



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

PLANNING DIVISION

ZONING BOARD OF APPEALS MEMBERS

HERBERT F. FOSTER, JR., *CHAIRMAN*
ORSOLA SUSAN FONTANO, *CLERK*
RICHARD ROSSETTI
T. F. SCOTT DARLING, III, ESQ.
DANIELLE EVANS
ELAINE SEVERINO (ALT.)
JOSH SAFDIE (ALT.)

Case #: ZBA # 2011-62
Site: 1323 Broadway
Date of Decision: September 21, 2011
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: October 4, 2011

ZBA DECISION

Applicant Name:	Volunteers of America of Massachusetts, Inc.
Applicant Address:	c/o Thomas Bierbaum, 441 Centre Street, Jamaica Plain, MA 02130
Property Owner Name:	CASCAP Realty, Inc.
Property Owner Address:	678 Massachusetts Avenue, Cambridge, MA 02139
Agent Name:	Peter Caro
Agent Address:	Casner & Edwards, LLP, 303 Congress Street, Boston, MA 02210

Legal Notice: Applicant Volunteers of America of Massachusetts, Inc. and Owner CASCAP Realty, Inc., seek a Special Permit with Site Plan Review to establish more than three dwelling units under SZO §7.3 and a Special Permit under SZO §9.13 to modify parking and loading standards to establish a Group Residence and 7 affordable units.

<u>Zoning District/Ward:</u>	RB zone/Ward 7
<u>Zoning Approval Sought:</u>	§7.3 & §9.13
<u>Date of Application:</u>	August 9, 2011
<u>Date(s) of Public Hearing:</u>	September 21, 2011
<u>Date of Decision:</u>	September 21, 2011
<u>Vote:</u>	5-0

Appeal #ZBA 2011-62 was opened before the Zoning Board of Appeals at Somerville City Hall on September 21, 2011. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Zoning Board of Appeals took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov



DESCRIPTION:

The Applicant is proposing to renovate the existing structure to provide transitional housing for homeless veterans in need of support. The renovation of the building would create 22 beds and supportive services on the basement and first floors of the building and 7 permanent affordable apartment units on the second floor (4 one-bedroom units and 3 studio/efficiency units) with 5, round-the-clock staff members in the building. All seven of the units on the second floor will be affordable units as defined in Somerville Zoning Ordinance (SZO) Article 13. The basement would contain five transitional beds (a single room and two doubles), program rooms, a kitchen, a dining/activity room, and storage, mechanical, laundry, and maintenance facilities. The first floor would contain a newly relocated main entrance, 17 transitional beds (7 singles and 5 doubles), and a lounge. The second floor would consist of all the permanent units complete with their own private bathrooms and kitchens. Much of the structure would have new windows installed that are more energy efficient.

There would also be substantial improvements to the property outside of the existing structure. The main entrance to the structure would shift from Broadway to an at-grade entrance off of North Street. Entryway stairs would also be reworked at the old main entrance on Broadway and the secondary entrance on the façade that faces North Street. Additionally, the existing chain link fence that encloses the property will be removed and a new ornamental, 4 foot high, black aluminum fence would be installed along Broadway and North Street. The existing 6 foot high wooden stockade fence at the rear of the property would also be replaced with a new one. The landscaping on the site would also be enhanced with increased plantings along the Broadway side of the property and the addition of a new stamped concrete patio at the rear of the structure. Curbs and pavement on the site would also be repaired/improved and the parking area at the rear of the structure would be expanded to accommodate for a few additional spaces. On-site parking would increase from 9 existing spaces to 11. Two of these 11 spaces would only be accessible off of Broadway but the remaining 9 spaces would be accessible via the driveway from North Street.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW FOR MAXIMUM DWELLING UNITS PER LOT (SZO §5.2 & §7.3):

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

1. **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.”

SZO §7.3 states that in RB districts, where developments include a minimum of 12.5% affordable housing units on-site, the maximum dwelling units per lot can be waived through SPSR application. In all cases minimum lot size, minimum lot area per dwelling unit and other dimensional and parking requirements of Article 8 and Article 9 shall be met. Seven affordable units will be provided on site through an AHIP. The project complies with the lot area and lot area per dwelling unit requirements for the 8 total units (7 residential units and the Community/Group Residence). This proposal meets all of the dimensional requirements, but not all of the parking requirements.

With regard to parking, in considering a special permit under §9.13 of the SZO, the Board finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing parking situation. The proposed transitional housing use would provide living space for formerly homeless veterans. Many of these people will not own a vehicle nor have access to one. The Group Home would also provide a van service to residents for appointments and connections. Further, the subject property sits right on an MBTA bus line and the property is also a reasonable walk to the Red Line. All of these items mean that residents will have less of an incentive to obtain or use a vehicle. With regard to the modification of parking and loading standards under SZO §9.13, the Applicant is not proposing to change any of the existing driveway widths and therefore is just asking for a Special Permit with regard to conditions that already exist at the site. Vehicles have been operating in a two-way manner



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov



on the driveway off of North Street and the Applicant is proposing that this traffic pattern be allowed to continue.

3. Purpose of District: The project must be “consistent with the intent of the specific zoning district as specified in Article 6.”

The proposal is consistent with the purpose of the district (6.1.2. RB - Residence Districts), which is, “To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.” While this particular proposal is not a one-, two-, or three-family residential structure, it is compatible with these types of uses and the proposed transitional housing use for homeless veterans is very similar to the previous use at the site, an emergency shelter/group home.

4. Site and Area Compatibility: The project must be “designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area.”

The project was designed to be compatible with the characteristics of the built environment and the existing land uses of the area. The form and massing of the existing building are not being changed and only minor modifications are being made to the exterior. The building is only 2 stories in height which fits into the context of the surrounding neighborhood which consists of predominately 2 to 3 story structures. The proposed site plan for the project respects the existing topography at the site and would essentially maintain the existing site layout. The biggest change in the proposal is to the structure in the relocation of the main entrance from Broadway to North Street. This relocation would actually be an improvement from the existing entrance which is situated up an entire story from the Broadway streetscape. The new entrance would provide an at-grade entryway and would help the structure to interact more appropriately with pedestrians along the streetscape.

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

The site meets the accepted standards for a functional design. The project would be maintaining the existing curb cuts on North Street and Broadway, as well as the turning radii in the parking areas. The parking area at the rear of the structure has sufficient area for vehicles to maneuver and exit the site in a forward direction. The Applicant will need to confirm with the City Engineer that the drainage system is acceptable, as conditioned.

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 approval of the SPSR shall be contingent upon the City Engineer’s determination that no adverse impacts on public systems will result from the proposed renovation. The previous use of an emergency shelter/group home at the site was very similar to the proposed use of a group home and 7 affordable housing units. The same amount of impact on the City’s public systems can most likely be anticipated from the proposed use. Curb cuts at the site would remain the same and this should in turn not impact the street system for vehicular traffic. The proposed relocation of the main entrance may slightly alter the primary pedestrian path to enter the building but the new entrance will be an improvement over the existing main entrance with an at-grade entrance off of North Street.

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.”

No adverse environmental impacts are anticipated from this project. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water are anticipated as part of



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov



the proposal. The structure will remain a 2 story building used for residential and group home purposes. The project has a Phase 1 Environmental Report from Nobis Engineering dated April 15, 2011 and a Phase 2 Report from Nobis dated June 17, 2011. These reports indicated the absence of any UST's or pollution at the property. An Asbestos Report and Radon Report dated April 25, 2011 indicated the presence of asbestos at the site, but not radon. The Applicant has indicated that the limited asbestos has been identified and it will be removed or encapsulated in the building. Further environmental investigation is not recommended.

8. 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 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 purposes 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 promoting "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 conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to encourage housing for persons of all income levels."

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 building will remain in the same location as it currently sits and would not disrupt the grading or existing land forms on the site. The landscaping along the Broadway side of the property would be greatly enhanced and a new concrete stamped patio will be put in place just off of the expanded parking area in the rear of the building. Further, the existing trees in the new front yard would also be trimmed to open up views to the 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."

The project would not alter the form or massing of the existing building. The primary changes to the building would be the relocation of the main entrance and the reconfiguration of entry stairways in various locations. The site plan also respects the existing topography of the site and while it does call for the expansion of the rear parking area, the landscaping on the site would remain ample and would actually be enhanced in many areas. The existing trees in the new front yard would also be limbed up to open up views to the building.

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."



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov



While additional review is required of drainage plans, any approval of the SPSR should be conditional upon the City Engineer's approval of such plans and determination that no adverse impact will result to the drainage system from the project's design.

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 is noted above in the comments from the Historic Preservation Commission, the plans for the project do not make any changes beyond landscaping and the rearrangement of entry stairs and ADA ramps to the exterior of the building. These changes would not significantly alter the appearance of the building.

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 improved appearance of the building and the site would help to enhance the neighborhood. On the structure itself, windows would be replaced and entrances would be reworked to provide a more inviting appearance. The on-site landscaping would also be greatly improved from its existing state. Extensive plantings would occur along Broadway and at the rear of the building a new, stamped concrete patio would be created with enhanced landscaping surrounding it. The existing trees in the new front yard of the structure would also be pruned up to open up views to the building itself.

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 lighting will be residential in nature and conditioned to not interfere with 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 vehicles would have access to the building via the parking areas off of Broadway and North Street. The main entrance to the building would be accessible on foot from the North Street streetscape, but there would also be secondary entrances on the other three sides of the building which would all be very close to the parking areas.

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 Applicant is not proposing to create any new curb cuts for the project and would continue to use the two existing ones for the site. The parking spaces that would be added to the parking area that is accessed off of North Street would increase the potential traffic coming in and out of this curb cut, but North Street is not nearly as busy as Broadway and any increase in traffic congestion from these additional parking spaces in this area should be minimal. The Traffic Analysis the Applicant submitted as part of their application indicates that the increase in traffic would not have any noticeable effect on traffic operations along Broadway or North Street.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov



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 proposing to tie into the existing City services for electric, telephone and cable. Any new lines would be placed underground in accordance with the SZO and the policies of the Superintendent of Lights and Lines.

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 transitional housing use for homeless veterans. No new impacts with regard to light, air, noise, wind, etc. are anticipated from this proposal. The Applicant is proposing to expand the rear parking area to accommodate additional parking spaces, but landscaping on the site would remain robust and the actual impervious area on the site would only increase by about 8%. Furthermore, as the subject property directly abuts a park to the north, a cemetery to the west, and multi-family dwellings and office space across the street to the east and south, minimal negative impacts are anticipated from a use which is very similar in nature to the previous 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.”

Due to the residential nature of the building, signage is not anticipated on the site. Any signage in the future would have to conform to the sign standards for residential districts.

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 proposed location of the dumpster would be within a fenced-in enclosure area. Furthermore, Staff has included a condition which requires that outdoor trash and recycling bins shall be stored in a location where they are screened from view by plantings or fencing. The same is true for transformers located on the site in which a condition requires that transformers be fully screened and located as to not impact the landscaped areas.

21. Screening of Parking:

All eleven parking spaces would be located behind the existing building. Nine of the spaces would be located in the lot off of North Street and the remaining two spaces could be accessed off of Broadway. The building, the wooden stockade fence along the rear property line, and the combination of the elevation change and the proposed landscaping would screen the nine spaces in the lot accessed off of North Street almost entirely from both streets. The two parking spaces which could be accessed from Broadway would only be somewhat screened from the streetscape by the building and the landscaping on either side of the spaces. However, the spaces are setback over 20 feet from the sidewalk which greatly helps to reduce their visibility from an approaching view in either direction. While this is not the most ideal location or screening of the parking spaces, this is the existing situation at the site.



FINDINGS FOR SPECIAL PERMIT WITH TO MODIFY PARKING AND LOADING STANDARDS (SZO §5.1 & §9.13):

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."

Please see item 2 in Section II for the compliance with standards finding which are the same for the SP and SPSR.

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."

Please see items 3 and 8 in Section II for the consistency with purposes finding which meet the finding for this item in the SP.

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."

Please see item 4 in Section II for the site and area compatibility finding which is the same for the SP and SPSR.

5. Adverse 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.

No adverse environmental impacts are anticipated from this project. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water are anticipated as part of the proposal. The structure will remain a 2 story building used for residential purposes.

6. Vehicular and pedestrian circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

The traffic and parking situation resulting from the proposed use would most likely not negatively impact the area. Most of the residents of the proposed transitional housing use would be former homeless veterans and would not own or even have access to a car. This is one reason why the proposed Group Home would provide a van to residents to assist them with appointments and connections. Additionally, the location of the subject property sits directly on an MBTA bus route and is a reasonable walk to the Red Line. A Traffic Analysis was submitted by the Applicant which indicated that the proposed transitional housing use would generate 106 total vehicle trips on a weekday and between 8 and 10 trips total during critical peak hours. The Traffic Analysis indicated that "this increase in traffic will not have any noticeable effect on traffic operations along Broadway or North Street."



DECISION:

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Danielle Evans and Scott Darling. Upon making the above findings, Susan Fontano made a motion to approve the request for a special permit. Scott Darling seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	<p>Approval is to establish more than three dwelling units under SZO §7.3 and to modify parking and loading standards to establish a Group Residence and 7 affordable units. 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 9, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 9, 2011 (August 26, 2011)</td> <td>Layout & Materials Plan, Grading, Drainage, & Utilities Plan, Landscape & Lighting Plan, and Site Details (Sheets 1 – 5)</td> </tr> <tr> <td>August 9, 2011 (August 26, 2011)</td> <td>Building Elevations and Floor Plans (Cover Sheet, A3.01, A3.02, A2.03, A2.04, A2.05, and A2.06)</td> </tr> </tbody> </table> <p>Any changes to the approved plans or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(August 9, 2011)	Initial application submitted to the City Clerk's Office	August 9, 2011 (August 26, 2011)	Layout & Materials Plan, Grading, Drainage, & Utilities Plan, Landscape & Lighting Plan, and Site Details (Sheets 1 – 5)	August 9, 2011 (August 26, 2011)	Building Elevations and Floor Plans (Cover Sheet, A3.01, A3.02, A2.03, A2.04, A2.05, and A2.06)	BP/CO	ISD/Plng.	
Date (Stamp Date)	Submission											
(August 9, 2011)	Initial application submitted to the City Clerk's Office											
August 9, 2011 (August 26, 2011)	Layout & Materials Plan, Grading, Drainage, & Utilities Plan, Landscape & Lighting Plan, and Site Details (Sheets 1 – 5)											
August 9, 2011 (August 26, 2011)	Building Elevations and Floor Plans (Cover Sheet, A3.01, A3.02, A2.03, A2.04, A2.05, and A2.06)											
2	The Applicant will be required to demonstrate that the project meets the current City of Somerville stormwater policy. Utility, grading, and drainage plans must be submitted to the Engineering Department for review and approval.	BP	Eng.									
3	All construction materials and equipment must be stored on-site. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P									
4	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP									
5	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									



6	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	
7	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
8	Any transformers should be located as not to impact the landscaped area and shall be fully screened.	CO	Plng.	
9	Trash and recycling bins that are kept outside shall be screened by fencing or vegetation that blocks any view of them.	Perpetual	Plng.	
10	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.	Perpetual	Plng.	
11	The fence at the corner of Broadway and North Street shall not be taller than 3 ½ feet within 20 feet of the corner street line intersection (SZO §8.6.5.c).	Perpetual	Plng.	
12	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.	
13	A minimum of one (1) soil boring shall be taken at the proposed infiltration system location to confirm soil assumptions in the drainage report.	BP	Eng.	
14	The Applicant shall provide an Operations and Maintenance Plan for the proposed infiltration system.	BP	Eng.	
15	Construction shall include an observation port on the infiltration system for inspection.	BP	Eng.	
16	The Engineering Department shall inspect the infiltration system prior to backfill.	BP	Eng.	
17	The Engineering Department shall inspect the connection to the existing roof drain system prior to backfill.	BP	Eng.	
18	Sprinkler and Fire Alarm systems shall be upgraded to be code compliant.	CO	FP	
19	The Applicant shall install a radio master box for the structure.	CO	FP	
20	One (1) unit in the project shall remain affordable in perpetuity.	Perpetual	Housing	



Attest, by the Zoning Board of Appeals:

Herbert Foster, *Chairman*
Orsola Susan Fontano, *Clerk*
Richard Rossetti
T.F. Scott Darling, III, Esq.
Danielle Evans

Attest, by the Administrative Assistant:

Dawn M. Pereira

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the
SPGA proceedings are filed in the Somerville Planning Dept.

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722

www.somervillema.gov

