



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

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GERAL AMARAL, *ALT.*

Case #: PB 2016-79-R1-7-19
Site: 1060 Broadway
Date of Decision: October 3, 2019
Decision: *Approved with Conditions*
Date Filed with City Clerk: October 16, 2019

PLANNING BOARD DECISION

Site: 1060 Broadway

Applicant Name: Powderhouse Living, LLC
Applicant Address: 202 River Street, Cambridge, MA 02139
Owner Name: City of Somerville
Owner Address: 93 Highland Avenue, Somerville, MA 02143

Legal Notice: Applicant, PowderHouse Living, LLC. and owner, City of Somerville, request a Design and Site Plan Approval under Section 5.4 of the Somerville Zoning Ordinance per Section 6.7, Powderhouse School Redevelopment District, to subdivide the parcel into two parcels, and to renovate the existing Powderhouse Community School into 48 units of housing and approximately 15,000 square feet of non-residential space permitted under Section 6.7.4. Powderhouse School Redevelopment District (PRD) and Open Space, (OS) zones. Ward 7.

<u>Zoning District/Ward:</u>	PRD & OS Zones. Ward 7.
<u>Zoning Approval Sought:</u>	SZO §5.4, 6.7, 6.7.4, 5.3.8
<u>Date of Application:</u>	July 3, 2019
<u>Date(s) of Public Hearing:</u>	October 3, 2019
<u>Date of Decision:</u>	October 3, 2019
<u>Vote:</u>	4-0

Case number **PB 2016-79-R1-7-19** was opened before the Planning Board in the Council Chambers of City Hall at 93 Highland Avenue. 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 3, 2019, the Planning Board took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
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I. PROJECT DESCRIPTION

1. **Subject Property:** The property is a two-story brick and concrete school building built in the 1970's and vacant since 2004. The property's lot area is 1.86 acres and the existing structure contains a building area of approximately 90,000 gross square feet. The property requires extensive remediation and structural improvements including a seismic retrofit and all systems are in general disrepair. The property is regulated under the Powderhouse School Redevelopment District (Section 6.7).
2. **Proposal:** In September, 2016, the Planning Board granted special permits to 1060 Broadway to subdivide the property into two parcels, transform the former Powderhouse School into 48 units of housing and approximately 15,000 square feet of non-residential space, and provide public open space.

In the intervening years, minor modifications to the permitted plan were approved as *de minimis* changes by the Director of Planning, as allowed by the Somerville Zoning Ordinance (SZO). The Applicant has now requested to make changes to the materiality and arrangement of portions of the façade. Due to the scale of these changes and their visibility, it was determined by Planning Staff and the Director of Planning that these changes were not *de minimis* in nature and, instead, required the Planning Board's review and approval.

The plan set provided by the Applicant presents the proposed changes to the building façade and calls out the materials. Below the proposed changes appear the originally-approved building façade (materials and arrangement and patterning of windows.)

The Planning Board's review in this revision is limited to the requested material changes and arrangement and patterning of windows.

3. **Green Building Practices:** The building will be designed to be able to achieve a minimum of a LEED Silver certifiable ranking. The building will include a photo voltaic array on the roof and include stormwater management infrastructure in the form of a rain garden, which is still being sized and designed.

4. **Comments:**

No additional comments

II. FINDINGS FOR SITE DEVELOPMENT PLAN APPROVAL (SZO §5.4.6):

1. **Information Supplied:**

The Board finds that the information provided by the Applicant conforms to the requirements of §5.4 of the SZO and to allow for a comprehensive analysis of the project with respect to the requirements.

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."*

Nature of Application:



The proposed changes to the materials and to the window arrangement are consistent with the goals of the Powderhouse School Redevelopment District (PRD). The Board fully supports the proposed changes.

Section 6.7 Powderhouse School Redevelopment District (PRD)

6.7.3 Development Review.

No change from original approvals.

6.7.4 Use Standards.

No change from original approvals.

6.7.5 Dimensional Standards.

No change from original and later *de minimis* approvals.

6.7.6 Inclusionary Housing.

No change from original approvals.

6.7.7 Parking.

No change from original approvals.

6.7.8 Development Standards.

No change from original approvals.

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to providing for and maintaining the uniquely integrated structure of uses in the City; facilitating the adequate provision of parks and other public requirements; and protecting and promoting a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels.

The proposal is consistent with the purpose of the district, which is, "To redevelop the former Powderhouse Community School as an inclusive and diverse mix of complimentary urban uses, and intergenerational housing options that is respectful of the surrounding neighborhood".

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 building is existing and currently has a Brutalist 1970's ribbed brick exterior on the concrete structure. The proposed elevations show an articulated façade with new fenestration and varied materials. The renovated building will be more appropriate to the surrounding residential structures and improve the neighborhood with energy efficient and green infrastructure features.



5. 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.*

No change from original approvals.

III. DECISION

Present and sitting were, Dorothy Kelly Gay, Joseph Favaloro, Gerald Amaral, and Amelia Aboff. Upon making the above findings, a motion was made to approve the requested revisions to the special permits. The Planning Board voted **4-0** to **APPROVE** the request **WITH CONDITIONS**. The following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes				
1	Approval is for changes to the originally-approved materials and window arrangement for the building. This approval is based upon the following application materials and the plans submitted by the Applicant: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>July 3, 2019</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> </tbody> </table> Any changes to the approved site plan that are not <i>de minimis</i> must receive SPGA approval.	Date (Stamp Date)	Submission	July 3, 2019	Initial application submitted to the City Clerk’s Office	BP/CO	ISD/PIn g.	
Date (Stamp Date)	Submission							
July 3, 2019	Initial application submitted to the City Clerk’s Office							
Affordable Housing/Linkage								
2	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.	BP	Housing					
3	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	CO	Housing					



4	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s).	CO	Housing	
Pre-Construction				
5	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.	
6	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.	
7	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	
8	New sanitary connection flows over 2,000 GPD require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy is issued.	BP	Eng.	
9	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
Construction Impacts				
10	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.	
11	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Cont.	Plng.	Deed submitted & application formed signed



12	The Applicant shall at their 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	
13	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				
14	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.	
Site				
15	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
16	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	
17	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete;	CO	Plng.	
Miscellaneous				
18	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	
Public Safety				
19	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
20	Any transformers should be located as not to impact the building or landscaped area, and shall be fully screened.	Electrical permits & CO		
21	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.	
22	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OS E	
Final Sign-Off				



23	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:



Joseph Favaloro



Dorothy A. Kelly Gay



Gerard Amaral



Amelia Aboff

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 _____

