



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

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Case #: PB 2018-15

Site: 561 Windsor Street

Date of Decision: November 29, 2018

Decision: *Petition Approved with Conditions*

Date Filed with City Clerk: December 11, 2018

PLANNING BOARD DECISION

Applicant Name: RPI 561 Windsor LLC
Applicant Address: 27 Mica Lane, Suite 201, Wellesley, MA 02481
Property Owner Name: RPI 561 Windsor LLC
Property Owner Address: 27 Mica Lane, Suite 201, Wellesley, MA 02481
Agent Name: Adam Dash
Agent Address: 48 Grove Street, Suite 304, Somerville, MA 02144
Alderman: J.T. Scott

Legal Notice: Applicant and Owner, RPI 561 Windsor Street LLC, are seeking a Special Permit with Site Plan Review (SPSR) under SZO Article §6.5.D.5, §6.5.E, and §7.13 to alter the façade and site plan on an existing five-story commercial building, in 6 phases.
TOD-135. Ward 2.

<u>Zoning District/Ward:</u>	TOD-135. Ward 2.
<u>Zoning Approval Sought:</u>	Articles §6.5.D.5, §6.5.E, and §7.13
<u>Date of Application:</u>	August 16, 2018
<u>Date(s) of Public Hearing:</u>	10/4, 11/8, 11/29
<u>Date of Decision:</u>	November 29, 2018
<u>Vote:</u>	5-0

Appeal PB 2018-15 was opened before the Planning Board at Somerville City Hall in the Aldermanic Chambers on October 4, 2018. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. On November 29, 2018, the Planning Board took a vote.



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I. DESCRIPTION:

Subject Property:

The subject property is in Boynton Yards and is made up of three parcels with a total area of 27,481 sf. Internally, the property is divided down the middle such that one side contains five floors and the other side four floors even though the building is the same height throughout when viewed from the exterior. The structure on the site houses a mix of uses.

In 2001, the Zoning Board of Appeals issued a special permit to alter the existing non-conforming structure (S.Z.O. §4.4.1.), a special permit to park on a separate lot (S.Z.O. §9.13.d.), a special permit for floor area ratio (S.Z.O. §8.5.e.) and a special permit for height (S.Z.O. §8.5.f.). The ZBA also issued a special permit with site plan review to place 53,851 gsf of non-medical office space within the existing building (S.Z.O. §7.11.7.1.c). The plans were not implemented and the Special Permit has since expired.

In February 2010, the Planning Board issued a special permit to expand manufacturing space (SZO §7.13.H) in the building for the tenant Taza Chocolate. In May 2010, the application for phased façade alterations was approved. The Special Permit was revised in April 2012 to alter the approved signage and landscaping and add windows in the back of the building.

In February 2018, a determination was made by the Planning Director that “the Property, as it is currently configured and being used, is fully in compliance with the law.” Therefore, the building and the parking area are legally separate lots.

II. DESCRIPTION OF PROPOSAL

The Applicant seeks to retain the existing building while rehabilitating the building and the site plan to change the uses to a mix of office, research/development (R&D), and arts-related uses. The project is proposed to occur in multiple phases but complies with the goals of SomerVision of creating jobs and increasing mobility options. There are six proposed phases to the renovations – three each for the building and site.

Regarding the building exterior:

Phase I will involve renovating the rear façade by opening previous closed windows and adding new fenestration to bring daylight into the building. The material would remain stucco with grid lines and the windows would be larger and more proportional to the building’s size. This work will be completed on or before 2 years from the opening of the Union Square Green Line Station.

Phase II will involve the right half of the Windsor Place façade. The brick veneer will be removed, the wall openings increased, and operable windows installed. The perforated metal panels at the ground floor will be removed and replaced with storefront windows where appropriate for internal uses and high-density fiber cement panels. This work will be completed on or before 2 years from the opening of the Union Square Green Line Station.

Phase III will involve the left half and the center of the Windsor Place façade and the Windsor Street façade. At the ground level the high-density fiber cement panels and storefront windows will continue – as described in Phase II. A metal paneling system will be added to the middle of the building to draw



attention to the main entrance. A canopy will also be added above the door to give this entrance prominence and be distinct from the rest of the building. To the left of the entrance, the brick veneer will be removed and new windows added. This phase also includes replacing the windows and brick veneer on the western side of the building along Windsor Street. This elevation will be mostly corrugated metal similar to the Windsor Place elevation with stucco on the southern corner as the façade wraps to the rear of the building. The Phase III work will be complete on or before 5 years from the opening of the Union Square Green Line Station.

Regarding the site plan:

Phase A will involve the center along Windsor Place, which includes adding a drop-off/pick up area for two vehicles, landscaping, and bicycle parking, and will be completed on or before 2 years from the opening of the Union Square Green Line Station.

Phase B will involve the right portion along Windsor Place, which includes in part five parking spaces, landscaping and additional bicycle parking, and will be completed on or before 2 years from the opening of the Union Square Green Line Station.

Phase C will involve the left portion along Windsor Place, which includes in part a patio and landscaping and will be complete on or before 5 years from the opening of the Union Square Green Line Station.

Parking

The property is presently grandfathered 77 parking spaces, as analyzed by Planning Staff and documented in a memo date November 30, 2017. The existing 6 parking spaces are along the front of the building; however, one of these spaces will be removed to create a larger area for bicycle parking. The parking requirements for the building will still be met.

The proposed use clusters and associated parking requirements in the building are:

- Office (total 70,344 sf) – 70 parking spaces
- Small Retail and Service (total 3,000 sf) – 2 parking spaces
- Arts Related Uses (total 4,738 sf) – 5 parking spaces
- Food/retail (total 1,500 sf) – 3 parking spaces

80 parking spaces are required
5 parking spaces are available

Based on the current vehicle parking requirement, only 7 bicycle parking spaces are required as Section 9.15 requires only 1 space per 3000nsf. However, as this a transit-oriented zone and current employees cycle frequently, the Applicant is proposing to supply bicycle parking in greater numbers than the code requires. A new bike shelter is proposed that will hold 50 bicycles and there will be additional bike racks against the building (for a total of 68) in place of one of the loading docks on the Windsor Place side of the building.

Loading

The three loading docks in the front of the building will be removed to accommodate the new site design. The one loading area in the rear of the building would remain and has existing nonconforming dimensions.

Trash Disposal



There is a dumpster in the back of the building that serves the entire building.

Utilities

The existing transformer located in the front of the building along Windsor Place will remain. However, the landscaping provides some screening from the sidewalk and as the vegetation grows, it will become denser.

3. Green Building Practices: None specifically listed. This is an existing building and is not undergoing full renovation. However, the Applicant is increasing the pervious area and the amount of landscape with the proposed site improvements. The replacement exterior wall materials and fenestration will be contemporary energy-efficient construction standards with improved insulation and double-paned low emissivity glass in the windows and storefronts.

4. Comments:

- Fire Prevention:* None at this time.
- Traffic & Parking:* None at this time.
- Wiring Inspection:* None at this time.
- Lights and Lines:* None at this time.
- Engineering:* None at this time.
- Historic Preservation:* Not applicable.
- Ward Alderman:* None at this time.

III. BOARD FINDINGS FOR REVISION TO A SPECIAL PERMIT WITH SITE PLAN REVIEW-A

Information Supplied:

The Board finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.

2. Compliance with Standards: *The Applicant must comply “with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit with site plan review.”*

Nature of Application: TOD-135

Since the building is existing many of the development standards within the TOD zone (Section 6.5.G) do not apply to this application. However, the proposal does address the requirements for pedestrian connections by promoting pedestrian activity through separate front entrance doors to lobbies and retail that are oriented to the public sidewalks. The site plan improvements will be coordinated with the Director of Engineering to ensure that City standards are met and will be appropriate for the burgeoning Boynton Yards revitalization.

Section 4.4.1 states that “[l]awfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the



following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character.”

In considering a special permit under §4.4 of the SZO, the Board finds that the proposed alterations and change of use would not be substantially more detrimental to the neighborhood than the existing structure and use.

3. Purpose of District: *The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6".*

The proposal is consistent with the purpose of the district, which is, “to encourage mixed-use transit-oriented development with well-designed pedestrian access near transit connections and commercial squares . . . Moderate to high-density developments will include commercial, residential, and institutional cores complemented by pedestrian-oriented retail and business services, and in some districts, compatible industrial uses”.

“TOD-135. This higher-density, taller sub-district shall provide the largest economic development opportunities, while being strategically located to minimize impacts to existing neighborhoods. This sub-district is intended to promote those developments that further the City's stated goals of improving its commercial tax base and bringing good quality jobs to the City. To accomplish these goals, this sub-district should be predominantly dedicated to uses such as office, research and development, and life sciences. Residential development, however, may be allowed provided that it is secondary and complementary to commercial development. To offset higher density, increased provision of public open space is expected in this area.”

4. Site and Area Compatibility: *The Applicant has to ensure that the project “(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area”.*

Surrounding Neighborhood: The surrounding area, Boynton Yards, is an underutilized area containing scrap yards, industrial buildings, and parking lots. It is, however, within walking distance to the future Union Square Green Line Station making it a prime location for transit-oriented development and the large industrial parcels ripe for redevelopment as an employment center.

Impacts of Proposal (Design and Compatibility):

Since the building is existing, many of the design guidelines within the TOD zone (Section 6.5.H) do not apply to this application. However, the existing building does complete the streetwall along Windsor Place and Windsor Street and the major entrances are on public streets that lead to bus stops and future transit stations.

- Thirty-foot-wide commercial bays with independent entrances and 75% transparency is not possible in an industrial building with existing tenants. The proposed façade upgrades do, however, show increased storefront windows on the elevations fronting public streets.
- The exterior building materials for all visible portions of the building will be high quality, durable, and aesthetically appropriate. As specified in the design guidelines, the “predominant exterior building materials (will) include an appropriate combination of brick, glass, wood, artistically used metal, stone, or stucco”.
- Visible rear and side façades will maintain a similar character to the front façade of the

building.

- Signage and awning design will respect building's context (e.g., scale, design, style, colors, materials), be oriented to pedestrians, and be subordinate to the overall building composition. Signage, once designed and detailed, will require approval from the Director of Planning and documented with application for Building Permit for installation of the signage.
- The elevations have been designed with changes in material, fenestration, architectural detailing, and other elements to avoid a monolithic appearance.
- All rooftop-building systems, will be screened with materials that harmonize with the buildings' exterior finishes.
- The final details and dimensions of the street right-of-way and public sidewalk will be coordinated with the Directors of Planning and Engineering as the design progresses.

The guideline that cannot be met due to existing conditions is the parking access. The 5 parking spaces are head-in spots accessed directly off Windsor Place. This is not a condition that would be approved in a new development as the guideline says "On-site, off-street parking should be accessed from either a side street or an alley". As these are existing, the spaces may remain but should be designed as part of the plaza and sidewalk to minimize conflict with pedestrians. A condition is also recommended that this area only remain as parking spaces until Taza Chocolate no longer occupies the building, the Union Square Green Line Station is open, and the development in Boynton Yards has begun at which point the area must be redesigned and incorporated into the adjacent open space.

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

The project will meet accepted standards and criteria for the functional design of facilities, structures, and site construction.

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."*

This proposal is unlikely to create additional impacts on the public services. The sanitary sewer and storm drainage systems in the neighborhood must be improved and/or replaced as the neighborhood redevelops but this building is already included in the existing capacity calculations.

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."*

This proposal will not create any environmental impacts.

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 proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to provide for and maintain the uniquely integrated structure of uses in the



City; to conserve the value of land and buildings; and, to preserve the historical and architectural resources of the City.

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.”*

There have been no natural features or landforms within this industrial area for a very long time. Significant open space will be re-introduced to the area as part of a neighborhood plan but this property can only provide a small amount of landscape due to the site coverage of the existing building.

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.”*

While there is very little in the current surrounding built environment worth referencing, the existing building remains to form part of the basic network of new streets and development sites which will be the Boynton Yards neighborhood.

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 Applicant will continue to coordinate with the Director of Engineering regarding the anticipated upgrade to utilities in the neighborhood.

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.”*

The existing building was built in 1920 according the City Assessor’s Database making the building old enough to be saved and re-used as it has been over the years. The building will remain.



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.”*

The elevation alterations as designed are a good combination of the old and the, anticipated, new. Retaining the industrial character from Boynton Yards history will be important as the neighborhood revitalizes and is developed with new buildings into an employment center as envisioned by SomerVision.

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.”*

All lighting at the public space and as part of the street improvements will be reviewed by the Directors of Planning and Engineering to coordinate with city standards and provide adequate visibility for public safety.

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.”*

The existing building will continue to be accessible for public safety from Windsor Place, Windsor Street, and the shared alley on the south side.

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.”*

The existing building is located at the intersection of Windsor Place and Windsor Street, and the traffic patterns will be further investigated by the City as the neighborhood redevelops.

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.”*

All utility services are existing to remain.

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.”*

This proposal will not create any adverse impacts on the adjacent properties and will improve the general area.

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 must be submitted with more detail than shown on the current application. Any signage will require approval from the Planning Director prior to the granting of any Building Permit but will not require a separate Special Permit.



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 existing to remain transformer is screened from the public right-of-way by plantings to the extent permissible by code. The dumpster is setback from the street and trash collection will remain accessed via the shared right-of-way with the property to the south at 541 Windsor Street.

21. **Screening of Parking:**

As mentioned above, the 5 existing to remain parking spaces cannot be screened as they are accessed directly from the street.

21. **Housing Impact:** *Will not create adverse impacts on the stock of existing affordable housing.*

There is no housing in this proposal.

22. **SomerVision Plan:** *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	0	0
<i>Affordable Units:</i>	0	0
<i>Commercial Sq. Ft.:</i>	21,281	21,281
<i>Estimated Employment:</i>	100-125	unknown
<i>Parking Spaces:</i>	6	5
<i>Publicly Accessible Open Space:</i>	0	0

23. **Impact on Affordable Housing:** *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

There is no housing in this proposal.

III. DECISION:

Based on the materials submitted by the Applicant and the attached findings, the Planning Board finds that the application for the Special Permit with Site Plan Review meets the goals of the City for this site, the purposes of the district, and the provisions and purposes of the Ordinance. Therefore, the Board recommends **CONDITIONAL APPROVAL**.



All additional findings and conditions attached are applicable.

Approval does not include the design of the storefronts or first floor retail signs. The storefront design and signage are subject to Board review to ensure that the design is consistent with standards.

The recommendation is also based upon a technical analysis by the Planning Board of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Board during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes				
1	<p>Approval is for the change of uses, and alteration of the façade and site plan each in three phases as outlined in this report (see page 2).</p> <p>This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>August 16, 2018</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> </tbody> </table> <p>Any changes to the approved site plan, elevations, and uses that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	August 16, 2018	Initial application submitted to the City Clerk’s Office	CO / BP	ISD/ Planning	
Date (Stamp Date)	Submission							
August 16, 2018	Initial application submitted to the City Clerk’s Office							
2	Phases I, II, A, and B of the project shall be completed on or before two years from the opening of the MBTA Green Line transit station in Union Square.	2 years after Union Square Green line opening	Planning					
3	Phases III and C of the project shall be completed on or before five years from the opening of the MBTA Green Line transit station opening in Union Square.	5 years after Union Square Green line opening	Planning					
4	The 5 head-in parking spaces that are accessed directly off Windsor Place may only remain as parking spaces until Taza Chocolate no longer occupies the building, and 5 years after the Union Square Green Line Station is open, and there has been 500,00sf of new construction completed in Boynton Yards. When all three occur, the area must be redesigned and incorporated into the adjacent open space.	See condition	Planning					



5	The Applicant/Owner will coordinate with the Directors of Planning and Engineering regarding the final section and dimensions of an improved Windsor Place (appropriate for the burgeoning Boynton Yards revitalization), the drop-off area, and the publicly accessible sidewalks on Windsor Place and Windsor Street. Site improvements may be delayed to be timed appropriately with the anticipated utility and street improvements, at the discretion of the Planning Director, have been documented by the City. Any delay by the City shall cause the Applicant/Owner's deadlines hereunder to be extended by the same amount of time as said delay.	Construction of site improvements	Planning/Engineering	
6	The Applicant/Owner will coordinate with the Directors of Planning and Engineering as the open space along Windsor Place is further designed and detailed to determine the amount of paving shown on the site plan to be permeable.	BP	Planning/Engineering	
7	The Applicant/Owner will continue to coordinate with the Director of Engineering regarding the anticipated upgrade to utilities in the neighborhood prior to the construction of the site upgrades included in this approval.	Permitting for site construction	Planning/Engineering	
8	Signage and awning design will respect building's context (e.g., scale, design, style, colors, materials), be oriented to pedestrians, and be subordinate to the overall building composition. Signage must be submitted with more detail than shown on the current application. Any signage will require approval from the Planning Director prior to the granting of any Building Permit but will not require a separate Special Permit.	BP	Planning	
9	The Applicant/Owner shall supply the final details, samples, and colors of all material (façade and site plan) to Planning Staff for review and approval.	BP	Planning	
10	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc.) and the entire sidewalk immediately abutting the subject property to be coordinated with other site improvements. All new sidewalks and driveways must be constructed to Engineering standard.	Final sign off	Engineering	
11	The Applicant shall install a total of 68 bicycle parking spaces onsite to specifications approved by the Director of Transportation & Infrastructure.	BP	Planning/T&I	
12	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 parcel-related storm water systems, ensuring they are clean, well-kept and in good and safe working order.	Perpetual	ISD	
13	The Applicant shall ensure that the vegetative material continues to screens the existing transformer from the sidewalk to the extent permissible by code.	Perpetual	Planning/ISD/DPW	

Pre-Construction



14	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	Engineering	
15	The Applicant shall submit a drainage summary explaining the current run-off conditions of the existing building/site and the proposed improvements, that demonstrates compliance with the City's stormwater policy.	BP	Engineering	
16	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	Engineering	
17	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	ISD	
18	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	
Construction Impacts				
19	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.	During Construction	Planning	
20	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Perpetual	Planning	Deed submitted & application formed signed
21	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction	During Construction	ISD	
22	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
Site				

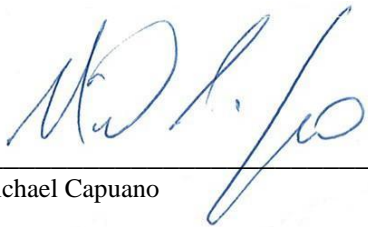


23	The electric, telephone, cable TV and other such new lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
24	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Director of Engineering. Specifically, all driveway aprons shall be concrete;	CO	Engineering	
Miscellaneous				
25	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	Planning	
Public Safety				
26	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
27	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 OSE office, Fire Department and the Board of Health shall also be notified.	At time of release	OSE/FP/BOH	
28	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	Planning	
Final Sign-Off				
29	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Planning	

Attest, by the Planning Board:



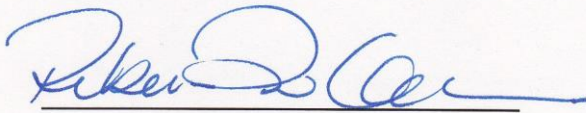
Joseph Favaloro



Michael Capuano



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 _____

