



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**MAYOR**

PLANNING DIVISION

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**Case #: ZBA # 2012-02**  
**Site: 143-145 Cedar Street**  
**Date of Decision: April 4, 2012**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: April 6, 2012**

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**ZBA DECISION**

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<b>Applicant Name:</b>	Aldar Realty Trust & Faulkner Brothers, Inc.
<b>Applicant Address:</b>	P.O. Box 207, Somerville, MA 02143
<b>Property Owner Name:</b>	Aldar Realty Trust & Faulkner Brothers, Inc.
<b>Property Owner Address:</b>	P.O. Box 207, Somerville, MA 02143
<b>Agent Name:</b>	Adam Dash, Esq.
<b>Agent Address:</b>	48 Grove Street, Suite 304, Somerville, MA 02144

Legal Notice: Applicant and Owner Aldar Realty Trust and Faulkner Brothers, Inc., seek a Special Permit with Site Plan Review under SZO §7.11.1.c to establish a 10 unit residential use and a Special Permit under SZO §9.13.b to modify parking design standards. BB zone. Ward 5.

<u>Zoning District/Ward:</u>	BB zone / Ward 5
<u>Zoning Approval Sought:</u>	§7.11.1.c & §9.13.b
<u>Date of Application:</u>	December 22, 2011
<u>Date(s) of Public Hearing:</u>	2/29, 3/14, & 4/4
<u>Date of Decision:</u>	April 4, 2012
<u>Vote:</u>	5-0

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Appeal #ZBA 2012-02 was opened before the Zoning Board of Appeals at Somerville City Hall on February 29, 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 two (2) hearings of deliberation, the Zoning Board of Appeals took a vote.



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## **DESCRIPTION:**

The proposed project would demolish the two old, single story commercial warehouse buildings and to replace them with a four story (three stories where it abuts the RB zone) residential structure containing 10, two-bedroom dwelling units totaling 18,522 gross square feet and 12,574 net square feet with 18 parking spaces. Sixteen of these parking spaces would be located under the building in eight tandem parking stalls and the remaining two spaces would be surface spots behind the building. The structure and its main entrance would be oriented towards Cedar Street with all of the vehicular access for the project occurring via Alpine Street on the 18 foot wide driveway. There are two existing curb cuts on Cedar Street and these would both be closed creating three new on-street parking spaces for the neighborhood. The two first floor dwelling units would contain private outdoor patio spaces and a common patio for the entire structure would be provided on the right side of the building. Heavy landscaping would be found in the front and on the right side of the structure along with accent landscaping at the rear of the site along the driveway. Bicycle parking and the trash enclosure are found at the end of the driveway off of Alpine Street in the right rear corner of the project site. The massing of the building is somewhat box-like with a flat roof and numerous windows on the front and rear of the structure. Siding materials would consist of four and eight inch Hardi Plank, with Azek panels and Azek trim.

The building's basement would contain the storage spaces for each of the units along with most of the mechanical and electrical equipment for the structure. Two stairwells that run from the basement to the fourth floor would provide access within the building, as there is no elevator. The first floor would contain the main entrance off of Cedar Street, the lobby with access to the 16 garaged parking spaces, and the first floors of Units # 1 and # 2. Unit # 2 has been designed to be the accessible unit in the building and contains a LULA. As part of this design of the accessible unit, the storage space for Unit # 2 can be found in the lobby.

The second floor would contain the upper levels of Units # 1 and # 2 as well as Units # 3 and # 4. Units #5, # 6, # 7, and # 8 are located on the third floor and Units # 9 and # 10 are found on the fourth floor. Units # 9 and # 10 each have two patios that open out onto the roof of the building. All of the units contain two bedrooms, a living/dining room area, a kitchen, and between 1 and 2 bathrooms. Some of the units also contain an office or have a room that could be used as such. Unit # 2, the handicap accessible unit, will be an affordable unit as defined in Somerville Zoning Ordinance (SZO) Article 13.

## **FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §5.2, §7.11.1.c):**

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."

In considering a Special Permit with Site Plan Review under §7.11.1.c of the SZO, the Board finds that the use proposed would not be substantially more detrimental to the neighborhood than the existing (or last previous) use. The Applicant is meeting all dimensional and parking requirements of Article 8 and Article 9 for a project of this size. An affordable unit will be provided onsite through an AHIP. The project complies with the lot area and lot area per dwelling unit requirements for 10 units.

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."



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The proposal is consistent with the purpose of the district (6.1.7. BB - Commercial Residential Districts), which is, “To establish and preserve general commercial and high density residential areas consisting of multi-family developments, shopping centers, commercial strips and automobile related establishments where customers reach individual businesses primarily by automobile.”

4. Site and Area Compatibility: The Applicant has to ensure that the project “is 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 proposed use would be compatible with the surrounding residential uses of the neighborhood. The property is located in a small BB (Commercial Residential) zoning district that is entirely surrounding by an RA and an RB district. There are a few commercial uses in the area but the neighborhood is primarily residential consisting predominantly of single- and two-family dwellings, with some three- and multi-family dwellings mixed in. For the most part, all of the structures in the area are between 2½ and 3 stories. While this particular project contains more dwelling units than most of the properties in the area with 10, the size, massing, and step down of the structure as it approaches the RB district helps the building fit into the physical context of the neighborhood. Additionally, by pulling the building right up against Cedar Street and locating the parking at the rear of the lot, the project helps to establish the streetwall along Cedar Street and promote a more friendly pedestrian environment. Furthermore, the location of the property next to the Community Path and the fact that it is only a short walk to Highland Avenue make it a quality location to allow residents to take advantage of the multiple modes of public transportation available in the city.

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 new structure will sit right up against Cedar Street establishing the streetwall in the area and promoting a more pedestrian friendly streetscape. The project will close two extremely wide curb cuts on Cedar Street and turn three on-street parking spaces back over to the neighborhood. Vehicular access to and from the property will occur through the Alpine Street curb cut, which will be narrowed, and this will help to simplify traffic patterns in the area and reduce congestion. The parking area has sufficient space 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 Special Permit with Site Plan Review shall be contingent upon the City Engineer’s determination that no adverse impacts on public systems will result from the development. The previous use at the site was for warehouse buildings and the establishment of these 10 residential units will not adversely impact the public services, street system, or sidewalks. The sidewalk at this corner of Cedar and Alpine Streets will become a safer and more pedestrian friendly corner with the closure of the two curb cuts on Cedar Street. This will limit the traffic access points for the project to the one location on Alpine Street.

7. Environmental Impacts: The Applicant has to ensure that the project “will not create adverse environmental impacts, including those that may occur off the site, or such potential adverse impacts will be mitigated in connection with the proposed development, so that the development will be compatible with the surrounding area.”

Due to the residential nature of the proposed structure, no environmental impacts are foreseen as a direct result of this development. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water nor transmission of signals that interfere with radio or television reception are anticipated as part of the proposal. An environmental Transaction Screen Assessment for the property was conducted which concluded that prior to any renovation or demolition activities, which have the potential to disturb



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known or suspect asbestos containing materials (ACM) or lead based paint (LBP), comprehensive ACM and LBP inspections should be conducted to determine the extensiveness of these items at the property.

8. Consistency with Purposes: The Applicant has to ensure that the project "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 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 lessen congestion in the streets; to provide adequate light and air; to prevent the overcrowding of land; 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."

The proposal is also consistent with the purpose of the district (6.1.7. BB - Commercial Residential Districts), which is, "To establish and preserve general commercial and high density residential areas consisting of multi-family developments, shopping centers, commercial strips and automobile related establishments where customers reach individual businesses primarily by automobile."

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."

At this site there is not much of an existing land form to speak of as much of the existing property is paved or covered by the two concrete block structures. The new building will be primarily in the same location as the existing commercial warehouse structures and will not be disrupting the grading or existing land forms. The new building's massing will be pushed closer to Cedar Street to allow for parking access at the rear of the property. This is beneficial to the neighborhood as it helps to establish the streetwall along Cedar Street. The building has been designed so that most of the landscaped areas will be located between the building and the sidewalk where the landscaping will be visible to the neighborhood. There is also a substantial landscaped area on the right side of the structure that would also be visible from the sidewalk. The overall landscaping at the site will be increased from 13.7% to 21%, which will help to enhance the Cedar Street neighborhood. Most of the landscaped areas at the site are laid out in a manner that those passing by on the public right-of-way will be able to experience the project's landscaping as they pass by.

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 building's massing and strong presence along Cedar Street will help to establish a consistent streetwall in the neighborhood. The orientation of the building creates a pleasant pedestrian experience on the sidewalk as well as privacy for each of the units on site. The size, massing, and step down of the structure as it approaches the RB district helps the building fit into the physical context of the neighborhood. By pulling the building right up against Cedar Street and locating the parking at the rear of the lot, the project helps to establish the streetwall along Cedar Street and promote a more friendly pedestrian environment. Furthermore, the location of the property next to the Community Path and the fact that it is only a short walk to Highland Avenue make it a quality location to allow residents to take advantage of the multiple modes of public transportation available in the city.



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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 paved 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.”

While additional review is required of drainage plans, any approval of the Special Permit with Site Plan Review 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. The Board has included this as a condition of the Special Permit with Site Plan Review.

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.”

Preservation Planner Kristi Chase provided the following comments about the historic and architectural significance of the site:

Historic and Architectural Significance

The existing buildings on the site are utilitarian 1921-1922 garages primarily constructed of rusticated “granite” concrete blocks. While they may have some significance as early automotive buildings, these buildings are in no way unique in their aspect and are relatively common throughout the City. They are in only fair condition and not worth retaining.

A lone triple decker holds the corner.

Proposed Work and Recommendations

HPC Staff finds that the removal of the concrete block garages and their replacement with a 3-4 story residential building to be more in keeping with the neighborhood. The presence of a residential building along this section of Cedar Street will reunite the triple decker with the houses on the street to the south.

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 appearance of the new 10 unit building and the site in general will enhance the neighborhood. The left side of the project abuts a six unit dwelling, the right side a two-family dwelling, and there is a 24 unit residential building directly across Cedar Street. Changing the site from commercial warehouses to residential units will help the property to better fit into the context of the neighborhood. Fences will be installed/replaced, landscaping will be added to the site in highly visible locations at the front and right side of the property, and the site will become more attractive as a whole from the existing concrete block buildings that currently existing.



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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 will have access to the building directly off of Cedar Street through the front entrance and into the lobby area. Emergency vehicles and personnel will also be able to reach the back of the structure via the 18 foot wide curb cut on Alpine Street that provides access along the rear of the site to the parking garage.

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 site has three large curb cuts that allow access to the property, two onto Cedar Street and one onto Alpine Street. The two curb cuts on Cedar Street will be eliminated which will create three new on-street parking spaces for the neighborhood. The curb cut on Alpine Street will remain to provide driveway access to the on-site parking spaces, but it will be narrowed from its current width. This curb cut will help to minimize traffic congestion as it will direct all traffic from the project onto Alpine Street. Alpine Street is much less heavily traveled than Cedar Street and it is a one way street heading away from Cedar Street. The Applicant also submitted two traffic and parking assessment memorandums that indicated that the traffic impacts from this project would be minor and the City’s Traffic and Parking Department agreed with this assessment after a review of the memorandums.

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.”

To help prevent potential adverse impacts from affecting abutters to the project, the development was pulled away from the adjacent RB zoning district line as much as possible. This helps to move all of the activity, services, and mechanical equipment associated with 10 residential as far away from the residential units as possible. Additionally, the Applicant will also be installing new fencing at the rear and left sides of the property and retaining the fencing on the right side of the property to help block the headlights from incoming and outgoing cars that may be directed at neighbors. Additionally, the Applicant will be installing an trash enclosure around the on-site dumpster to help to minimize the impacts of this waste holding area on abutters. The enclosure will be a wood picket fence that is 6.5 feet high, 7 feet wide, and 9 feet deep. Furthermore, the Applicant will be installing a 4 foot high fence around the mechanical units that will be located on the roof to minimize the audio and visual impacts that might be created by these 11 units.

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.”



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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."

An on-site dumpster for the building will be located in the back right corner of the project site and enclosed with a 6.5 foot high, 7 foot wide, and 9 foot deep wooden picket fence. There are also 11 pieces of mechanical equipment that will be situated on the roof of the building. These will be set back from the edges of the building, fully enclosed, and screened with a 4 foot high fence. All other mechanical and electrical equipment for the project will be located in the basement. Transformers are not being proposed for this project, however, the Board has also included a condition to screen transformers if they were to ever to be implemented.

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

Sixteen of the 18 parking spaces for the project will be located in eight tandem parking slots in the garage on the first floor of the structure. These spaces will be entirely screened from both Cedar and Alpine Streets. The two exterior surface spaces are located at the rear of the existing structure and are well screened from Cedar Street.

#### **FINDINGS FOR SPECIAL PERMIT (SZO §5.1, §9.13.b)**

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."

In considering a Special Permit under §9.13.b of the SZO, the Board finds that the modifications to the parking design standards to implement tandem parking spaces would not be substantially more detrimental to the neighborhood than the existing parking layout. The parking area at the rear of the site has sufficient area for vehicles to maneuver and exit the site in a forward direction. The Board has also included a condition that each pair of tandem parking spaces be assigned to a particular dwelling unit in the building. Furthermore, the location of the property next to the Community Path and the fact that it is only a short walk to Highland Avenue make it a quality location to allow residents to take advantage of the multiple modes of public transportation available in the city. This will in turn potentially help to reduce the need for each dwelling unit to have two vehicles. If the standard parking design standards were to be implemented on this site, it would drastically change the design of the project by eating up more of the proposed landscaping at the site and potentially changing the massing of the structure which fits well into the surrounding residential neighborhood.

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



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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 Item 8 in Section II for the consistency with purposes finding which is the same for the Special Permit and the Special Permit with Site Plan Review.

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 project is compatible with the characteristics of the surrounding residential neighborhood. For the most part, all of the structures in the area are between 2½ and 3 stories. At 38.5 feet in height, the building is not that much taller than surrounding structures. In fact, the building is actually shorter than the large multi-family building across Cedar Street. While this particular project contains more dwelling units than most of the properties of the area with 10, the size, massing, and step down of the structure as it approaches the RB district line helps the building fit into the physical context of the neighborhood. Additionally, by pulling the building right up against Cedar Street and locating the parking at the rear of the lot, the project helps to establish the streetwall along Cedar Street and promote a more friendly pedestrian environment.

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 nor transmission of signals that interfere with radio or television reception are anticipated as part of the proposal.

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 flow and parking situation for the project are not anticipated to negatively impact the neighborhood. A traffic and parking assessment was submitted which states that the low traffic volumes that would be generated by the residential development would have little measurable impact on the safe and efficient flow of traffic in the vicinity. The assessment goes on to state that the 18 parking spaces that are being provided exceeds the City’s requirements for a project of this size and should easily accommodate the anticipated demand for resident and visitor use. The proximity of the project to the Community Path and Highland Avenue for bus service will also help to further reduce potential traffic impacts that the project may create. The proposed residential development plan provides a net improvement to the traffic and parking conditions for the area when compared to the former commercial use at the site.

**DECISION:**



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Present and sitting were Members Herbert Foster, Richard Rossetti, Danielle Evans, Scott Darling, and Josh Safdie with Orsola Susan Fontano absent. Upon making the above findings, Richard Rossetti 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 for the establishment of a 10 unit residential use under SZO §7.11.1.c to and to modify parking design standards under SZO §9.13.b. 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>(December 22, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>May 10, 2006 (February 13, 2012)</td> <td>Existing Conditions Plan (Sheet 1 of 1)</td> </tr> <tr> <td>July 20, 2010 (February 23, 2012)</td> <td>Permit Site Plan (Sheet 1 of 2)</td> </tr> <tr> <td>July 20, 2011 (February 13, 2012)</td> <td>Details (Sheet 2 of 2)</td> </tr> <tr> <td>January 26, 2012 (February 13, 2012)</td> <td>Basement Level, 4<sup>th</sup> Floor Plan, and Roof Plan (A-100, A-104, and A-105)</td> </tr> <tr> <td>February 23, 2012 (February 23, 2012)</td> <td>Landscape Plan and 3<sup>rd</sup> Floor Plan (L-1, and A-103)</td> </tr> <tr> <td>April 4, 2012</td> <td>Cover Sheet, Architectural Site Plan, 1<sup>st</sup> Floor Plan, 2<sup>nd</sup> Floor Plan, Elevations, and Details (.A-000, A-020, A-101, A-102, A-300, and A-903)</td> </tr> <tr> <td>February 23, 2012</td> <td>Perspective View (A-902)</td> </tr> <tr> <td>December 14, 2011 (February 13, 2012)</td> <td>Shadow Studies and Outdoor Lighting / Photometric Plan (A-900 and ES-1)</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	(December 22, 2011)	Initial application submitted to the City Clerk's Office	May 10, 2006 (February 13, 2012)	Existing Conditions Plan (Sheet 1 of 1)	July 20, 2010 (February 23, 2012)	Permit Site Plan (Sheet 1 of 2)	July 20, 2011 (February 13, 2012)	Details (Sheet 2 of 2)	January 26, 2012 (February 13, 2012)	Basement Level, 4 <sup>th</sup> Floor Plan, and Roof Plan (A-100, A-104, and A-105)	February 23, 2012 (February 23, 2012)	Landscape Plan and 3 <sup>rd</sup> Floor Plan (L-1, and A-103)	April 4, 2012	Cover Sheet, Architectural Site Plan, 1 <sup>st</sup> Floor Plan, 2 <sup>nd</sup> Floor Plan, Elevations, and Details (.A-000, A-020, A-101, A-102, A-300, and A-903)	February 23, 2012	Perspective View (A-902)	December 14, 2011 (February 13, 2012)	Shadow Studies and Outdoor Lighting / Photometric Plan (A-900 and ES-1)	BP/CO	ISD/PIng.	
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2	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	
3	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
4	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.	
5	Applicant shall provide final material samples for siding, trim, windows and doors to the Planning Staff for review and approval prior to construction.	BP	Plng.	
6	The electric, telephone, cable TV and other such 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	
7	The Applicant or Owner shall install a code compliant fire alarm system, code compliant carbon monoxide detectors, a code compliant fire sprinkler system, a central station monitoring, and a Knox lock box.	CO	FP	
8	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	
9	Tandem parking spaces in the garage shall be deeded as a pair to a residential unit and shall not be divided so that one tandem space is owned or used by a different unit than the other tandem space.	CO	Plng.	
10	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	
11	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	



12	The Applicant shall comply with the executed Affordable Housing Implementation Plan (AHIP) to provide one (1) unit on site and contribute a fractional payment into the Affordable Housing Trust Fund before the issuance of a Certificate of Occupancy (CO).	CO	Housing	
13	Any transformers should be located as not to impact the landscaped area and shall be fully screened.	CO	Plng.	
14	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	ISD	
15	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final Sign Off	Plng.	



Attest, by the Zoning Board of Appeals:

Herbert Foster, *Chairman*  
Richard Rossetti, *Acting Clerk*  
T.F. Scott Darling, III, Esq.  
Danielle Evans  
Josh Safdie (Alt.)

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 \_\_\_\_\_



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