



**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**

MICHAEL A. CAPUANO, *CHAIRMAN*  
JOSEPH FAVALORO, *CLERK*  
DOROTHY A. KELLY GAY  
AMELIA ABOFF  
GERARD AMARAL, (ALT.)

**Case #: PB 2018-21**  
**Site: 300 Somerville Avenue**  
**Date of Decision: June 20, 2019**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: June 28, 2019**

---

**PLANNING BOARD DECISION**

---

**Site:** 300 Somerville Avenue

**Applicant Name:** Elan Sassoon  
**Applicant Address:** P.O. Box 610312, Newton, MA 02461  
**Owner Name:** 300 Somerville Avenue, LLC  
**Owner Address:** 373 Highland Avenue, Suite 201, Somerville, MA 02144

**City Councilor:** J.T. Scott

Legal Notice: Applicant, Elan Sassoon, and Owner, 300 Somerville Avenue, LLC, seek Special Permits, Special Permit with Design Review and Special Permit with Site Plan Review to convert an existing church structure to 10 residential units with first floor commercial through the internal re-configuration of existing space and construction of additions/Gross Floor Area. Relief under SZO §4.4.1, 7.11, Article 9 and Article 13. CCD-55 zone. Ward 2.

<u>Zoning District/Ward:</u>	CCD-55 zone. Ward 2.
<u>Zoning Approval Sought:</u>	SZO §4.4.1, Article 9 and Article 13
<u>Date of Application:</u>	November 15, 2018
<u>Date(s) of Public Hearing:</u>	3/21, 4/4, 4/18, 5/2, 5/16, 6/6, 6/13
<u>Date of Decision:</u>	June 19, 2019
<u>Vote:</u>	5-0

---

Case number # **PB 2018-21** was opened before the Planning Board at the Visiting Nurse Association 3<sup>rd</sup> Floor Community Room, 259 Lowell Street. Notice of the Public Hearing was given to persons affected



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143  
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722  
[www.somervillema.gov](http://www.somervillema.gov)

and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. On June 19, 2019, the Planning Board took a vote.

**I.PROJECT DESCRIPTION**

The Applicant proposes renovating the existing building and converting it to mixed use. Two commercial spaces are proposed: one on the ground floor and one on the first floor of the renovated structure. Ten (10) residential units will be distributed across all floors (ground through third). One of these units will be provided at an affordable rate. A fractional payment will also be provided. The City’s Housing Office will determine which unit will be made affordable and at what rate.

**II. FINDINGS FOR SPECIAL PERMITS (SZO §4.4.1, Article 9, Article 13 and SPECIAL PERMIT WITH SITE PLAN REVIEW (SPSR):**

*In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 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." Further, Section 4.4.1 of the SZO states that “[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5.”*

Section 4.4.1 of the SZO allows for legally-existing, non-conforming structures other than one- and two-family residences to be enlarged by Special Permit as long as the proposed changes do not create a situation that is more detrimental to the site or surrounding neighborhood than current conditions.

**GFA**

Increasing the GFA of a structure by more than 25% requires a Special Permit. In the case of 300 Somerville Avenue, the GFA is increasing from 8,032 to 13,754. As discussed throughout this report, the Board finds that this proposal overall will be an asset to Union Square through the addition of 10 residential units (with one affordable and a fractional payment) and two new commercial spaces. In order to accomplish this amount of density, a significant increase in GFA is required. A significant portion of the existing building will be retained, but the GFA increase will be realized largely through the reconfiguration of unused interior spaces as well as the build-up of the middle “body” portion of the existing building.



**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 Board finds that 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 lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The Board also finds that the proposal to be generally consistent with the purpose of the CCD-55 district which is to:

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

The proposed alterations to the building are designed to provide a mixture of ground and first floor commercial spaces with residential uses behind and above. As the most recent use of this property is non-commercial, the proposed commercial spaces bring this structure more in line with the goals of the CCD zone. This property is located in the hub of Union Square and currently provides no parking spaces on-site. There will continue to be no on-site parking under the proposed conditions. As this property is sited less than ¼ mile from a major (future) transportation hub, the new Union Square Green Line station, it is appropriate that pedestrian access is encouraged rather than vehicular dependency.

**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."***

**Surrounding Neighborhood:**

300 Somerville Avenue is located at the nexus of Somerville Avenue and where Bow Street curves off to the left. Just two blocks further along the street, Somerville Avenue intersects with Washington Street which is anchored by St. Joseph Parish on the far right corner of the intersection.

This portion of Somerville Avenue is lined with single-story, commercial storefront buildings faced with cast concrete, brick, or wood. Two- and three- story commercial and mixed-use buildings of varying



styles (flat-roofed, gabled, Mansard) dot the thoroughfare. 300 Somerville Avenue abuts 31 Union Square, a late 19<sup>th</sup>-century commercial building that currently houses Work Bar on the first floor.

**Impacts of Proposal (Design and Compatibility):**

The Board was less enthusiastic than the DRC about the design of the Somerville Avenue façade of the building. The Applicant team has worked in the intervening months to re-design the front façade to be more harmonious with the scale and late 19<sup>th</sup>- early 20<sup>th</sup>-century design found in much of the Union Square streetscape. The changes are described later in this report.

The proposed rehabilitation of the middle “body” of the structure and the retention and minimal alterations to the rear portion of the church will be minimally visible from the Washington Street and Somerville Avenue public ways.

At their March 21, 2019 meeting, the Planning Board directed the Applicant team to re-design the front façade of the building such that it was better reflective of the late 19<sup>th</sup> and early-20<sup>th</sup>-century designs of other buildings in Union Square. The Planning Board specifically referenced the abutting 31-33 Union Square (the “Eberle Building”) from which the Applicant team should take design cues.

At their May 15, 2019 meeting, the Planning Board provided an advisory review of several design options for the front façade presented by the Applicant team. The Planning Board advised on the design option most responsive to their March 21, 2019 concerns.

The plans under review by the Planning Board for their June 20, 2019 hearing reflect the most responsive design option. Due to a change in Planning Board membership since this case was first opened, the case needed to be re-advertised.

From a use perspective, the Board finds that the proposal to create a mixed-use site (2 commercial and 10 residential units that includes an affordable unit along with a fractional payment) will upgrade the site and this portion of Union Square in terms of added density and promoting pedestrian-oriented commercial spaces.

Applications for Special Permits with Site Plan Review in Residence Districts must meet the design guidelines under SZO §5.2.4. The design guidelines for residential districts are as follows:

- a. *Buildings should be generally of the same size and proportions as those existing in the neighborhood. This shall apply in cases of multi-family development as well as one-, two-, and three-family units. For example, if relatively small two- and three-family structures are common in a neighborhood where multi-family development is proposed, the multi-family development should be physically broken into components that, from a design perspective, are housed in buildings of similar width, depth, and height as those typically found in the neighborhood.***

The existing building is a long, large building that is the result of several additions, multiple alterations and deletions. The proposal to renovate the building such that each portion of the building (front, middle, rear) is three stories in nature, is consistent with numerous buildings along Somerville Avenue.

- b. *Use of traditional and natural materials is strongly encouraged (e.g. wood clapboard, wood shingles, brick).***

The cast concrete/stucco-ed rear portion of the church building will remain clad as such. The materials to be used on the exterior of the building will be reviewed and approved by Planning Staff (as conditioned). Materials such as stone, brick, glass, wood on the rehabilitated middle portion and the new street facade will be preferred.

- c. *Additions to existing structures should be consistent with the architecture of the existing structure in terms of window dimensions, roof lines etc.***

The dimensions of the existing structure vary significantly from the Somerville front of the lot to the rear due to the number of additions and alterations the building has undergone over the decades.

The Board finds that the re-design of the front portion of 300 Somerville Avenue presents a scale, massing, and general material palette that is reflective of the late 19<sup>th</sup>- and early 20-century commercial facades of other modestly-scaled buildings in Union Square. This revised design lends a distinct base-middle-top proportionality to the front façade that is expected of buildings of this size and of the older time period reflected in the Square. The Planning Board has added a condition that all materials used on all facades of the building will be reviewed and approved by Planning Staff. To that end, the Planning Board will want to ensure that the cornice and base present cast stone or large limestone block-style veneers or similar.

In response to concerns from abutters, an exit door originally sited on the north elevation has been removed. The Applicant has entered into agreements to lease six (6) off-site parking spaces for some of the building residents, per the request of the Planning Board, until the Union Square Green Line station is complete. The Applicant has also entered into a covenant with rear abutters regarding access to green space at the rear of the property. The Planning Board was provided with these documents at previous meetings.

- d. *Although additions should not clash with or be incompatible to the existing structure, it is acceptable and even desirable for the new construction to be distinguishable from the existing building, perhaps by maintenance of design elements of the original building that would otherwise be lost (e.g. false rakes, fasciae, and the like).***

The Somerville Avenue façade design will be distinguishable from the middle portion of the building in terms of materiality, scale, and massing. This façade will also be distinguishable from the cast-concrete portion of the church that fronts on Washington Street in terms of materiality, scale, and design.

- e. *Where practical, new or infill building construction should share the same orientation to the street as is common in the neighborhood. When not contrary to any other zoning law, front and side yards should be of similar dimensions as those typical in the area.***

The main façade of the proposed building is oriented toward the street, in keeping with standard

design practices implemented in the core of an urban area. The front and side yards are compliant with zoning.

- f. *Driveways should be kept to minimal width (perhaps a maximum of twelve (12) feet), and be designed so that no vehicle parked on the drive may straddle the public sidewalk in any way. Low barriers or plantings may be required to separate the parking area from the pedestrian space.*

N/A

- g. *Transformers, heating and cooling systems, antennas, and the like, should be located so they are not visible from the street or should be screened.*

This report has been conditioned in that items such as these shall be screened and that trash and recycling shall be picked up by private contractor. Trash and recycling shall be required to be stored inside until trash/recycling day.

- h. *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 Board finds that, except for the items needing relief as noted at the outset of this report, the proposal meets the zoning for the CCD-55 district.

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

Based upon feedback received to-date from various City departments, the project meets accepted standards and criteria for the functional design of facilities, structures, and site construction. Any necessary mitigation or minor design changes have been incorporated into the recommended conditions section and/or noted in other assessment sections of this report. If any further mitigation or design changes are needed once work on the site is in-progress, such issues will be addressed by appropriate City departments as-needed at that time.

**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.”***

The site is nearly completely covered by building and impervious material. Currently, there is only 9% landscaping on the site. All of this impervious material will be removed as part of this proposal and the landscaping will be increased to 22% (this is accomplished along the right and left side yards of the property). Impacts on the sanitary sewer system are likely, due to the number of units proposed. Therefore, it is a condition that if the minimum threshold is met, the Applicant shall make an I/I payment.

It is the intent of the CCD zones to encourage pedestrian access to commercial and residential sites. This project has been designed to be pedestrian-friendly given its Union Square location and due to the provision of two pedestrian-accessible commercial spaces along the street frontage. As noted earlier, it is within ¼ mile of the Union Square Green Line stop.



**7. 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 mixed commercial and residential use will not adversely impact the environment. 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.

Typical construction noise and odors for a project this size can be expected. Ultimately, oversight and enforcement of environmental issues on the site rests with the Commonwealth of Massachusetts and not with the City of Somerville.

**8. Consistency with Purposes:** *“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 Board finds that the proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to 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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to adequately protect the natural environment; 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.”*

The site currently contains one large structure that runs through the lot from Somerville Avenue at the front towards Washington Street at the rear. The site is mostly covered with building and with bituminous material. The site is flat and completely devoid of natural features. The site is proposed to include increased permeability and 22% landscaping.

**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.”*

The proposed use of the site, mixed commercial and residential, is compatible with the CCD-55 zone and with the majority of the neighborhood. The front of the building will face the Somerville Avenue public way as do the other residential buildings on the street. Currently, there are no plans for solar installation, however. The abutters on the right and left sides of the property will have some of their views of the site interrupted. See earlier portions of this report for an assessment of design.

**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.”*

The proposed project improves the permeability of this site through the installation of permeable hard surfaces and landscaping. The project further includes substantial pre-construction site work that will address water flow through the site itself. As is typical of a project of this scale, this report is conditioned to require the Applicant to submit their civil engineering plans to the City’s Engineering Department for their review, comment, and sign-off. The landscaping percentage will increase from 9% - 22% which will further help with permeability.

**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.”*

As the property is not being demolished, it does not come under the purview of the Historic Preservation Commission (HPC). As this portion of Union Square is not a local historic district (LHD), it also does not come under the purview of the HPC. Though the creation of a Union Square LHD is part of the Union Square neighborhood plan, due to the significant alterations this building has already undergone, as evident photographically and as noted by architectural historians, it is unclear as to whether this building would be included in such that the Board has added a condition that interpretive signage must be included on the exterior of the building in order to discuss the cultural and architectural history of the church on this site and its relationship to Union Square.



**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.”*

See the Board’s earlier comments in this report relative to the Somerville Avenue façade design.

**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.”*

The Board has included a condition that all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.

**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.”*

Emergency personnel will have access to the building from the front. The building is also required to meet state fire code, including full sprinkling. The City’s Fire Prevention personnel are responsible for inspecting and approving the building according to fire regulations.

**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.”*

N/A

**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.”*

The Applicant is required to present their electrical/utility plan to Lights & Lines and Highways.

**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.;*

Minimal negative impacts are anticipated as a result of the proposed residential use. The site will be improved through new drainage systems, landscaping, and pervious material. Furthermore, there will not be machinery that emits heat, vapor, light or fumes beyond those of a typical multi-unit residential use.

**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 required to be reviewed under Special Permit for all occupants of the commercial spaces. Unless otherwise conditioned in this initial approval, no other signage shall be allowed except under the review of the Special Permit Granting Authority (SPGA).

**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.”***

The Board has conditioned this report to require interior storage of trash/recycling and private pick-up. Private snow removal is also required. Trash and recycling storage will be in the building until the night before pickup.

**21. Screening of Parking: *The Applicant must ensure that “the parking areas should be screened or partitioned off from the street by permanent structures except in the cases where the entrance to the parking area is directly off the street.”***

N/A

### **Article 9 of the SZO**

The application includes a request for a Special Permit for relief from the number of required parking spaces. Pursuant to SZO §9.13.g, projects incorporating inclusionary housing may reduce the total number of parking spaces if the Applicant submits documentary evidence that parking is adequate to serve the development. The requirements of Article 9 shall be considered met if approval is granted for the requested Special Permit under SZO §9.13.

As noted earlier in this report, when inclusionary units are being provided under Article 13 of the SZO, parking relief can be requested as a Special Permit, regardless of the number of spaces of relief that are needed. Pursuant to §9.13 of the SZO, the Board provides the following assessment:

1. Increase in traffic volumes: Given that 10 residential units will be provided on the 109-111 Prospect Street site, it can be assumed that some increase in traffic volumes will occur due to the uptick in site density. However, this property is sited less than ¼ mile from the future Green Line stop in the heart of Union Square. The proposal to not provide parking in this location is consistent with the proposed zoning for this area.
2. Increased traffic congestion or queuing of vehicles: The project is in the heart of Union Square. This area is undergoing significant infrastructure work and will continue to over the next several years. It is certainly possible that there will be increased traffic congestion and queuing of vehicles during the lengthy transformation of this area *in general*, however, this will be largely due to the massive changes to the transportation systems and infrastructure in this area as opposed to this specific project.

The property has most currently served as a house of worship and provides no on-site parking for parishioners. Houses of worship hold events and meetings beyond “regular” service hours. Therefore, it is reasonable to assume that the more consistent comings-and-goings to this

*general area* by future residents of this site will be less impactful on traffic congestion and vehicle queuing than with well-attended church events.

3. *Change in the type(s) of traffic*: Construction-related vehicles will be approaching and retreating from the site during the construction phase. Trash/recycling pickup and snow removal vehicles will be present when required.
4. *Change in traffic patterns and access to the site*: There will be no changes to the traffic patterning approaching or leaving the site as a result of this project.
5. *Reduction in on-street parking*: The site currently provides no on-site parking and this will continue to be the case under the proposal. It is certainly possible that some residential units will have one or more cars associated with them and that those residents will have to procure off-site parking arrangements or will be park on nearby public streets.

#### **6. Housing Impact:**

Will provide one (1.0) affordable housing unit (along with a fractional payment) and add nine (9) market-rate units to the City's housing stock (11 total units for project).

#### **7. SomerVision Plan:**

The proposal significantly rehabilitates property in the heart of Union Square and provides pedestrian-friendly housing and commercial opportunities. The proposal provides for an affordable housing unit and a fractional payment. The landscaped area will be increased from 9% to 22% on a lot that is largely already built-out, and all bituminous material will be removed from the site.

### **III.DECISION:**

Present and sitting were, Michael Capuano, Dorothy Kelly Gay, Joseph Favaloro, Amelia Aboff and Gerard Amaral. Upon making the above findings, Michael Capuano made a motion to approve the request for a Special Permit. Joseph Favaloro seconded the motion. The Planning Board voted **5-0** to **APPROVE** the request **WITH CONDITIONS**. The following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes										
1	Approval is to renovate the existing building to create 10 residential units (one of which will be affordable) and two commercial units. Increase the GFA by more than 25%. Parking relief for 10 spaces.	BP/CO	ISD/Plng.											
	<table border="1"> <thead> <tr> <th>Date</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>January 24, 2019</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>February 7, 2019</td> <td>Updated plans received by OSPCD</td> </tr> <tr> <td>February 27, 2019</td> <td>Updated plans received by OSPCD</td> </tr> <tr> <td>May 21, 2019 (plan date)</td> <td>Updated plans set submitted to OSPCD</td> </tr> </tbody> </table>				Date	Submission	January 24, 2019	Initial application submitted to the City Clerk's Office	February 7, 2019	Updated plans received by OSPCD	February 27, 2019	Updated plans received by OSPCD	May 21, 2019 (plan date)	Updated plans set submitted to OSPCD
	Date				Submission									
	January 24, 2019				Initial application submitted to the City Clerk's Office									
	February 7, 2019				Updated plans received by OSPCD									
February 27, 2019	Updated plans received by OSPCD													
May 21, 2019 (plan date)	Updated plans set submitted to OSPCD													
Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.														
<b>Affordable Housing</b>														
1	Affordable Housing Implementation Plan (AHIP) shall be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.	BP	Housing											
2	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											
3	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											
4	The OSPCD Housing Division shall determine which unit shall be inclusionary and at what rate.	CO	Housing											
<b>Construction Impacts</b>														



5	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. This information shall be posted to be easily readable from the public sidewalk along Prospect Street.	During Construction	ISD	
6	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	
7	Construction shall occur from 7:30am – 5:00pm Monday-Friday ONLY. There shall be no construction or construction-related work allowed on the weekends or holidays or after hours. This includes deliveries.	During Construction	ISD	
8	A construction traffic management plan shall be submitted to Traffic and Parking for their review and approval prior to the issuance of a building permit.	BP	T&P	
<b>Design</b>				
9	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit.	BP	Plng./ISD	
<b>Site</b>				
10	The property shall be re-landscaped. All landscaping materials including those used for plantings, hardscape and fencing shall first be submitted to and approved by Planning Staff prior to ordering or installation.	Prior to ordering/installation / CO	Plng./ISD	
11	All bituminous material and/or cement shall be removed from the site and be replaced with pervious pavers, pea stone or similar. All materials to be used shall be submitted to Planning Staff for their review and approval prior to ordering/installation.	Prior to ordering/installation / CO	Plng./ISD	
12	The location of transformers and any mechanicals shall be included on an updated landscaping plan that shall be submitted with the building permit application. Location of all mechanicals and transformers shall be reviewed and approved by Planning Staff.	BP	Plng./ISD	
13	Garbage and recycling locations shall be clearly indicated on site plans. Storage areas shall be inside of the structure or shall be fully screened from view from both the public way and abutters by an appropriate material reviewed and approved by staff. The location shall not impact any parking, landscaping, or egress.	BP	Plng.	
<b>Engineering</b>				
14	The Applicant must contact the Engineering Department to obtain street addresses prior to a building permit being issued.	BP	Eng	



15	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	Eng.	
16	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	Eng.	
17	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.	CO	Eng.	
18	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.	
19	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	Eng	
<b>Miscellaneous</b>				
20	Granting of the applied for use or alteration does <u>not</u> include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.	Perpetual	ISD / Plng.	
21	Trash and recycling shall be stored in the building until trash/recycling night.	Perpetual	ISD	
22	Trash shall be picked up by a private contractor.	Perpetual	ISD	
23	Snow removal shall be undertaken by a private contractor and all shoveled/plowed snow shall be removed from the site.	Perpetual	ISD	
24	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	



25	Gas and electric meters shall not be on the front of the structure. Gas and electric meters may be located on the side of the structure but shall be screened from the street by a hardy, staff approved evergreen planting. Utilities shall not be located adjacent to windows and shall not impact any parking, landscaping, or egress. The provisions of this condition may be waived by staff if the applicant submits a letter from the utility, signed by a utility representative, on utility letterhead, indicating that there is no feasible alternative to placing meters in violation of this condition.	CO	ISD	
26	Electrical conduits on the exterior facades of buildings shall be painted to match the wall material to which they are attached. Conduits are not allowed on the front of any structure.	CO	Plng.	
27	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.	Perpetual	ISD	
28	Prior to receiving a building permit, the applicant will sign a covenant agreeing to provide \$2.40 per square foot of total development on the site to the City of Somerville as a payment towards the City's contribution to the Green Line Extension. The covenant shall include the following: 1) The applicant shall make payment with a portion to be paid prior to the first unit being occupied and the final payment to be paid prior to the last unit being occupied - the portions shall be delineated in the covenant; 2) The payment shall be equal to \$2.40 per net square foot, exclusive of garage and storage areas, as defined in the zoning ordinance; 3) If, prior to making the payment, the City establishes a formal policy for developer payments to the Green Line Extension, and said policy includes exceptions or reductions in the payments, these exceptions and reductions will apply to this project as well; 4) The funds may only be used to pay for the Green Line Extension project.	BP	Plng.	
29	The Applicant shall work with the Planner to create interpretive signage regarding the architectural and cultural history of the site that shall be permanently affixed to the Somerville Avenue façade of the rehabilitated structure. All content (text and photos) shall be provided by Planning Staff . Size, design, and placement of signage shall be determined by Planning Staff	CO	Plng/ISD	
<b>Public Safety</b>				
30	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
31	Per Somerville fire safety regulations, grills, barbecues, chimineas and the like are NOT permitted on decks or porches. This shall be written into condo/rental documents. Proof thereof shall be provided to Planning Staff prior to the issuance of a CO.	CO/Perpetua l	FP/ISD	



32	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	Plng.	
33	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 Planning Staff and Traffic & Parking prior to acquisition and installation.	CO	Plng/ISD/ T&P	
<b>Final Sign-Off</b>				
34	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.	

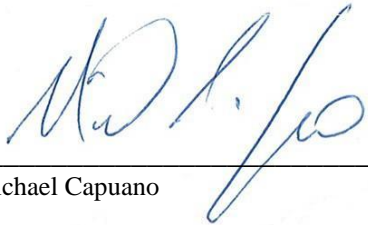




Attest, by the Planning Board:



Joseph Favaloro



Michael Capuano

  
Dorothy A. Kelly Gay

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 \_\_\_\_\_

