



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

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GERARD AMARAL, (ALT.)

Case #: PB 2017-24
Site: NorthPoint-Parcel EFG Open Space
Date of Decision: December 14, 2017
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: December 21, 2017

PLANNING BOARD DECISION

Applicant Name: DW NP Property, LLC
Applicant Address: One Kendall Square, Suite B3201, Cambridge, MA 02139
Property Owner Name: DW NP Property, LLC
Property Owner Address: One Kendall Square, Suite B3201, Cambridge, MA 02139
Agent Name: Thomas N. O'Brien
Agent Address: One Congress Street, 10th Floor, Boston, MA 02114

Legal Notice: NorthPoint Open Space EFG (Case # PB 2017-24) Applicant/Owner DW NP Property LLC requests Design & Site Plan under §6.6 and §5.4 of the Somerville Zoning Ordinance for an Civic Space of approximately 14,750sf adjacent to Parcel EF within the overall NorthPoint Neighborhood Development Plan.

Zoning District/Ward: North Point Special District (NPSD). Ward 1.
Zoning Approval Sought: Design & Site Plan under §6.6 and §5.4
Date of Application: October 5, 2017
Date(s) of Public Hearing: December 14, 2017
Date of Decision: December 14, 2017
Vote: 5-0

Appeal #PB 2017-24 was opened before the Planning Board at Albert F. Argenziano School Cafeteria (290 Washington Street) on December 14, 2017. Notice of the Public Hearing was given to persons affected and was



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published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

The plaza north of Dawes Street between buildings EF and G is integrated with the block structure in this part of NorthPoint and is designed to accommodate events and activities. The total area is approximately half an acre (22,454 square feet) of which the majority, 14,750sf, is located in Somerville.

The central space of the plaza is a synthetic surface hardscape that can be used for a wide range of activities, and will be designed to be durable, given the high levels of use expected in the space. This surface is also identified in the application as being pervious. The open center of the plaza is framed by large plant beds of trees, shrubs, and groundcover edged with comfortable, shaded seating looking onto the center. In keeping with the overall approach to the landscape at NorthPoint, there are no fences or barriers impeding movement into the space or obscuring visibility from adjacent buildings or streets. There are athletic nets shown on either end of the play area to protect those sitting and passersby on the sidewalk from balls, Frisbees, or other equipment that may be used for activities on the artificial turf. The Civic Plaza is detailed to be inclusive of the landscapes of buildings EF and G, and the Dawes Streetscape giving the open space more room than just the parcel.

The plaza has a variety of seating types, including seat walls made from reclaimed granite blocks excavated from the NorthPoint site, benches with and without backs, and moveable furniture. Lighting includes smaller fixtures at the pedestrian scale and larger fixtures for events, both in a contemporary style to match the surrounding buildings and landscape design. Directional and educational signage will be developed as part of an overall strategy for the NorthPoint neighborhood.

FINDINGS FOR SPECIAL PERMIT (SZO §6.6.3):

Based on review of the submitted Design & Site Plan Review Application, the Board finds that the proposal meets all of the requirements outlined in §6.6.3 of the SZO. This section of the report goes through the findings required by §6.6.3.B in detail.

Design and Site Plans.

1. Submittal and Review.

The submittal package includes all the required information. This review of the Design & Site Plan meets the procedural requirements of Section 5.4 of the Somerville Zoning Ordinance.

2. Scope.

The application included the entire site and building design information as required, even though only a portion of the site is within the City of Somerville.

3. Findings and Compliance.

The section of the report below goes through the findings required by §6.6.6 in detail.

6.6.6. Civic and Recreation Spaces.

A. General.

1. Civic spaces should be oriented to maximize exposure to the sun. In no case shall any portion of a civic space with only a north-facing orientation qualify for the land area requirement of Section 6.6.4.D.1.

The Civic Plaza is bordered by adjacent buildings on its east and west sides, but is open to Dawes Street on the south edge which allows for maximized sun exposure.

B. Amenities and Public Furniture.



1. *Required Seating.*

a. *Linear feet of seating may be provided through movable chairs, fixed individual seats, fixed benches with or without backs, seat walls, planter and fountain ledges, and/or seating steps.*

The Civic Plaza will provide a variety of seating types such as seatwalls, benches with backs, and movable chairs with tables.

b. *Seat walls, planter and fountain ledges, and/or seating steps shall not, in aggregate, represent more than fifteen percent (15%) of the linear feet of required seating.*

The application identifies that planter seatwalls make up 14.5% of all seating.

c. *All seating shall have a minimum seat depth of eighteen (18) inches and a seat height between sixteen (16) and thirty (30) inches above grade (adjacent walking surfaces).*

All proposed seating conforms to these dimensions and will be verified with the materials specifications provided to Staff and the DRC at the time of Building Permit application.

d. *Seating thirty (30) inches or more in depth shall count as double the linear feet, provided there is access to both sides.*

There are no seatwalls that follow these parameters in this design – all are single sided seating as the walls form planting beds.

e. *Planter or fountain ledges provided as seating shall have a minimum depth of twenty-two (22) inches.*

All planter walls provided as seating have a depth deeper than 22" as shown on L2.01

f. *Seat backs shall be a minimum of fourteen (14) inches high and either contoured in form for comfort or reclined between ten (10) to fifteen (15) degrees from vertical. Walls located adjacent to a seating surface shall not count as seat backs.*

All seat backs for the backed benches and movable chairs will conform to these dimensions. This will also be verified with the materials specifications provided to Staff and the DRC at the time of Building Permit application.

g. *Movable chairs shall not be chained, fixed, or otherwise secured while a civic space is open to the public, however may be removed during the hours of 9:00pm to 7:00am.*

The Applicant agrees to this condition.

h. *Steps provided for pedestrian circulation and the seating of open air café areas shall not count toward seating requirements.*

Not applicable to this open space design.

i. *Steps provided for pedestrian circulation shall have a height (rise) between four (4) to six (6) inches and minimum tread (run) of seventeen (17) inches, except that steps with a height (rise) of five (5) inches may have a minimum tread (run) of fifteen (15) inches.*

Not applicable to this open space design.

j. *Deterrents to seating, such as spikes, rails, or deliberately uncomfortable materials or shapes, placed on surfaces that would otherwise be suitable for seating are prohibited.*

There are no deterrents to seating shown in the application information.

k. *Deterrents to skateboards, rollerblades and other wheeled devices are permitted on seating surfaces if they do not inhibit seating, maintain a minimum distance of five (5) feet between deterrents, and are integrated into the seating surface at the time of manufacture or construction.*

There are no wheeled devices deterrents in this design.

2. *Litter Receptacles.*

a. *Litter receptacles shall be thirty (30) to fifty (50) gallon containers with an opening no more than thirty-six (36) inches above grade and designed in such a manner that users do not have to touch the receptacle or push open a door in order to dispose of litter. Litter receptacles shall be constructed of durable materials that are graffiti-, fire-, rust-, and stain-resistant and function to permit emptying from the top. Litter receptacles should be located near entrances to civic spaces and within reasonable proximity to seating areas.*

Litter receptacles will conform to these standards and are coordinated with the City of Cambridge required streetscape elements along Dawes Street.



3. All public lighting and irrigation infrastructure, as required, shall be designed and installed according to all criteria established by City departments deemed to be appropriate by the Planning Board.

All public lighting and irrigation infrastructure will conform to these standards and are coordinated with the City of Cambridge required streetscape elements along Dawes Street.

C. Civic Buildings.

1. Accessory structures common to civic spaces, including but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters, outdoor theaters/performance stages, and their substantially equivalents shall be permitted.

There are no Civic Buildings intended to occupy any portion of the Civic Plaza.

F. Plaza.

A Plaza is defined as “a civic space type designed for civic purposes and commercial activities, integrated as part of a block/lot or located internal to a block/lot, with landscape consisting primarily of pavement.”

The proposed design is a ratio of Plantbed/Landscape to Hardscape/Pavement of 36.5% to 63.5% with 498 linear feet (lf) of seating (492 lf required at 1 lf/30SF for the 14,750sf in Somerville).

1. Design Guidelines.

a. A plaza should contain substantial areas of hardscape complemented by planting beds or formal arrangements of trees with open canopies. Paved surfaces should include a variety of patterns and colors.

The central open area hard surfacing consists of exposed aggregate pavement with a range of aggregate material for patterning and green synthetic turf surfacing bordered by planting beds of canopy trees.

b. A plaza should offer an abundance and variety of seating types and seating locations, including places to sit in the sun, in the shade, out of the wind, in groups, alone, close to activity, and in relative seclusion to every extent possible.

There are 3 types of fixed seating at the plant beds along the edges of the central active space area.

Movable seating also allows for flexibility in responding to micro-climate shifts, such the user desire for sun or shade, or plaza activities and events.

c. Benches and seating ledges or walls should be designed for the convenience and comfort of visitors, located in support of gathering spaces and along pedestrian paths, but should be out of the flow of pedestrian traffic.

The types and locations of seating have been designed for visitor convenience, comfort, and use through multiple types of seating in a myriad of locations throughout the Civic Plaza and along the street.

d. A plaza should incorporate lighting that promotes safety while adding visual ambiance and character to the space at night. Lighting fixtures should be smaller-scale, frequently placed, and scaled to pedestrians. Fixture components (base, pole, luminaries) should have stylistic compatibility, while varying in form according to functional requirements. The indiscriminate use of bright lighting should be limited.

Light fixtures are shown on L2.02 and the application states “Lighting includes smaller fixtures at the pedestrian scale and larger fixtures for events, both in a contemporary style to match the surrounding buildings and landscape design.” Lighting specifications and photographs will be required as part of the materials review condition.

e. Directional, educational, informational, and geographic signage should be placed in conjunction with other civic space amenities or places where paths cross.

Directional and educational signage will be developed as part of an overall strategy for the NorthPoint neighborhood and coordinated with the requirements of the City of Cambridge.

f. The perimeter of a plaza should be well integrated into its surroundings and free from fences, hedges, and other barriers that would impede movement into the space and obscure visibility from adjacent street or building frontage.

The design of the Civic Plaza has been design in association with the landscapes for the adjacent buildings - EF and G. The building landscapes function as an extension of the plaza effectively making it larger than just the open space parcel.

2. *Development Standards.*

a. *The depth of any plaza shall not be less than one-third (1/3) of the width.*

The plaza is oriented with the depth as the longer dimension which is approximately 200'. The width is 151'-7" between building faces so the Plaza has appropriate plan proportions.

b. *Each plaza shall provide at least two (2) types of seating.*

This plaza provides 4 different types of seating.

c. *Movable chairs may be counted as two (2) feet of linear seating per chair.*

Based on the linear feet of seating and other information in the application, there will be approximately 208 lf of movable seating which equates to about 104 chairs (with 26 tables).

d. *A minimum of one (1) linear foot of required seating for every two (2) linear feet of plaza street frontage shall be located within fifteen (15) feet of the adjacent sidewalk.*

The street frontage is 100' so 200lf of seating should be within 15' of the sidewalk. The plan shows approximately 125lf of seatwall within that dimension but it is difficult to tell the amount of additional benches or movable chairs also in that zone. This is addressed as a condition to this approval.

e. *A minimum of fifty percent (50%) of any fixed seating shall have seat backs fourteen (14) inches high and either contoured in form for comfort or reclined between ten (10)—fifteen (15) degrees from vertical. Walls located adjacent to a seating surface shall not count as seat backs.*

The design shows 218 lf of benches provided towards the fixed seating requirements. Of those benches, 98 lf (45%) will be backless and 120 lf (55%) will have backs that meet the requirements of the SZO.

f. *Plazas shall provide direct access free from obstructions from any adjoining sidewalk for at least fifty percent (50%) of the total length of the street frontage.*

Along the frontage property of the Civic Plaza, 56 lf of the 100' width is pavement for circulation and the other 44 lf is planting bed.

g. *The surface of a plaza shall not be lower than the average elevation of the adjoining sidewalk nor more than two (2) feet above the average elevation of any adjoining sidewalk at any point. Plazas that front onto an adjoining sidewalk with a slope greater than 2.5 percent along the frontage of the plaza shall not be any lower than one foot below the average elevation of the adjoining street at any point.*

The plaza elevation and adjacent sidewalk are contiguous.

h. *One litter receptacle shall be provided for every one thousand five hundred (1,500) square feet of plaza area up to six thousand (6,000) square feet. Plazas greater than six thousand (6,000) square feet in area must provide an additional litter receptacle for every additional two thousand (2,000) square feet of plaza area over six thousand (6,000) square feet. Plazas that contain open air cafes or kiosks providing food service shall provide one additional litter receptacle for each one thousand five hundred (1,500) square feet of plaza area occupied by such outdoor eating area.*

The proposed design provides 8 litter receptacles based on the square footage of the plaza.

DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay, and Rebecca Lyn Cooper. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Joseph Favaloro 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
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1	Approval is for the NorthPoint Open Space EF-G Design & Site Plan Review application for a 22,454 gross square foot civic Plaza spanning the boundary of Somerville and Cambridge (14,750sf in Somerville). This approval is based upon the following application materials and the plans submitted by the Applicant:	DSP/BP/CO	Planning/ISD							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>October 5, 2017</td> <td>Initial application submitted to the City Clerk's Office including all appendices</td> </tr> <tr> <td>December 5, 2017</td> <td>Updated application delivered to Planning Staff</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	October 5, 2017	Initial application submitted to the City Clerk's Office including all appendices	December 5, 2017	Updated application delivered to Planning Staff
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	October 5, 2017				Initial application submitted to the City Clerk's Office including all appendices					
December 5, 2017	Updated application delivered to Planning Staff									
Any changes to the approved special permit that are not <i>de minimis</i> must receive approval from the Planning Board.										
Design										
2	The final site plan, all fittings/fixtures/equipment, and materials will be presented to Staff and the DRC at the time of Building Permit application for review and approval of specifications.	BP	Planning							
3	Movable chairs shall not be chained, fixed, or otherwise secured while a civic space is open to the public, however may be removed during the hours of 9:00pm to 7:00am.	Perpetual	Planning/ISD							
4	A minimum of one (1) linear foot of required seating for every two (2) linear feet of plaza street frontage shall be located within fifteen (15) feet of the adjacent sidewalk.	Perpetual	Planning/ISD							



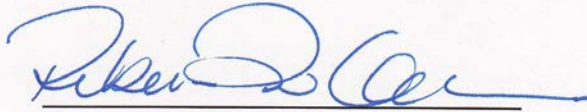
Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro


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 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 _____

