings use a mix of bays and regular spacing patterns between windows to create a rhythm. The proposed primary façade along Broadway will create a rhythm with slightly recessed bays and a regular window arrangement and angled projections along Clarendon Avenue.

- 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 bays are clearly defined and are understandable through the changes in materials and modulations of the façade.

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

Flat roofs are predominating Teele Square.

- 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.*

The proposed materials are brick, glass, and fiber cement panels. The main color will be red brick, gray fiber cement panels, and glass. Surrounding exterior building materials include red brick, fiber cement, and stucco.

- 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.*

Raised metal edge planters are provided along the drop-off/pick-up area courtyard.

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 location is not shown on the plans. If one is necessary, it shall be located in such a way that does not reduce the amount of landscaping.

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.*  
See finding 2 above.

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

Based upon the comments received from the various City Departments, the project meets accepted standards and criteria for the functional design of facilities, structures, and site construction. Any necessary mitigation or minor design changes have been incorporated into the recommended conditions section of this report.

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.”*

It is not anticipated that the proposed development will adversely affect the sanitary sewer system, the storm drainage system, or the public water supply. The proposal will be subjected to pay an inflow and infiltration fee (I&I) determined by the Department of Public Works Engineering Department to help mitigate potential impacts on municipal systems. A drainage report and full utility site plan will have to be provided to the Engineering Department.

A TIAS and has been performed by Design Consultant, Inc. and has been reviewed by the OSPCD Transportation and Infrastructure Division who has recommended conditions to the proposed project would that would help alleviate impacts on the street systems for vehicular and the sidewalks and footpaths for pedestrian traffic.

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.”*

Because of the nature of the proposed use and the area in which it is projected to be built, adverse environmental impacts are not anticipated. In addition, it is not expected that this facility will produce a level of emissions that would be higher than are now experienced in the area due to any increased traffic generated by the hotel. By nature, a hotel will not produce an emission of noxious or hazardous materials



or substances pollute water or transmit communications interference. Also, during construction, efforts will be made to mitigate dust and control air quality, and to minimize noise.

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.”*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote 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 lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

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.”*

The site is currently all paved asphalt and flat and will remain as such. Landscaping is proposed on the site, where such amenity is nonexistent, which will enhance the attractiveness of the site and neighborhood. The Applicant will also work with the City Arborist on the location and species of new street trees near the site.

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 Applicant has made efforts to design a structure harmoniously with the relatively flat landform of the site and is compatible in scale, design, and use. Minimal landscaping is proposed in the café courtyard and along the edge of the pick-up/drop-off area, which will soften the visual appearance for rooms and from Somerville Avenue.

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 powered 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.”*

The City’s stormwater policy requires the Applicant to submit a drainage narrative and the site will be required to handle all post development stormwater on-site.

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.”*

The proposed structure will not be detrimental to historic structures or architectural elements of the neighborhood.

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 proposed location for the new construction is in an area that will be highly visible in Teele Square. The applicant has proposed a café courtyard to enhance the aesthetics and help to provide vibrant activity to the Square. The appearance of the area would be improved with the development of the vacant site. The new structure is of a hybrid contemporary/traditional design that the Board finds an improvement over the current conditions.

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 courtyard areas are expected to provide sufficient light that will provide safety for hotel patrons and the Board with minimal light spill over into adjacent properties.

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.”*

The Board finds that there is adequate access to the building and the site in the rear of the building for emergency operations, personnel, and equipment.

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.”*

Vehicular access will be off of Clarendon Avenue. The Applicant will have to petition the Traffic Commission to convert this portion of Clarendon Avenue into a two-way street to allow for the proposed traffic movements to work. This is the preferred option by the City and the neighborhood as it will cause fewer cars to go down Clarendon Avenue and Weston Avenue.

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.”*

The utilities to the site will all be upgraded and located underground. The site will also include roof top utilities that will not be visible from the public way. The transformer location is not shown on the plans. If one is necessary, it shall be located in such a way that does not reduce the amount of landscaping.

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.”*

The above impacts are not anticipated as a result of the proposal.

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.”*

Signage on the site will include the hotel name above the canopy over the main entry to the hotel lobby. Further details have not been developed yet. A condition is included that once signage plans have been further developed they be submitted to Planning Board for their review and to determine the applicable approvals necessary.

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 transformer location is not shown on the plans. If one is necessary, it shall be located in such a way that does not reduce the amount of landscaping. Truck loading can occur in the pick-up/drop-off area.

21. Screening of Parking: *In cases of buildings on stilts, the parking areas should be screened or partitioned off from the street by permanent structures except in the cases where the entrance to the parking area is directly off the street.*

The building will not be on stilts and parking will be located underground.





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

22. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: 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.*

<u>SomerVision Summary</u>	<u>Existing</u>	<u>Proposed</u>
<i>Commercial Sq. Ft.:</i>	0	58,165 g.s.f
<i>Estimated Employment:</i>	0	unknown
<i>Parking Spaces:</i>	0	35

23. Impact on Affordable Housing: *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

The proposal will require estimated linkage payments of \$281,650.00 to the Somerville Housing Trust Fund to help create new affordable rental and home ownership units in the City and \$106,185.90 to the Somerville Municipal Job Creation and Retention Trust to help with programs to support job opportunities for Somerville residents.

**FINDINGS FOR VARIANCE:**

A Variance (§5.5) is sought to construct a hotel that will not comply with the zoning requirements for height, number of stories, floor area ratio (FAR), and the number of off-street parking spaces.

<u>NB Zone</u>	<u>Required</u>	<u>Proposed</u>
Height	40 ft.	62 ft.
FAR	2.0	3.41
No. of Stories	3	6
Parking Spaces	73	35

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

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.”*

*Applicant’s response:* The proposal is for a seventy-five (75) room boutique hotel, with a coffee shop/bar on the first level and fitness center. There will be a roof top bar as well. Currently the site is a vacant lot that needs substantial environmental remediation. The environmental issues of this site make it difficult to have an economically feasible project at this location.



*The Board's response:* The subject property is on a corner lot in the heart of Teele Square. Underground parking is being provided to the maximum extent possible within the shape of the lot. It is a hardship to build a smaller building than that which is allowed by special permit in the district at a site where substantial activity is desired.

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."*

*Applicant's response:* The proposal will not be injurious to the neighborhood, as it will provide for this site to be environmentally sound. It will not be injurious to the neighborhood as the neighbors completely support this project. This will be an asset to this area of Somerville as there are no other hotels in the immediate area.

*The Board's response:* A variance for parking, height, and FAR are the minimum variances and are reasonable requests by the Applicant to develop a viable project on the locus that is consistent with SomerVision goals and community values. The hotel use allows the City to approve a commercial development on this site. The economics of a quality hotel for a location like this require certain minimum criteria of at least 75 rooms to have a viable project. The shape and size of the lot necessitate additional height to reach this room count. Once laying out a viable hotel building on this site, there is no room on the locus to properly provide the adequate amount of area for parking spaces and the Applicant has maximized the amount of parking spaces on the land by providing underground parking. Given its close proximity to transit, the Board believes that number of parking spaces provided is sufficient for the intended use of the locus.

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."*

*Applicant's response:* This is a NB zoning district with residential and various types of commercial uses in the area. The proposal is harmonious with the neighborhood as it is an NB zoning district with many residential and commercial businesses. Further the neighborhood wants a hotel. The proposal will make the most efficient use of the vacant lot which is contaminated and will need substantial environmental remediation. The proposal of a hotel will allow this to be an economically feasible project for the property owner.

*The Board's response:* The Board finds that the proposed height, FAR, and number of parking spaces would be harmonious with the general purposes and intent of the SZO and would not be injurious to the neighborhood or detrimental to the public welfare. The number of parking spaces provided is sufficient to serve the needs of the proposed hotel and will not be injurious to the neighborhood.

## **DECISION:**

Present and sitting were Members Orsola Susan Fontano, Richard Rossetti, Danielle Evans, Elaine Severino, and Josh Safdie. Upon making the above findings, Richard Rossetti made a motion to approve the request for a Special Permit with Site Plan Review and Variance. Elaine Severino seconded the motion. 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						
1	Approval is for the construction of a 75-room hotel. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/PIng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>June 4, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>October 17, 2017</td> <td>Plans submitted to OSPCD (A-000, C-1, L-1, A-020, A-100, A-300, AV-1, AV-2, AV-3, AV-4, AV-5, AV-6, AV-7, AV-8, AV-9, AV-10, and AV-11)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	June 4, 2018	Initial application submitted to the City Clerk's Office	October 17, 2017	Plans submitted to OSPCD (A-000, C-1, L-1, A-020, A-100, A-300, AV-1, AV-2, AV-3, AV-4, AV-5, AV-6, AV-7, AV-8, AV-9, AV-10, and AV-11)
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Any changes to the approved (site plan or elevations/use) that are not <i>de minimis</i> must receive SPGA approval.										
<b>Affordable Housing/Linkage</b>										
2	The Affordable Housing Linkage and Jobs Creation and Retention Linkage payments will be required to be paid to the appropriate fund under Article 15 of the SZO before a CO is issued.	Per Article 15 of the SZO	Housing							
<b>Pre-Construction</b>										
3	The Applicant shall complete the Site Plan Review Checklist and supply the information to the Engineering Office. The plans must comply with the City's Stormwater Management Policy.	BP	Eng.							
4	The applicant must comply with the Policy for new connections to and modifications to existing connections to the municipal sewer and drainage system stormwater management and infiltration/inflow mitigation. The Applicant shall work with Engineering to meet this condition and provide the required fees/mitigation.	CO	Eng.							
5	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.							
6	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							
<b>Construction Impacts</b>										
7	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	PIng.							



8	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	
9	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	
<b>Design</b>				
10	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction.	BP	Plng.	
<b>Site</b>				
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	An electrical transformer is needed for the project. The Applicant must provide an approved drawing from EverSource to the Wiring Inspector for bringing electric to transformer location when a building permit is submitted.	Installation of Utilities	Wiring Inspector	
14	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
15	Applicant must coordinate the planting of public street trees near the site with the City Arborist.	CO	City Arborist	
16	Applicant must coordinate with the Somerville Arts Council on the content and creation of the proposed art piece.	CO	Arts Council	
<b>Traffic &amp; Parking</b>				
17	The Applicant must analyze travel lane assignments, signal timing, and signal equipment needs at the intersection of Broadway/Holland Street/Curtis Street during the AM, PM, and Saturday midday peak periods and share the analysis with T&I and provide the City with the funds up to \$12,000 to make any necessary upgrades to help mitigate impacts of the proposed project.	CO	T&I	
18	The Applicant must provide ADA compliant facilities around the Site to improve pedestrian safety.	CO	T&I	
19	The Applicant must provide safe, secure bicycle storage facilities within the building for employees and guests to encourage bicycle usage and to protect bicycles from inclement weather.	CO	T&I	

20	The Applicant must provide visitor bicycle parking spaces outside of the building to support and encourage bicycle usage amongst visitors to the Site.	CO	T&I	
21	The Applicant must post MBTA bus and rail schedule and map information in common areas of the proposed building to inform visitors about nearby public transportation. In addition, provide on-site wayfinding information to guide pedestrians and bicyclists to bus stops, MBTA rail stops, and surrounding points of interest.	Ongoing	T&I	
22	The Applicant must provide visitors with information regarding nearby bicycle and pedestrian facilities and/or resources in the area to promote pedestrian and bicycle travel.	Ongoing	T&I	
<b>Miscellaneous</b>				
23	Electrical conduits on the exterior facades of buildings shall be painted to match the wall material to which they are attached. Conduits are not allowed on the front of any structure.	CO	Plng.	
24	Garbage and recycling locations shall be clearly indicated on site plans. Storage areas shall be inside of the structure or shall be fully screened from view from both the public way and abutters by an appropriate material reviewed and approved by staff. The location shall not impact any parking, landscaping, or egress.	BP	Plng.	
25	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	
26	The Applicant must submit the Sustainability Building Questionnaire to the City's Office of Sustainability and the Environment.	BP	OSE	
<b>Public Safety</b>				
27	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
28	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened.	Electrical permits & CO		
29	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.	At time of release	OSE/FP/B OH	
30	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.	
<b>Signage</b>				
31	Detailed signage plans shall be submitted to Planning Staff for their review and approval.	BP	Plng.	



<b>Final Sign-Off</b>				
32	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:

Orsola Susan Fontano, *Chairman*  
Richard Rossetti, *Clerk*  
Danielle Evans  
Elaine Severino  
Josh Safdie

Attest, by the Administrative Assistant:

\_\_\_\_\_  
Monique Baldwin

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 \_\_\_\_\_

