



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

PLANNING BOARD MEMBERS

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Case #: PB 2016-79
Site: 1060 Broadway
Date of Decision: September 22, 2016
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: September 26, 2016

PLANNING BOARD DECISION

Applicant Name:	PowderHouse Living, LLC
Applicant Address:	202 River Street, Cambridge, MA 02139
Property Owner Name:	City of Somerville
Property Owner Address:	93 Highland Avenue, Somerville, MA 02143
Agent Name:	Steven Azar
Agent Address:	202 River Street, Cambridge, MA 02139

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 Powerhouse Community School into 48 units of housing and approximately 15,000 square feet of non-residential space permitted under Section 6.7.4.

Zoning District/Ward: Powderhouse School Redevelopment District (PRD) and Open Space, (OS) zones. Ward 7.

Zoning Approval Sought: §5.4, §6.7 & §6.7.4
Date of Application: June 24, 2016
Date(s) of Public Hearing: 8/18, 9/12, 9/22
Date of Decision: September 22, 2016
Vote: 5-0



Appeal #PB 2016-79 was opened before the Planning Board at Somerville City Hall on August 18, 2016. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

The subject lot is proposed to be divided into two lots. Lot A will be retained by the City of Somerville and is 27,767 SF. This application refers to the development of Lot B which is 55,998 SF and includes the existing building. (Lot A will be a separate application for development as a park by the Applicant on behalf of the City of Somerville.)

For the Site Plan Approval, the building use (Lot B) shall change from a vacant school to 48 residential units and 15,000 square feet of commercial space. The residential program will be 12 age-in-place condominiums, 3 age-in-place rental apartments, 8 artist live/work/sell rental units, and 25 market rate rentals. These units will include 6 required inclusionary units and 2 voluntary. The Affordable Housing Implementation Plan has been finalized with the Housing Division.

A garage will be accessed from Broadway to provide the required 48 parking spaces and more than the 100 required bicycle parking spaces, along with 1 loading space for the commercial uses. The existing building's walls are being removed and the remaining structure will be the concrete columns, floor slabs, and beams. The floor slab will be cut open in some instances to allow for more light and ventilation. A new slab will be added to enclose the garage and provide an internal courtyard for the residential units.

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

The Planning Board shall approve a design and site plan upon making positive findings as indicated for the specific district where the design and site plan review process is authorized.

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: Section 6.7 Powderhouse School Redevelopment District (PRD)

6.7.3 Development Review.

The project has received approval by the Design Review Committee. An Affordable Housing Implementation Plan has been approved by the Director of Housing.

6.7.4 Use Standards.

The Principal uses are permitted according to Table 6.7.4 and commercial space of 15,000 gross square feet surpasses the required 10,000 gross square feet fronting onto Broadway.

6.7.5 Dimensional Standards.

As this is a renovation of an existing building many of the dimensional standards are met with a lot area per dwelling unit of 1687 sq. ft. The amount of landscaped area and pervious area was verified by the Applicant with



respect to the subdivision of the parcel into two lots and the drainage issues to the satisfaction of Parks and Engineering.

6.7.6 *Inclusionary Housing.*

The draft Affordable Housing Implementation Plan shows a minimum of sixteen percent (16%) of the total dwelling units to be affordable housing units.

6.7.7 *Parking.*

Forty-eight (48) automobile parking spaces are provided on-site in a garage, and the minimum of one hundred (100) bicycle parking spaces is surpassed. The dimensional requirements are also met and a loading dock for the commercial space is provided even though it is not required.

Currently there is not enough information on the submitted plans to determine if the appearance of any walkway (ie. scoring pattern or special paving) is proposed across any driveway or alley to indicate that, although a vehicle may cross, the area traversed by a vehicle remains part of the sidewalk.

6.7.8 *Development Standards.*

All storage, dumpsters, and mechanical equipment is located in the garage and, therefore, internal to the building.

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.*



<i>SomerVision Summary</i>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	0	48
<i>Affordable Units:</i>	0	8
<i>Commercial Sq. Ft.:</i>	0	15,000
<i>Parking Spaces:</i>	-	48

DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay and Rebecca Lyn Cooper. Upon making the above findings, Kevin Prior made a motion to approve the request for a Site Development Plan Approval. Rebecca Lyn Cooper seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
	Approval is for the renovation of the Powderhouse School and conversion to residential units with commercial space and parking. 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>June 24th, 2016</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>September 15th, 2016</td> <td>Modified plans submitted to OSPCD</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	June 24 th , 2016	Initial application submitted to the City Clerk’s Office	September 15 th , 2016	Modified plans submitted to OSPCD	BP/CO	ISD/Plng	
Date (Stamp Date)	Submission									
June 24 th , 2016	Initial application submitted to the City Clerk’s Office									
September 15 th , 2016	Modified plans submitted to OSPCD									
Affordable Housing/Linkage										
	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							



	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	
	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				
	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.	
	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.	
	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	
	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.	
	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				
	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.	



	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
	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	
	All construction materials and equipment must be stored onsite (Lot B) – or Lot A. 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				
	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				
	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
	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	
	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				
	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all Lot B 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				
	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
	Any transformers should be located as not to impact the building or landscaped area, and shall be fully screened.	Electrical permits & CO		



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



Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro



Michael A. Capuano, Esq.


Dorothy A. Kelly Gay

Rebecca Lyn Cooper

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 _____

