



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

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MICHAEL A. CAPUANO, ESQ.
REBECCA LYN COOPER
GERARD AMARAL, (ALT.)

Case #: PB 2016-22
Site: 282 Broadway
Date of Decision: February 16, 2017
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: February 23, 2017

PLANNING BOARD DECISION

Applicant Name:	Craig Murphy, Cambridge Repro-graphics
Applicant Address:	21 McGrath Highway, Somerville, MA 02143
Property Owner Name:	Trust the 282 Broadway Nominee Trust, Anthony Cintolo
Property Owner Address:	67 Fruit Street, Norfolk, MA 02056
Agent Name:	N/A

Legal Notice: Applicant, Cambridge Reprographics, and Owner, Trust The 282 Broadway Nominee Trust, seek a Special Permit §6.1.22.D.5 and §12.4 for storefront signage.

<u>Zoning District/Ward:</u>	CCD-55 zone/Ward 4
<u>Zoning Approval Sought:</u>	§6.1.22.D.5 & §12.4
<u>Date of Application:</u>	December 13, 2016
<u>Date(s) of Public Hearing:</u>	2/2 & 2/16/17
<u>Date of Decision:</u>	February 16, 2017
<u>Vote:</u>	4-0

Appeal #PB 2016-22 was opened before the Planning Board at Somerville City Hall on February 2, 2017. 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.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
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DESCRIPTION:

The application includes wall signs, blade signs, and window signs for both businesses in the existing building – Mystic Cleaners and Salon Mira.

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

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.”*

Nature of Application: Signage within CCD-55 – Commercial Corridor (up to 55’ height)
SZO §6.1.22.D.5 *Alterations to Structures in the CCDs:*

- “a. Alterations to an existing or approved façade other than a one-for-one replacement of signage within the same sign footprint and using the same sign technology shall require a new Special Permit, with findings giving consideration to the Design Guidelines of Section 6.1.22.H.
- b. Sign replacement of the same size within the same sign footprint and using the same sign technology shall be permitted by right. Any other change in signage shall require a Special Permit.”

In considering a special permit under §4.4 or 4.5 of the SZO, the Board finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing signage. The proposal meets 6.1.22.H. CCD Design Guidelines as outlined below under Site and Area Compatibility. The design does not obscure any of the architectural characteristics of the existing building and meets the dimensional requirements of 12.4 Signs in Non-Residential Districts.

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 district, which is, “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.”

The building is an existing one-story structure with two existing businesses – Mystic Cleaners and Salon Mira – which meet the objectives of the zone for neighborhood-serving commercial uses. This request is for new signage only.

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”.*

Surrounding Neighborhood:

The existing building is located in the Winter Hill neighborhood on the Broadway commercial corridor at the intersection of Sargent Avenue. The abutting properties are 2-1/2 story wood residential buildings but other surrounding structures are one-story masonry commercial buildings.

Impacts of Proposal (Design and Compatibility):

The §SZO 5.2.4.A. Design Guidelines for Business Zones are intended to promote certain urban design principles and physical building characteristics within business districts. They also provide parameters for dialogue between the Applicant and SPGA on design issues. The guidelines are particularly applicable to smaller and infill sites within a streetscape, while for larger buildings on highly visible sites (especially those directly facing on major squares) they are intended as a beginning basis upon which the SPGA will judge proposals. Only two of these guidelines apply to this proposal:

- “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 existing building’s architecture articulates the entrances to each individual business with a recessed entry to Mystic Cleaners and a diagonal corner entry to Salon Mira. The proposed wall signs will be mounted over the entry doors to enhance the entrances.

- “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.”

The guidelines in Article 6 that apply to this proposal are §6.1.22.H. and lists Design Guidelines for the CCDs. These guidelines are not intended to inhibit design creativity or discourage innovative architectural design solutions but provide general standards for building massing, siting and articulation. As this application request is strictly signage, only one of the criteria applies:

“7. Signage and awning design should respect buildings’ context (e.g., scale, design, style, colors, materials), be oriented to pedestrians, and be subordinate to the overall building composition. Creative shapes must be carefully designed and coordinated with the overall appearance of the building. The design should also maintain an existing “signage line” and respect the character, scale, and locations of adjacent signs and awnings. Large, interior-lit or back-lit signs or awnings, neon “open” signs, vinyl or plastic materials and overly bright colors are generally discouraged. To add interest and character to the retail environment signs or awnings may convey interesting elements or logos without excessive wording. They should 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. Use awnings to create pleasant shaded spaces in front of a building. Signs and awnings should enhance important architectural details and not conceal or obliterate them.”

All signs that are proposed respect the context and are subordinate to the building design. The wall signs will be mounted within the sign band that exists as part of the architecture and the blade signs will be mounted on the existing pilasters and oriented to the sidewalk for pedestrians along Broadway.

It is important to note that the graphics provided with the application and included with this report are illustrated to show the signage. The glass will not be frosted or translucent but clear transparent glass and the signage will be installed as individual letters. The coverage of the lettering will be well below the 30% maximum of glass area.

§SZO 5.2.5. *Findings and Determinations for Special Permits With Site Plan Review* item (s) addresses signage: “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”. The proposals for both businesses are appropriate to the size and character of the existing building and the streetscape along Broadway.

The additional findings for a Special Permit with Site Plan Review - (e) Functional design; (f) Impact on Public Systems; (g) Environmental impacts; (h) Consistency with purposes; (i) Preservation of landform and open space; (j) Relation of buildings to environment; (k) Stormwater drainage; (l) Historic or architectural significance; (m) Enhancement of appearance; (n) Lighting; (o) Emergency access; (p) Location of access; (q) Utility service; (r) Prevention of adverse impacts; (t) Screening of service facilities; (u) Screening of parking; (v) Housing Impact; and (w) SomerVision Plan - remain unchanged and do not apply to a signage replacement project.



DECISION:

Present and sitting were Members Michael Capuano, Dorothy Kelly Gay, Rebecca Lyn Cooper and Gerard Amaral with Kevin Prior and Joseph Favaloro absent. Upon making the above findings, Michael Capuano made a motion to approve the request for a Special Permit. Dorothy Kelly Gay seconded the motion. Wherefore the Planning Board voted **4-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the redesigned signage (wall, blade, and window signs) for Mystic Cleaners and Salon Mira. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/ Planning							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>December 13, 2016</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>January 10, 2017</td> <td>Modified plans submitted to OSPCD ("Mystic Cleaners")</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	December 13, 2016	Initial application submitted to the City Clerk's Office	January 10, 2017	Modified plans submitted to OSPCD ("Mystic Cleaners")
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
Design										
2	Signage will be limited in size and location to that shown in the elevation drawings and lighting after 10p.m. facing residential property will be turned down or off.	CO/Cont.	Planning							
Final Sign-Off										
3	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							



Attest, by the Planning Board:



Michael A. Capuano, Esq.



Dorothy A. Kelly Gay



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 _____

