



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

PLANNING DIVISION

PLANNING BOARD MEMBERS

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ELIZABETH MORONEY
JAMES KIRYLO
MICHAEL A. CAPUANO, ESQ.
ELIZABETH MORONEY

Case #: PB 2012-05
Site: 149-153 Broadway
Date of Decision: April 5, 2012
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: April 6, 2012

PLANNING BOARD DECISION

Applicant Name:	Trustees of the College Avenue Methodist Church of Somerville
Applicant Address:	149 Broadway, Somerville, MA, 02145
Property Owner Name:	Trustees of the College Avenue Methodist Church of Somerville
Property Owner Address:	149 Broadway, Somerville, MA, 02145
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144

Legal Notice: Applicant/Owner Trustees of the College Avenue Methodist Church of Somerville seeks a Special Permit under SZO §6.1.22.D.5 to alter the structure and install signage for a by-right religious institution. CCD 45 zone. Ward 1.

<u>Zoning District/Ward:</u>	CCD 45 zone/Ward 1
<u>Zoning Approval Sought:</u>	§6.1.22.D.5
<u>Date of Application:</u>	March 6, 2012
<u>Date(s) of Public Hearing:</u>	April 5, 2012
<u>Date of Decision:</u>	April 5, 2012
<u>Vote:</u>	4-1

Appeal #PB 2012-05 was opened before the Planning Board at Somerville City Hall on April 5, 2012. 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 Planning Board took a vote.



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DESCRIPTION:

The proposal includes altering the front façade of the building, closing up the rear windows with brick veneer, closing up vents on the right side of the building, and changing the location of existing skylights.

The façade of the building will be substantially altered from its current state. The front wall will primarily be an aluminum storefront system. The top portion of the building will be simulated stone panels with church signage located on the stone panels. The signage will consist of individual letters affixed to the panels. There will be a translucent polycarbonate and aluminum canopy over the door and brushed aluminum can light fixtures along the length of the building. The front wall of the structure is currently angled towards the front door and the proposal includes flattening it out and setting it back from the sidewalk. This change to the front wall will not change the square footage of the building. Also, the basement of the building will remain unfinished.

FINDINGS FOR SPECIAL PERMIT (SZO §5.1 & §6.1.22.D.5):

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."

The proposal complies with the development standards in the CCD.

1. Penthouse and Mechanical Equipment. The HVAC unit will be located on the middle of the roof so that it is not visible from the ground.
2. Service Areas and Loading Spaces. There are no loading docks on the building and none will be added. There will be a trash room located in the building.
3. Pedestrian Oriented Requirement. The building has been designed to promote pedestrian activity. The entrance to the space will be directly from the Broadway sidewalk. Also, the removal of the metal bars across the front wall and replacement of the storefront window systems along the front façade will create interest for pedestrians.
4. Lighting. The proposal includes four lighting fixtures along the front wall of the building that will illuminate the sidewalk and be pedestrian-oriented in character.
5. Transition to Abutting Residential District. The rear of the building abuts a Residence A zoning district and the building is located on the property line. The building is nonconforming because it is not setback 20 feet from the district line. The building is not proposed to change; however, the windows along the side and rear property lines will be filled in which should increase the privacy of the abutting residential properties.
6. Parking Design. There is no parking on the site and no parking is proposed.
7. Payment in Lieu of Parking. Payment in lieu of parking is not applicable to this application. Since the square footage of the building is not increasing, no additional parking beyond that which exists onsite is required.



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8. Credit for Provisions of Land for Public Infrastructure. Not applicable.

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 proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to providing for and maintain the uniquely integrated structure of uses in the City and the purpose of the CCD by promoting an active mix of uses with structures that complement the historic structures in the 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 characteristics of the built and unbuilt surrounding area, including land uses."

The sign design complies with the design guideline for signage in the CCD (§6.1.22.H).

1. The building completes the streetwall and will continue to complete the street wall after the proposed renovations.
2. The height of the one-story structure will not change. The change to the orientation of the front main wall will be compatible with the storefront appearance of many commercial properties along Broadway.
3. The height of the building is one-story. The project design is not proposing to alter the height of the existing structure and therefore a transition to residential or historically designated properties is not applicable.
4. The Applicant will be maintaining the existing width of the building, which is approximately 40 feet. The front of the façade will be recessed creating some varied architecture from the abutting properties. The proposed storefront system would meet the guideline which states that there should be 75% transparent material on the ground floor. The windows will provide views into a lounge area and should not be blocked by interior storage, displays, or signage. The guideline limits windows from being blocked by more than 30%.
5. The proposed building materials, including aluminum storefront, simulated stone panels, brick and translucent polycarbonate and aluminum for the canopy, will be high quality, durable and aesthetically appropriate. The variety of materials will create an interesting façade. The existing brick façade is in disrepair and although the Board would encourage the restoration of the brick, the proposed materials are appropriate for the area and will not be covering a façade with great detailing.
6. A sample of the masonry veneer proposed to infill the windows should be reviewed and approved by Planning Staff to ensure that it will be a quality material that will be complementary to the existing brick.
7. The proposed signage design respects the building's context by placing the name of the church in the middle of the signage band that the simulated stone panels create, which is at the same height as the abutting restaurant's signage. The awning will bring prominence to the entrance and respect the building's context in terms of its scale, design and materials. The sign is legible and does not have excessive wording. The sign will be lit by the aluminum can light fixtures on the façade that will not be excessive in nature.
8. The façade was designed to be pedestrian-oriented with a storefront system and a lounge area at the front of the church so that it is an inviting space. This is an unusual form for a church and it is commendable and meets the guideline for pedestrian-oriented uses on the ground floor in this district.

9./10. Artist Live/Work Spaces and residential unit size do not relate to this proposal.



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11. The Applicant will be essentially increasing the sidewalk by almost four feet by reorienting the front façade of the building.



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DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael Capuano. Upon making the above findings, Elizabeth Moroney made a motion to approve the request for a special permit. James Kirylo seconded the motion. Wherefore the Planning Board voted **4-1 to APPROVE** the request with Joseph Favaloro voting in opposition due to the parking issue. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	<p>Approval is for the alteration of the structure and installation of signage for a by-right religious institution. 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>Mar 6, 2012</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>Mar 5, 2012</td> <td>Plans submitted to OSPCD (A1.0 basement floor plan, A1.1 main floor plan, A1.3 proposed roof plan, A2.0 & A2.1 elevations, D1.0, D1.1, D1.3, D2.0 demo plans, C1.0 site plan)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	Mar 6, 2012	Initial application submitted to the City Clerk's Office	Mar 5, 2012	Plans submitted to OSPCD (A1.0 basement floor plan, A1.1 main floor plan, A1.3 proposed roof plan, A2.0 & A2.1 elevations, D1.0, D1.1, D1.3, D2.0 demo plans, C1.0 site plan)	BP/CO	ISD/Plng.	
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2	The Applicant shall provide a material sample of the brick veneer for Planning Staff review and approval to ensure that it is consistent with/complementary to the existing brick on the façade.	BP	Plng.							
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
4	The Applicants shall apply for an electrical demo permit and submit electrical drawings when applying for building permit.	BP	Wiring Inspector							
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 basement space shall remain as storage space unless the appropriate certificate of occupancy is issued for the space, parking requirements are met or waived by special permit and if required, a special permit is issued for the use.	Perpetual	ISD / Plng.							



7	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.	
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Attest, by the Planning Board:



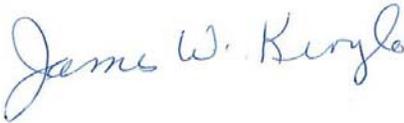
Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

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 _____



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