



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

**PLANNING BOARD MEMBERS**

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

**Case #: PB 2016-10**  
**Site: 481 Columbia Street**  
**Date of Decision: August 18, 2016**  
**Decision: Petition Approved with Conditions**  
**Date Filed with City Clerk: August 22, 2016**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	Somerville Housing Group Trust, III
<b>Applicant Address:</b>	P.O. Box 391495, Cambridge, MA 02139
<b>Property Owner Name:</b>	Beacon Truck Real Estate, Inc. & Beacon Auto Parts, Inc.
<b>Property Owner Address:</b>	P.O. Box 448, Somerville, MA 02143
<b>Agent Name:</b>	James R. Peluso, Esq.
<b>Agent Address:</b>	Two Seaport Lane, Boston, MA 02210

Legal Notice: Applicant, Somerville Housing Group Trust III and Owners, Beacon Truck Real Estate Inc., & Beacon Auto Parts, Inc., seek a Special Permit with Site Plan Review (SPSR) under Article 16 of the SZO to alter portions of an existing parking garage structure in a Planned Unit Development (PUD).

<u>Zoning District/Ward:</u>	PUD zone/Ward 2
<u>Date of Application:</u>	June 30, 2016
<u>Date(s) of Public Hearing:</u>	August 18, 2016
<u>Date of Decision:</u>	August 18, 2016
<u>Vote:</u>	4-0

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Appeal #PB 2016-10 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.



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**DESCRIPTION:**

The Applicant proposes to make security upgrades to the project. There will be no change in use but a change in vehicular traffic pattern. There will be no changes in ADA accessibility nor will any new floor area be constructed. The building will remain an open-air garage. The security upgrades include:

- Enclose the first floor with architectural steel grating;
- Install fencing on the second floor;
- Install high-speed vehicular doors
- Install pedestrian doors;
- Install "Code Blue" emergency alarm pull stations;
- Install vehicular gate with Knox Box (to prevent trespassers from using private driveway as a street.

**FINDINGS FOR SPECIAL PERMIT (SZO §7.13.A):****Information Supplied:**

The Staff finds that the information provided by the Applicant conforms to the requirements of Article 16 of the SZO and allows 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."*

The Board finds that the proposed security upgrades are consistent with the standards of the PUD in that the changes proposed do not impact the minimum lot size, lot area per dwelling unit, ground coverage, landscaped area, floor area ratio, maximum height or setbacks.

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 PUD district underlies this property. In part, the PUD allows for "... a mixture of land usage at designated locations at a greater variety, density, and intensity than would normally be allowed. The purpose for a PUD is also to achieve, to the greatest possible degree, land development responsive to an analysis of the environmental assets and liabilities of a site, both natural and man-made". The property is an existing structure within this district. Staff finds that the proposed security upgrades proposed for this site are consistent with the purposes of the district, particularly as they address safety concerns both for the site and, secondarily, the surrounding neighborhood, aiming to reduce any man-made liabilities that this parking garage may present. The changes proposed are minor in nature as there is no new use, increase in floor area or density, or parking ratio.

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 Board finds that the proposed security changes are compatible with the design guidelines outlined for the PUD under §16.7 of the SZO. The Board finds that the nature of the upgrades are specific to item "a", specifically as it pertains to the following: "...consistent use of façade materials; similar ground level detailing, color or signage; consistency in functional systems such as a roadway or pedestrian way surfaces, signage or landscaping..." The



general design of the security upgrades for the property are in keeping with the overall design and materials of the existing structure.

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.*

- These security upgrades have no impact on SomerVision.

**DECISION:**

Present and sitting were Members Joseph Favaloro, Michael Capuano, Rebecca Lyn Cooper and Gerard Amaral with Kevin Prior and Dorothy Kelly Gay absent. Upon making the above findings, Michael Capuano made a motion to approve the request for a Special Permit. Rebecca Lyn Cooper 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 security upgrades to the parking garage.	BP/CO	ISD/ Plng.	
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>June 30, 2016</td> <td>Application and plans submitted to OSPCD</td> </tr> </tbody> </table> <p><i>Any changes to the plans approved by the Planning Board MUST be reviewed by Planning Staff to determine if they are de minimis in nature prior to the changes being executed at the construction site.</i></p>			
Date (Stamp Date)	Submission			
June 30, 2016	Application and plans submitted to OSPCD			
<b>Construction Impacts</b>				
2	The Applicant/Owner shall, at his expense, replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
3	All construction materials and equipment must be stored on the project site. 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>Miscellaneous</b>				
4	The Applicant shall ensure that ALL materials used for this project are reviewed and approved by Planning Staff PRIOR TO their installation.	CO	ISD	
5	The Applicant and/or Owner(s) shall ensure that the landscaping at the site is properly attended to, that no overgrowth of permanent and/or temporary plantings shall occur. The Applicant and/or Owner(s) shall also ensure that no weed overgrowth occurs at any point on the property.	CO & perpetual	ISD	
6	The Applicant and/or Owner(s) shall ensure that the parking garage and site is properly maintained at all times. This includes and shall not be limited to controlling litter and upkeep of building façade and garage interior.	CO & perpetual	ISD	
7	The Applicant and/or Owner(s) shall maintain vehicular access through the site.	CO & perpetual	ISD	
8	Any approvals for this application shall not prohibit the fulfillment of the Union Square Neighborhood Plan (as adopted on May 5, 2016) in regards to the conversion of the parking garage access to a public street/an additional vehicular connection between Boynton Yards and Webster Avenue.	CO & perpetual	ISD/Plng	
<b>Public Safety</b>				
9	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
10	The Applicant or Owner shall meet Parking and Traffic's requirements	CO & perpetual	ISD/T&P	
<b>Final Sign-Off</b>				
11	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:



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 \_\_\_\_\_

