



CITY OF SOMERVILLE

MASSACHUSETTS

Joseph A. Curtatone, Mayor

Office of Strategic Planning and Community Development (OSPCD)

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Site: 20 Highland Avenue

Case #: ZBA 2019-108

Date: December 11, 2019

Recommendation: Conditional Approval

STAFF REPORT

Applicant Name: 345 Medford Street LLC

Owner Name: PCJ Auto Service, Inc.

Agent Name: Richard G. Di Girolamo

City Councilor: Jesse Clingan

Legal Notice: Applicant, 345 Medford Street, LLC, and Owner, PCJ Auto Service, Inc. seek zoning relief for a non-conforming site in order to construct a 52-unit mixed use building with ground floor commercial space and residences above. On-site inclusionary units provided. SPSR for the number of residential units. Variances under §5.5, §4.4.1, §8.5 including, but perhaps not limited to: lot area per dwelling unit, FAR, building height, number of stories, rear yard setback. Special permit for parking relief under Article 9. BA zone. Ward 4.

First Public Hearing: December 11, 2019



| Zoning | Use | Surrounding Land Use | Property Metrics |
|--------|--|---|---|
| BA | A single-story commercial building used as an automotive repair & service station. | The site abuts two properties fronting onto Medford Street that are in the BA zoning district and multiple properties at the rear that are in the RB zoning district. | 12,143 square feet 29% existing ground coverage 0% existing landscaped area |

Quick Summary: The proposal is to construct a six-story general building with ground floor commercial space and fifty-six (56) dwelling units in the upper stories.

I. PROJECT DESCRIPTION

1. Subject Property:

The subject property consists of a single-story commercial building with three garage bay doors on a 12,143 square foot lot. The property is used as an automotive repair & service station. The existing principal building is set back from the rear lot line by only two and one half (2.5) feet, which is nonconforming to the required rear setback and one and one half (1.5) feet from the left side lot line, which is nonconforming to the required left side setback.

2. Proposal:

The proposal is to construct a six story, fifty-six (56) unit general building with ground story commercial space.

The BA zoning district requires one thousand (1,000) square feet of lot area per dwelling unit, resulting in 12.14 dwelling units permitted for the 12,143 square foot lot. The proposed development is for fifty-six (56) dwelling units, which would require a variance from the dimensional requirements of Section 8.5 of the SZO. Additionally, Article 7 of the SZO requires a Special Permit with Site Plan Review for seven (7) or more dwelling units in the RC District. The proposed seven thousand seven hundred and sixty-two (7,762) square foot floor plate building would comply with all required setbacks, except for the proposed rear setback of ten (10) feet from the rear property line which requires a variance, and will comply with the permitted maximum lot coverage of eighty percent (80%) of the lot. The building is proposed to be six stories and sixty-five feet in height, which requires a variance from the four (4) story and fifty (50) feet maximums permitted in the BA zoning district. The BA zoning district also permits a "Floor Area Ratio" of only 2.0. The proposed building has a calculated floor area ratio to lot area of 3.56, which requires a variance.

Section 9.5 of the SZO requires one (1) parking space per studio dwelling unit, one and a half (1.5) parking spaces per dwelling unit with one (1) or two (2) bedrooms, two (2) parking spaces per dwelling unit with three (3) or more bedrooms, and one guest parking space for every six (6) dwelling units resulting in a requirement of seventy seven and one half (77.5) parking spaces for the five (56) proposed dwelling units. The proposal also includes 5,141, square feet of commercial space (3,973 ground story and 1,203 square feet in the basement) identified as restaurant or retail that requires up to an additional forty-seven (47) parking spaces. The proposed development will be nonconforming with respect to the number of required off-street parking spaces (124.5) as only six (6) parking spaces are proposed. SZO §9.13 allows for development including affordable dwelling units to seek relief from the parking requirements of Section 9.5. Relief is being requested from providing one hundred and eighteen and one half (118.5) additional parking spaces.

In total, a special permit with site plan review is required by Article 7, five (5) variances are needed from the dimensional requirements of Article 8, and a special permit under Article 9 is requested for parking relief.

3. Green Building Practices:

The application states that proposed building will not exceed the stretch code, but submitted plans include a significant green roof, multiple sixth story terraces likely to include vegetative planters, and two (2) new large street trees to be installed in collaboration with and under the supervision of the City Arborist.

4. Comments:

City Departments: none at this time.

City Councilor: Numerous neighborhood meetings were organized by the Applicant in consultation with the Ward Councilor and the Gilman Square Neighborhood Association.

II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (§7.11.1.c):

In order to grant the necessary Special Permit with Site Plan Review required by §7.11.1.c, the SPGA must make certain findings and determinations as outlined in §5.2.5.

The Planning Staff proposes that the Zoning Board of Appeals make the following findings:

1. Information Supplied: *The application must comply with the information requirements of §5.2.3.*

The information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for the comprehensive analysis of the project with respect to the required Special Permit with Site Plan Review.

2. Compliance with Standards: *The application must comply with such criteria or standards as may be set forth in [the SZO] which refer to the granting of the required Special Permit with Site Plan Review.*

There are no specific criteria or standards for the Special Permit with Site Plan Review required by §7.11.1.c, other than the findings required for all Special Permits with Site Plan Review of §5.2.5.

3. Purpose of District: *The application must demonstrate that the proposed development is consistent with intent of the Business A Commercial zoning district.*

The proposed development is consistent with the purpose of the BA district, which is, *“To establish and preserve business areas bordering main thoroughfares that are attractive to a wide range of uses, including retail business and services, housing, government, professional and medical offices, and places of amusement.”*

4. Site and Area Compatibility: *The application must demonstrate that the proposed development is 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 buildings are compatible with those prevalent in the surrounding area.*

The subject property fronts onto Medford street, near the intersection with Pearl Street, and is surrounded by a number of higher density and mixed-use mid-rise buildings. Immediately abutting to the right is the four (4) story commercial building known as the Knights of Malta Hall. In close proximity is the four (4) story Litchfield Block building (another mixed-use general building) and the six (6) story Pearl Street Park residential building. The immediate area of the Medford & Pearl intersection is envisioned by the Gilman Square Neighborhood Plan to support infill development involving mixed-use, mid-rise, moderately scaled general buildings with ground floor commercial and upper story residential

uses. The proposed building is compatible with the surrounding land use intensity and planned future character of Gilman Square.

5. Functional Design: *The application must demonstrate that the proposed development meets accepted standards and criteria for the functional design of facilities, structures, and site construction*

Based upon feedback received from various City departments, the proposal meets accepted standards and criteria for the functional design of facilities, structures, and site construction. If any further mitigation or design changes are needed once work on the site is in-progress, it will be addressed by appropriate City departments as-needed at that time.

6. Impact on Public Systems: *The application must demonstrate that the proposed development 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*

The proposed development will not create adverse impacts on the public services and facilities serving the development.

7. Environmental impacts: *The application must demonstrate that the proposed development will not create adverse environmental impacts, including those that may occur off the site, or such potential adverse impacts will be mitigated in connection with the proposed development, so that the development will be compatible with the surrounding area.*

No new noise, glare, smoke, vibration, nor emissions of noxious materials, nor pollution of water ways or ground water, nor transmission of signals that interfere with radio or television reception are anticipated as part of the proposal.

8. Consistency of purposes: *The application must demonstrate that the proposed development is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections*

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 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. The proposal is also consistent with the purpose of §5.2 to provide a thorough review process for certain activities, due to their size or nature, that are likely to have significant impacts on the City.

9. SomerVision: *The application must demonstrate that the proposed development 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 proposed development complies with the applicable goals, policies, and actions of the SomerVision plan including, but not limited to, strengthen and support neighborhood commercial centers that integrate residential uses, offer lively destinations and contribute to Somerville's unique identity; facilitate transit-oriented, neighborhood infill development when it enhances the lively, human scaled and walkable character of Somerville blocks and neighborhoods; facilitate thoughtfully designed, pedestrian-oriented mixed-use development and reuse opportunities in commercial corridors, squares and around transit stations that are sensitive to neighborhood context, and serve existing and future residents and businesses; design and maintain a healthy and attractive public realm (e.g., streets, sidewalks, and other public spaces) that fosters community connection; manage parking supply and demand in a flexible, rational and innovative manner, to balance transportation, economic development and residential goals; and promote mixed-use, mixed-income transit-oriented development to provide new housing and employment options.

III. FINDINGS FOR VARIANCES (§8.5):

The proposal requires five (5) Variances from the dimensional requirements of Table §8.5 including lot area per dwelling unit, Floor Area Ratio, building height, number of stories, and rear yard setback. In order to grant the necessary Variances, the SPGA must make certain findings and determination as outlined in §5.5.3.

§5.5.3 states that a Variance from the requirements of this Ordinance may be authorized by the Zoning Board of Appeals only for reasons of practical difficulty and substantial hardship, and only where the Board finds that all of the following conditions apply:

1. There are special circumstances relating to soil conditions, shape or topography of land or structures which especially affect such land or structures but not affecting generally the zoning district in which it is located, causing a substantial hardship, financial or otherwise.
2. The specific variance as may be granted by the Board is the minimum variance that will grant reasonable relief to the owner and is necessary for a reasonable use of the building or land.
3. The granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The Planning Staff proposes that the Zoning Board of Appeals make the following findings related to the conditions necessary for granting a Variance:

1. The lot has 21E Environmental issues and the requested Variances are necessary to produce a financially feasible development due to, at a minimum, the substantial financial hardship in addressing site contamination.

2. A six story, fifty-six (56) unit general building with ground story commercial space is a reasonable use of the land and the variances requested are the minimum necessary to produce a financially feasible development.
3. The requested Variances are in harmony with the general purpose and intent of the Somerville Zoning Ordinance as well as the Gilman Square neighborhood plan. The proposed development will not be injurious to the future evolution of the immediate area and will provide a significant return on investment in the Gilman Square T-Station of the Green Line Extension currently under construction across the street.

IV. FINDINGS FOR SPECIAL PERMITS (§9.13):

When affordable dwelling units are provided by the proposed development subject to Article 13 Inclusionary Housing of the SZO, parking relief may be requested by Special Permit, regardless of the number of spaces of relief that are requested. As proposed, the development would require relief for 61.5 parking spaces. In order to grant the necessary Special Permit, the SPGA must make certain findings and determination as outlined in §5.1.4.

The Planning Staff proposes that the Zoning Board of Appeals make the following findings:

1. Information Supplied: *The application must comply with the information requirements of §5.1.2.*

The information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for the comprehensive analysis of the project with respect to the required Special Permit.

2. Compliance with Standards: *The application must comply with such criteria or standards as may be set forth in [the SZO] which refer to the granting of the required Special Permit.*

Section 9.13 allows the SPGA to grant a Special Permit to modify parking standards only when consistent with the purposes set forth in Section 9.1 and also upon a determination that the relief does not cause detriment to the surrounding neighborhood due to an increase in traffic volumes, increased traffic congestion or queuing of vehicles; change in the type(s) of traffic; change in traffic patterns and access to the site, reduction in on-street parking, unsafe conflict of motor vehicle and pedestrian traffic.

The provision of only six (6) on-site parking spaces for the proposed fifty-six (56) dwelling units may induce future residents to seek on street parking. Due to the current inexpensive cost of Somerville's Residential Parking Permits (\$0.11 cents per day; \$40/year) and the ability to receive a permit for each registered motor vehicle, the future volume of traffic and potential for congestion and queueing on neighborhood streets may be increased as residents seek on-street parking. The proposed development seeks to mitigate this impact by providing ample bicycle parking, however the City's current policy of providing nearly free access to Resident Parking Permits undermines that effort without mitigation. The Administration has submitted proposed amendments to the Traffic Regulations that would prohibit the Parking Department from issuing parking permits to residents of new addresses in Transit Areas, defined as all properties within a half-mile of an existing or future rapid transit station (of the Red, Orange, and Green lines). The proposal is currently under review by the Traffic Commission. Additionally, the City Solicitor's Office has determined that it is within the purview of the Zoning Board, as a condition of issuing a Special Permit, to lawfully restrict future residents from applying for on-street Resident Parking Permits.

Permit conditions related to on-street parking permits and a robust mobility management program are necessary to help mitigate the potential for detrimental traffic conditions while helping to orient the buildings future occupants towards alternative modes of transportation and away from single-occupant motor vehicle use.

3. Consistency with Purposes: The application must demonstrate that the proposed development 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 [the SZO].

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 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.

The proposal is also consistent with the purposes of Section 9.1, which includes, but is not limited to, orderly access and egress to and from the public street; reduce hazards to pedestrians; protect adjoining lots and the general public from nuisances and hazards such as: 1) noise, glare of headlights, dust and fumes resulting from the operation of motor vehicles, 2) glare and heat from parking lots, and 3) lack of visual relief from expanses of paving; and increase the number of locations bicycles can be safely secured in order to: 1) promote bicycle use throughout the City as a means to reduce motor vehicle traffic congestion, and 2) encourage more active lifestyles as a means to improve public health and welfare, and 3) prevent theft and vandalism of bicycles.

4. Site and Area Compatibility: The application must demonstrate that the proposed development is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the built and unbuilt surrounding area, including land uses.

The subject property fronts onto Medford street, near the intersection with Pearl Street, and is surrounded by a number of higher density and mixed-use mid-rise buildings. Immediately abutting to the right is the four (4) story commercial building known as the Knights of Malta Hall. In close proximity is the four (4) story Litchfield Block building (another mixed-use general building) and the six (6) story Pearl Street Park residential building. The immediate area of the Medford & Pearl intersection is envisioned by the Gilman Square Neighborhood Plan to support infill development involving mixed-use, mid-rise, moderately scaled general buildings with ground floor commercial and upper story residential uses. The proposed building is compatible with the surrounding land use intensity and planned future character of Gilman Square.

III. RECOMMENDATION

Special Permits under §4.4.1 and §9.13

Based on the materials submitted by the Applicant, the above findings and subject to the following recommended conditions, the Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMITS**.

This recommendation by the Staff is based upon a technical analysis of the application materials submitted by the applicant and is based only upon information submitted prior to the required public hearing. This report may be revised or updated with new recommendations, findings, or conditions based upon additional information.

| # | Condition | Compliance Timeframe | Verification | Notes | | | | | | |
|------------------------------------|--|----------------------|--------------|--------------------|--|------------------|---------------------|-----------|-------------|--|
| A. Overall | | | | | | | | | | |
| 1 | <p>Development must comply with the approved plans and other application materials submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>September 17, 2019</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>December 3, 2019</td> <td>Final Revised Plans</td> </tr> </tbody> </table> <p>Any changes to the submitted plans and other materials, as approved and conditioned, that is not determined to be <i>de minimis</i> by the Planning Director are considered a Major Amendment to the approved plans and must be processed as a revision to previously approved plans.</p> | Date (Stamp Date) | Submission | September 17, 2019 | Initial application submitted to the City Clerk’s Office | December 3, 2019 | Final Revised Plans | Perpetual | ISD/ P&Z | |
| Date (Stamp Date) | Submission | | | | | | | | | |
| September 17, 2019 | Initial application submitted to the City Clerk’s Office | | | | | | | | | |
| December 3, 2019 | Final Revised Plans | | | | | | | | | |
| B. Prior to Building Permit | | | | | | | | | | |
| | The Applicant shall develop a demolition plan in consultation with the Inspectional Services Division. Full compliance with proper demolition procedures is 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. | BP | ISD | | | | | | | |
| | Construction documents must meet the Fire Prevention Bureau’s requirements | BP | ISD | | | | | | | |
| | An exterior light and electrical outlet are required for each balcony and terrace. | BP | ISD | | | | | | | |
| | Transformers shall be located inside the building or shall be vaulted. Location of transformers shall be shown on updated construction/site plans submitted to ISD. | BP | ISD | | | | | | | |
| | The Applicant must contact the Engineering Department to obtain addresses for all units prior to a building permit being issued. | BP | ENG | | | | | | | |

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| | 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 | |
| | An Affordable Housing Implementation Plan (AHIP) must be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site. | BP | Housing | |
| | Final exterior materials samples must be submitted to Staff for review and approval prior to the issuance of a building permit. | BP | P&Z | |
| | All brick used on all exterior walls are required to be full brick, not thin brick. | BP | P&Z | |
| | The Property Owner shall complete and file an RPP Restriction Acknowledgement form as an appendix to a certified copy of this Decision with the Middlesex County Registry of Deeds prior to the issuance of a building permit. | BP | P&Z | |
| C. During Construction | | | | |
| | The name and phone number of the General Contractor must be posted at the site entrance in a manner that is visible to pedestrians and neighbors. | Construction | ISD | |
| | Construction activities may not begin prior to 7:30am and must be complete by 5pm Monday through Friday. No construction activity is permitted one weekends or holidays. | Construction | 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. | Construction | ISD | |
| | All construction materials and equipment must be stored on site. If occupancy of Carlton Street is necessary, use of the right of way must comply with the requirements of the Manual on Uniform Traffic Control Devices and must receive prior approval of the City Engineer. | Construction | ISD/ENG | |
| | The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street 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. | Construction | ENG | |
| | The Applicant shall perform any and all investigations, mitigation, replacement, repair, or similar to any and all infrastructure or systems under the purview of the Engineering Department that are deemed impacted by the development by the Director of Engineering. | Construction | ENG | |

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| | The applicant must comply with the: "Policy for new connections to and modifications to existing connections to the municipal sewer and drainage system stormwater management and infiltration/inflow mitigation." The Applicant shall work with Engineering to meet this condition and provide the required fees/mitigation. | Construction | ENG | |
| | 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 Office of Sustainability & Environment, Fire Department, and the Board of Health shall also be notified. | Construction | OSE, FD, BoH | |
| | Any suspected or identified underground fuel tanks on this site must be removed under the supervision of the Fire Prevention Bureau. Permits will be required for these removals. | Construction | FPB | |
| | An on-site mockup of exterior materials must be built on site for Staff review and approval prior to installation on the building. | Construction | ISD/P&Z | |
| D. Prior to Certificate of Occupancy | | | | |
| | Outdoor lighting shall comply with the City of Somerville Dark Sky Policy. | CO | ISD | |
| | Utility meters may not be located on front facades. Gas and electric meters may be located to the side of the principal building and screened with staff approved evergreen vegetation. Utilities may not block any windows, parking, landscaping, or means of egress. The provisions of this condition may be waived by staff if written verification, signed by a utility representative on utility letterhead, indicates that there is no feasible alternative to placing meters in violation of this condition. | CO | ISD | |
| | Electrical conduits on the exterior facades shall be painted to match the wall material to which they are attached. Conduits are not allowed on the front of any structure. | CO | ISD | |
| | 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 | |

| # | Condition | Compliance Timeframe | Verification | Notes |
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| | 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 | |
| | The Applicant shall replace any existing public furnishings or other infrastructure and the full sidewalk immediately abutting the property in accordance with City standards if damaged due to construction activity. | CO | Mobility/ ENG | |
| | The property owner shall develop and implement a Mobility Management Plan in accordance with the Director of Mobility's submittal requirements for Mobility Management Plans. | CO | Mobility | |
| | A Green Line payment of \$2.40 per gross square foot is required due to the proximity of the property to the future Gilman Square Green Line "T" stop. | CO | Mobility | |
| | Indicators shall be installed alerting pedestrians and occupants of the below-building parking area of vehicles entering and existing the site. The indicators installed shall be reviewed by Staff prior to acquisition and installation. | CO | Mobility | |
| | The Applicant shall install two (2) street trees in a suspended pavement system as directed by the City Arborist. The City Arborist may permit a different planting technique to mitigate adverse site conditions. Tree species selection and actual planting must be done in collaboration with and under the supervision of the City Arborist. | CO | PSUF | |
| | The Applicant shall contact Staff at least five working days in advance of a request for a final inspection to ensure the proposal was constructed in accordance with the plans and other information submitted and that the development is compliant with the conditions of this permit approval. | CO | ISD | |
| E. Perpetual | | | | |
| | Trash and snow removal shall be undertaken by a private contractor. | Perpetual | ISD | |
| | Short term rental uses, such as AirBnB, VRBO, or the like, require separate approval in accordance with the City of Somerville Code of Ordinances. | Perpetual | ISD | |

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| | <p>This property and all associated address are ineligible for Resident Parking Permits (RPP). Any property owner, lessee, renter, or tenant of the property and all associated addresses shall not apply for any Resident Parking Permits from the Somerville Parking Department. Disabled persons with a handicapped plate or handicapped placard from the Commonwealth of Massachusetts Registry of Motor Vehicles, or other duly authorized agency acting under the authority of the Commonwealth, or residents of an Affordable Dwelling Unit (ADU), with written verification from the Housing Division, may apply to the Traffic Commission for a waiver of this restriction. Upon adoption of an official policy restricting permits in Transit Areas by the Traffic Commission, this condition shall void.</p> | Perpetual | Parking Department | |
| | <p>The Property Owner shall inform future buyers, lessees, renters, or tenants that the property and all associated addresses are may not apply for Residential Parking Permits. Notification must be provided using the RPP Restriction Disclosure form.</p> | Perpetual | P&Z | |

