



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

PLANNING DIVISION

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GERARD AMARAL, (ALT.)

**Case #: PB 2016-16**  
**Site: 118-120 Broadway**  
**Date of Decision: August 3, 2017**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: August 16, 2017**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	GoodFood Restaurant Group, LLC
<b>Applicant Address:</b>	6 Azalea Road, Winchester, MA 01890
<b>Property Owner Name:</b>	GoodFood Restaurant Group, LLC
<b>Property Owner Address:</b>	6 Azalea Road, Winchester, MA 01890
<b>Agent Name:</b>	Sean T. O'Donovan, Esq.
<b>Agent Address:</b>	741 Broadway, Somerville, MA 02145

Legal Notice: Applicant/Owner, GoodFood Restaurant Group LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 to approve replacement of a one-story building with a new construction 5-story/3-story mixed-use building (retail ground floor and 24 residential units, 4 of which are inclusionary units) and §9.13 for an integral parking structure with 20 vehicle spaces (1 handicap, 3 parallel, and 16 compact).

<u>Zoning District/Ward:</u>	CCD zone/Ward 1
<u>Zoning Approval Sought:</u>	§5.2 & §9.13
<u>Date of Application:</u>	August 23, 2016
<u>Date(s) of Public Hearing:</u>	10/6/16, 3/16/17/, 6/22/17, & 8/3/17
<u>Date of Decision:</u>	August 3, 2017
<u>Vote:</u>	5-0



Appeal #PB 2016-16 was opened before the Planning Board at Somerville City Hall on October 6, 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 four hearings of deliberation, the Planning Board took a vote.

### **DESCRIPTION:**

The existing commercial building is proposed to be demolished and replaced with a three and five-story mixed-use building. The materials shown are brick veneer and horizontal cementitious siding with double-hung windows for much of the façade.

The building is proposed as 2 street-front commercial spaces, at 1,500sf each, on the ground floor with the residential lobby and a garage for 20 vehicle parking spaces and 4 bicycle parking spaces. The basement is located under the commercial spaces and residential lobby to provide storage for the commercial uses, mechanical and utility spaces, a community space or gym for the residential uses, and an additional 9 bicycle parking spaces.

The second and third floors each have 8 units (3 1-bedrooms, 2 1-bedroom plus den, 2 2-bedroom units, and 1 3-bedroom unit per floor). The fourth floor has 4 units – 2 1-bedroom plus den, 1 2-bedroom, and 1 3-bedroom – and the fifth floor also has 4 units (2 1 bedroom plus den and 2 2-bedroom units). Of the 24 total units, 4 units will meet the inclusionary housing requirements along with a cash payment for 0.8 of an additional unit.

### **FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §5.2):**

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.2 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 §5.1.2 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."***

*Nature of Application:* CCD-55 Corridor Commercial Districts

Section 4.4.1 states that “[l]awfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character.”

6.1.22.G CCD. All new developments shall meet the following standards:

##### 1. Penthouses and Mechanical Equipment.

All elevator and stairwell penthouses, roof-mounted mechanical equipment (including enclosure, if any) and other similar rooftop installations shall be set back from the roof edge in accordance with the screening provisions in Section 14.3.

##### 2. Service Areas and Loading Spaces.

Ground level mechanical equipment, utility and trash enclosures, loading docks and other utilitarian and service elements are located within the structure and shall be visually and acoustically screened. Access to these areas shall not interrupt pedestrian and sidewalk treatments. The hours of delivery will be limited so as to minimize



any adverse impacts of the service and loading on the adjacent residential properties.

3. Pedestrian Oriented Requirements.

The building has been designed with separate front entrance doors, oriented to existing public sidewalks, to each retail and business space, and the residential lobby.

4. Lighting.

Lighting will be appropriate to the pedestrian-oriented character of surrounding neighborhoods and buildings, and shall enhance safety and security while minimizing glare and light trespass.

5. Transition to Abutting Residential District.

The minimum side or rear yard setback of a property abutting or spanning a residential district line (RB is abutting) shall be 20 feet from the district line with outermost 10 feet of the setback to consist exclusively of vegetative landscaping. Above the 3<sup>rd</sup> floor (35<sup>th</sup>), the building has an additional 15 foot Upper Level Setback to the portion of the building that is 5-stories.

6. Parking Design.

Parking and loading areas are concealed in structures, hidden from view from public ways and the adjacent residential properties. Any views into parking structures shall be minimized through use of landscaping and fencing.

7. Payment in Lieu of Parking.

Not applicable.

8. Credit for Provision of Land for Public Infrastructure.

Not applicable.

**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 Corridor Commercial Districts have been established to promote appropriate infill development along heavily traveled transportation corridors, especially where those corridors meet at named Squares. The district recognizes that such corridors present opportunities for an active mix of uses while also addressing development challenges posed by smaller lots and nearby existing residential development and the need to be accessible by multiple modes of transportation. The major objectives of the districts are to:

1. Encourage active mid-rise commercial and residential uses that contribute to a multi-modal-friendly street;
2. Increase commercial investment in high-profile, accessible areas including retail that is largely neighborhood-serving in multi-tenant, mixed use buildings;
3. Preserve and complement historic structures;
4. Discourage inappropriate auto-oriented, significant trip-generating uses along transit corridors; and,
5. Promote pedestrian and bicycle activity.

This proposal is conducive to each of these purposes.

**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, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area."***

*Surrounding Neighborhood:*

The property is located in the middle of the Broadway commercial corridor in East Somerville. The surrounding buildings are mostly one story commercial.

*Impacts of Proposal (Design and Compatibility):*



6.1.22.H. Design Guidelines for the CCDs. These guidelines provide general standards for building massing, siting and articulation. This proposal meets the guidelines to the greatest extent possible.

1. The building completes the streetwall along both Broadway and Glen Streets.
2. The massing and height of the building is articulated in a manner compatible with the physical character of the surrounding districts. Where it abuts the residential property, the building is reduced to 3-stories.
3. A transition in height – from 5 stories at Broadway to 3- stories with setbacks abutting the district line - is established between adjacent residential properties and the new development.
4. Thirty-foot-wide commercial bays with independent entrances onto the street are typical in Somerville this site only allows for 2 20' – 5 5/8" interior dimension commercial bays. Flat facades are avoided by using projecting canopies at the entrances and recessed residential balconies on the upper floors.
5. Exterior building materials for all visible portions of the building will be high quality, durable, and aesthetically appropriate. A combination of brick, glass, wood, artistically used metal are shown on the elevations and final material choices and colors will be conditioned to have Planning Staff review.
6. Visible rear and side façades maintain a similar character to the front façade of the building and the intended character of the surrounding district.
7. Signage and awning design respects the buildings' context (e.g., scale, design, style, colors, materials), is oriented to pedestrians, and will be subordinate to the overall building composition. The design establishes a "signage band" above the storefront and signage will be limited to advertising the business name and its main goods or services, with minimal or no national brand names or logos Type styles should enhance readability of the sign and provide information simply and legibly.
8. Retail, restaurant and other pedestrian-oriented uses are located on the Ground Floor with entrances to the commercial spaces on Broadway. The lobby serving the upper story residential uses is also located on the ground floor, accessed from Glen Street, but no residential units.
9. Individual Artist Live/Work Spaces are not included in this project.
10. Residential units are of varying sizes to accommodate a range of family sizes – in both the market rate and inclusionary housing units.
11. The existing sidewalk depth does not change with this proposal and is currently approximately 18' between the building face and the curb on Broadway.

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

The project meets “accepted standards and criteria for the functional design of facilities, structures, and site construction.”

**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.”***

At the request of Lights & Lines and due to the capacity issues in this part of the City, the Applicant has acquired a Will Serve letter from the electric utility company, Eversource.

A traffic study was completed to show that the vehicular impact of this development will be minimal during the morning and afternoon peaks.



**7. Adverse 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 proposed uses will not constitute an adverse impact on the surrounding area resulting from excessive noise, glare, dust, smoke, or vibration. The level of illumination is conditioned to be sensitive to the adjacent property owners, especially residential. There will be no emission of noxious or hazardous materials or substances, or pollution of water ways or ground water.

**8. 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 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 secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; to protect and promote a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes; 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."*

There are no landforms or significant vegetation due to the location in an existing urban area. The 20' setback at the adjacent residential district will be planted with screening trees for the first 10' and a minimum 6' high decorative fence.

**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."*

There are no landforms or significant vegetation due to the location in an existing urban area. The proposed structure is constrained by the site size and shape as it is surrounded by existing buildings, but the massing of the proposed development steps down to 3-stories at the adjacent residential district.

**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.”* 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. 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 areas.

**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 is no historical significance to the existing site or structure as documented by the Historical Preservation Commission letter dated October 25, 2016. The proposed building uses brick at the storefront and as architectural bays on all elevations to be appropriate with the surrounding commercial structures.

**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 redevelopment of the site to include a mixed-use multi-story building will be a significant improvement to the City over the existing one-story building and asphalt surface parking lot. The massing steps down at the adjacent residential and there will be fenced and planted screening at the garage to reduce views of parking and service functions from the public right-of-way and abutting residence.

**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.”*

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. However, all lighting will be conditioned to be constrained to the site.

**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.”*

Fire Prevention requires a walkway along the side/rear of the building, paralleling Broadway near the abutting residential property. A revised landscape plan will be required prior to issuance of a Building Permit showing the walkway and relocated fence and buffer plantings. This is listed as a condition of approval.

**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.”*

The garage entrance is accessed from Glen Street and removed from Broadway, the arterial, a distance of approximately 97’.

**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.”*

All the utility rooms are located in the basement. As the adjacent properties facing Broadway are currently served with utility service under the surface parking lot, an easement plan will need to be prepared showing the crossing of private property and an agreement for rights to access the garage for repair, maintenance, or upgrade of those utilities.



The transformer, located on the Glen Street side of the building, will be screened with decorative fence and plantings to the extent permitted by the electrical code

**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 design has been revised multiple times to accommodate the concerns of the abutting residential property to the greatest extent possible. From the original proposal, the height has been limited to three stories and reduced the balconies along the shared property line.

**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 will be conditioned to be mounted within the sign band at the ground floor storefront on Broadway and above the residential entrance on Glen Street (above the doors and windows) and limited to lettering only. Any additional signage will be required to apply for a Special Permit.

**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.”*

Trash and service access for the commercial and residential uses will occur in the garage under building so will be screened from view by a decorative fence and plantings from the adjacent residential. Only the transformer is located at the street as required by code for access but will be screened with planting to the extent allowable.

**21. Screening of Parking:**

Parking occurs within and under the building. The garage door is located on Glen Street and all parking will be obscured by the same installation that screens the service facilities.

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

This project improves the supply of affordable unit and will, therefore, have no adverse impacts. Per Table 13.3.4.A, the total of 24 units require 20% inclusionary which means that 4 new units will be provided plus a cash payment 0.8 units per Section 13.4.

**22. 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>	<u>Existing</u>	<u>Proposed</u>
<i>Dwelling Units:</i>	0	24
<i>Affordable Units:</i>	0	4
<i>Commercial Sq. Ft.:</i>	9405sf	3000sf
<i>Estimated Employment:</i>	unknown	unknown



<i>Parking Spaces:</i>	26	20
<i>Publicly Accessible Open Space:</i>	none	none

**24. 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.***

All measures taken to provide for, protect, or increase the affordability of housing units within the proposed structure; the degree of such affordability to households of low or moderate income, as defined by HUD; and the duration of legal assurances of such affordability will be determined through the AHIP process (as conditioned below). At least one of the 3-bedroom units must be permanently affordable.

**DECISION:**

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Rebecca Lyn Cooper and Gerard Amaral with Dorothy Kelly Gay absent. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit with Site Plan Review. 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										
1	Approval is for the new 3- and 5- story mixed-use building with 24 residential units. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Planning											
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>August 23, 2016 (drawings dated July 28, 2016)</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>March 1, 2017</td> <td>Modified plans submitted to OSPCD</td> </tr> <tr> <td>June 15, 2017</td> <td>Revised sheets A1.2-A1.5</td> </tr> <tr> <td>July 18<sup>th</sup>, 2017</td> <td>Revised drawing set (Title Page, C-8, A1.1-A1.5, L-1, A2.1, &amp; A2.2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	August 23, 2016 (drawings dated July 28, 2016)	Initial application submitted to the City Clerk’s Office	March 1, 2017	Modified plans submitted to OSPCD	June 15, 2017	Revised sheets A1.2-A1.5	July 18 <sup>th</sup> , 2017	Revised drawing set (Title Page, C-8, A1.1-A1.5, L-1, A2.1, & A2.2)
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	March 1, 2017				Modified plans submitted to OSPCD									
June 15, 2017	Revised sheets A1.2-A1.5													
July 18 <sup>th</sup> , 2017	Revised drawing set (Title Page, C-8, A1.1-A1.5, L-1, A2.1, & A2.2)													
Any changes to the approved plans and elevations that are not <i>de minimis</i> must receive SPGA approval.														
<b>Affordable Housing/Linkage</b>														
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: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	CO	Housing	
5	Linkage payments will be required to be paid to the Somerville Housing Trust Fund before a CO is issued.	CO	Planning	
<b>Pre-Construction</b>				
6	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Engineering	
7	The proposed basement finished floor elevation shall not be less than is 1 foot above the Seasonal High Ground Water elevation. The seasonal high ground water elevation shall be determined by a Massachusetts certified soil evaluator and stated on a signed soil test pit log.	BP	Engineering	
8	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	Engineering	
9	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	Engineering	
10	A detailed plan must be prepared to DPW's specifications and approved by the Engineering Department showing the utility access easements for the services that transverse the proposed garage to serve other properties. Agreements must be signed by the affected property owners prior to issuance of Building Permit.	BP	Engineering	
11	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	Engineering	



12	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	Engineering	
13	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	
<b>Construction Impacts</b>				
14	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	Planning	
15	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Continuous	Planning	Deed submitted & application formed signed
16	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	
17	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>				
18	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction. The exterior materials will be full dimensional architectural face brick (not thin brick veneer) and cementitious siding and/or panels with fenestration and trim details appropriate to traditional construction techniques.	BP	Planning	
<b>Site</b>				
19	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Planning/ ISD	



20	There shall be a minimum of one tree for each 1,000 sf of required landscaped area under SZO §10.3.	Perpetual	Planning/ ISD	
21	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	
22	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	Planning	
23	Snow plowed from the development shall be limited to the on-site storage area as shown on Landscape Plan (sheet C-8)	Continuous	ISD	
<b>Traffic &amp; Parking</b>				
24	Parking areas will be screened from view at the ground level by specified fences and planting, with the planting remaining effective all year (evergreen).	Continuous	ISD	
<b>Miscellaneous</b>				
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.	Continuous	ISD	
<b>Public Safety</b>				
26	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
27	A revised Landscape Plan will be submitted showing the Fire Department's request walkway along the rear/side of the building at the head of the parking spaces and then the required 10' of planted buffer and fence at the property line.	BP	FP/ISD	
28	Any transformers should be located as not to impact the landscaped area, and shall be screened to the extent allowable by code. The Applicant will work with the City and the utility company to minimize noise.	Electrical permits & CO	Wiring Inspector	
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/ BOH	
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	Planning	
31	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	Planning/ OSE	
<b>Signage</b>				



32	Signage for the commercial uses will be limited in size and location to the signage band above the storefront on Broadway and Glen Street. Residential building name and/or address signage will be limited to the canopy above the residential lobby entrance on Glen Street. Signage lighting after 10p.m. facing residential property will be turned down or off.	CO/ Continuous	Planning	
<b>Final Sign-Off</b>				
33	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	Planning	

The following conditions were added during the Public Hearing and Planning Board Review Process:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
34	The Applicant will submit a revised Landscape Plan showing details to the curb, maximizing the dimensions of overall sidewalk and clear walkway width, the location of street trees, and permeable pavers in place of planting at the easement with 114 Broadway to the Planning Staff for approval.	BP	Planning	
35	Street trees, as shown on the revised Landscape Plan, will be planted in accordance with City Arborist requirements. The tree pits will be filled with structural soil of not less than 2500 cubic feet per tree and the tree grates will be the City standard size and detail. All construction and installation will be in accordance with DPW standards.	BP	Planning	
36	The revised Landscape Plan will specify that the trees in the 10' buffer adjacent to 12 Glen Street must be mature at time of planting and be a quick growing varietal of a species approved by the City Arborist.	BP	Planning	
37	The Applicant will provide a shared vehicle space in the parking garage and engage a vendor to provide a shared vehicle for the residents.	BP	Planning	
38	The retail spaces may be combined into one larger space as necessary for commercial tenants. Removal and/or addition of the demising wall shall be considered a de minimus change providing there are no more than two spaces and the uses remain in the Small Retail and Service Use Cluster as provided in SZO §6.1.22.E.	BP	Planning	



39	The Applicant will provide a Detailed Roof Plan showing the design of the greenhouse/pavilion, the area of photo-voltaic solar panels, the paving or decking activity areas with possible furnishing locations, and the extent and type of plantings in the roof garden (green roof) for review and approval by the Planning Staff.	BP	Planning	
40	The fence at the rear property line (shared with 12 Glen Street) will be 8' in height – instead of the 6' fence shown on sheet A-1.1.	BP	Planning	
41	The Applicant will work with ISD to coordinate permitted hours of construction (not starting before 9am) to minimize noise and vibrations to 12 Glen Street. The hours must be posted at the site and applies to the general contractor and each sub-contractor.	BP	ISD	
42	The Applicant will provide photographic documentation of the existing conditions at 12 Glen Street to the Abutter, Planning, & ISD. This documentation should include detailed exterior view of the north elevation (left side yard) and interior images showing the foundation wall condition.	BP	Planning	
43	Once a General Contractor is selected, the Applicant will provide the project manager's contact information to the Alderman and the Abutter at 12 Glen Street.	BP	Planning	





Attest, by the Planning Board:




Kevin Prior, Chairman



Joseph Favaloro



Michael A. Capuano, Esq.



Rebecca Lyn Cooper



Gerard Amaral



Copies of this decision are filed in the Somerville City Clerk's office.  
Copies of all plans referred to in this decision and a detailed record of the  
SPGA proceedings are filed in the Somerville Planning Dept.

**CLERK'S CERTIFICATE**

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on \_\_\_\_\_ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ there has been an appeal filed.

Signed \_\_\_\_\_ City Clerk Date \_\_\_\_\_

