



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

PLANNING DIVISION

***PLANNING BOARD MEMBERS***

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JOSEPH FAVALORO, *CLERK*  
ELIZABETH MORONEY  
JAMES KIRYLO  
MICHAEL A. CAPUANO, ESQ.  
ELIZABETH MORONEY

**Case #: PB 2011-21**  
**Site: 61 Medford Street**  
**Date of Decision: January 19, 2012**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: January 25, 2012**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	Biogen Idec, c/o Mike Cheney
<b>Applicant Address:</b>	14 Cambridge Center, Cambridge, MA 02142
<b>Property Owner Name:</b>	Atlantic Management
<b>Property Owner Address:</b>	205 Newbury Street, Framingham, MA 01701
<b>Agent Name:</b>	Mark Horton, Atlantic Awning
<b>Agent Address:</b>	270 Franklin Street, Melrose, MA 02176

**Legal Notice:** Applicant Biogen Idec and Owner Atlantic Management, seek a special permit under SZO §6.5.D.5.a to add awnings over the loading docks and existing liquid nitrogen tank at the property.

<b><u>Zoning District/Ward:</u></b>	TOD 100 zone/Ward 2
<b><u>Zoning Approval Sought:</u></b>	§6.5.D.5.a
<b><u>Date of Application:</u></b>	December 20, 2011
<b><u>Date(s) of Public Hearing:</u></b>	January 19, 2012
<b><u>Date of Decision:</u></b>	January 19, 2012
<b><u>Vote:</u></b>	4-0

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Appeal #PB 2011-21 was opened before the Planning Board at Somerville Central Library on January 19, 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 Applicant is proposing to install three awnings with galvanized steel tubing for framing on the rear façade of the existing structure. Two of the awnings will cover the loading docks in the rear and a third awning will surround the recently installed liquid nitrogen tank. The awnings that will cover the loading docks will be four feet deep and four feet high, including an eight inch vertical section at their edges. One of the awnings will cover three of the four loading docks and be 35 feet wide. The other awning will cover only one loading dock and be 12 feet wide. The third awning will surround the liquid nitrogen tank at approximately half its height and be supported by four, 3 inch by 3 inch vertical posts. The awning itself would be four feet high and 14 feet long. All of the awnings will be a burgundy color, similar to the existing façade of the building. No wording or logos are proposed for the awnings nor is any new lighting being proposed as part of the project.

## **FINDINGS FOR SPECIAL PERMIT (SZO §5.1 & §6.5.D.5.a):**

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 §6.5.D.5.a of the SZO, the Board finds that the proposed alterations would not be substantially more detrimental to the neighborhood than the existing structure. The proposal will allow for goods and materials to be transported between the warehouse and the transport vehicles with minimal exposure to the elements. The proposed awning around the liquid nitrogen tank will protect the valves and gauges from the elements as well, making service and maintenance around the tank easier. The proposed burgundy color of the awnings is similar to that of the existing façade and should blend in well. The dark color will also help to hide any stains or dirt that may accumulate on the awnings. No wording or logos are proposed for the awnings nor is any new lighting being proposed as part of the project. The building will remain a two to three-story structure used for office and warehouse space.

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 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; and to encourage the most appropriate use of land throughout the City."

The proposal is also consistent with the purpose of the TOD districts (6.5. Transit Oriented Districts (TODs)), which is, "to encourage mixed-use transit-oriented development with well-designed pedestrian access near transit connections and commercial squares. In response to different neighborhood contexts, TODs have been created featuring various heights, densities, and compatible use mixes. In order to be aesthetically, economically, environmentally and socially beneficial, projects in the Districts shall promote a mix of uses both within buildings and across the districts. Moderate to high-density developments will include commercial, residential, and institutional cores complemented by pedestrian-oriented retail and business services, and in



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some districts, compatible industrial uses. Parking, where provided, will be housed within structured parking facilities. In a dynamic commercial center, changes in tenancy and use are expected. Therefore, the TODs are designed to be responsive to changing market conditions while maintaining high standards for building design and construction. As such, development review in these Districts is concerned foremost with appropriateness of building design and broad categories of uses. The major purposes are to:

- Facilitate development of a mix of uses that contributes to a vibrant business environment and increases street-level activity;
- Increase real estate investment and strengthen local tax base through intensive commercial development in higher density TOD districts;
- Create new jobs at a variety of income and skill levels;
- Redevelop vacant or underutilized land with appropriately dense development;
- Replace incompatible and environmentally unsound uses with compatible mixed-use development;
- Increase the supply of affordable housing units within the City of Somerville; and,
- Encourage sustainable development and the use of green building standards.”

Specifically, the proposal is also consistent with the purpose of the TOD 100 district which reads as follows: “This moderate-density sub-district shall provide a taller, more commercial core, with opportunities for signature building tops as well as street-level facades that relate to nearby mid-rise development. This sub-district is intended to promote those developments that further the City’s stated goals of improving its commercial tax base and bringing good quality jobs to the City. To accomplish these goals, this sub-district should be predominantly dedicated to uses such as office, research and development, and life sciences. Residential development, however, may be allowed provided that it is secondary and complementary to commercial development. Pedestrian-oriented uses are often required in this sub-district along major public streets to encourage activity at the street level.”

The proposal is consistent with the purposes of the district and will improve the loading functionality at the site.

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 proposal is designed to be compatible with the characteristics of the surrounding area and is consistent with the design guidelines for Transit Oriented Districts as laid out in SZO §6.5.H. as follows:

1. The proposed rear façade alterations will not alter the streetscape along Medford Street in any way as the building will maintain its existing street edge presence. No other structural changes are proposed and the building will remain a two to three-story structure used for office and warehouse space.
2. The massing and height of the two to three-story structure will not change.
3. The proposal will not change the existing height of the building in any manner. The changes to the structure are only on the rear façade of the building which faces the railroad right-of-way, the elevated McGrath Highway, and the back of Twin City Plaza.
4. The Applicant will be maintaining the existing width of the building along Medford Street and is not proposing any other changes to any other part of the building. The proposed awnings will help to vary the architecture of the existing structure and help to break up the flat façades of the building.
5. All of the materials that will be used in the awnings are a high quality, durable, and aesthetically appropriate material. EIFS, precast concrete panels, and large expanses of glass and corrugated sheet metal are discouraged materials and none of these will be used as part of the proposed project.



6. The existing structure has no visible rear façade from the streetscape. In fact, the awnings will even be shielded from the railroad right-of-way and other views from the rear of the property by the existing vegetation at the rear of the site. Nevertheless, the color and design of the proposed awnings helps them to blend in well with the existing façade.
7. The design of the awnings respects the building's context by having a simple design and a color that are both similar to that of the existing building. The awnings will be subordinate to the overall building composition and, while not entirely pedestrian oriented as the awnings are located so that a transport vehicle can park underneath them, at four feet high and four feet deep, they are still designed at a reasonable scale. Additionally, no wording or logos are proposed for the awnings nor is any new lighting being proposed as part of the project. The proposed project will allow for goods and materials to be transported between the warehouse and the transport vehicles with minimal exposure to the elements. The proposed awning around the liquid nitrogen tank will protect the valves and gauges from the elements as well, making service and maintenance around the tank easier.
8. The Applicant is not proposing to make any changes to the major entrances of the building.
9. The proposed project will help to more clearly delineate the first and second stories of the existing building by creating a visual horizontal separation between the upper and lower portions of the building. This will help to subdue a monolithic appearance of the building.
10. The proposed awnings will help to break up the large area of undifferentiated façade on the existing building. Aside from the awnings, there are no other changes being proposed for the existing building.
11. There are no new building elements being proposed above the tapering height as part of this proposal.
12. The Applicant is not proposing any rooftop-building systems or wireless communications facilities as part of the project.
13. Artist Live/Work Spaces are not a part of this proposal.
14. The Applicant is not proposing to change the width of the sidewalk along Medford Street as part of this proposal.
15. The Applicant is not proposing any changes to the on-site parking situation at the site which provides access to the Biogen Idec building and parking as well as to the other buildings on the block.
16. The Applicant is not proposing any above ground structured parking or any changes to the existing parking situation at the site as part of this project.
17. The Applicant is not proposing to add or remove any usable open space as part of the project.
18. The Applicant is not proposing to add any public art as part of this project.
19. The structure already has its loading areas facing the MBTA right-of-way and the Applicant is not proposing to relocate these areas as part of the proposal.
20. The Applicant is not proposing to change the existing utility, wiring, transformer, or trash facility situation at the site as part of this proposal.

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,



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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 proposal. 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. The building will remain a two to three-story structure used for office and warehouse space.

**DECISION:**

Present and sitting were Members Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael Capuano with Kevin Prior absent. Upon making the above findings, Joseph Favaloro made a motion to approve the request for a special permit. James Kirylo seconded the motion. Wherefore the Planning Board voted **4-0** to **APPROVE** the request. In addition the following conditions were attached:



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#	Condition	Timeframe for Compliance	Verified (initial)	Notes																						
1	Approval is to add awnings over the loading docks and existing liquid nitrogen tank at the property under SZO 6.5.D.5.a. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/PIng.																							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(December 20, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>June 2, 2010 (January 5, 2012)</td> <td>Site Plan</td> </tr> <tr> <td>(January 5, 2012)</td> <td>Site Plan (Showing Dimensional Setbacks)</td> </tr> <tr> <td>January 18, 2011 (January 5, 2012)</td> <td>Proposed Awning (Computer Rendition of Awnings over Loading Docks)</td> </tr> <tr> <td>September 1, 2011 (January 5, 2012)</td> <td>Shop Drawings (1 and 2)</td> </tr> <tr> <td>July 8, 2011 (January 5, 2012)</td> <td>Construction Drawing (SK-1)</td> </tr> <tr> <td>July 11, 2011 (January 5, 2012)</td> <td>Construction Drawings (SK-2 and SK-3)</td> </tr> <tr> <td>July 11, 2011 (January 5, 2012)</td> <td>Construction Drawing (Plan Key)</td> </tr> <tr> <td>January 18, 2011 (January 5, 2012)</td> <td>Proposed Awning (Computer Rendition of Awning around Liquid Nitrogen Tank)</td> </tr> <tr> <td>May 15, 2011 (January 5, 2012)</td> <td>Shop Drawings (1 and 2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(December 20, 2011)	Initial application submitted to the City Clerk's Office	June 2, 2010 (January 5, 2012)	Site Plan	(January 5, 2012)	Site Plan (Showing Dimensional Setbacks)	January 18, 2011 (January 5, 2012)	Proposed Awning (Computer Rendition of Awnings over Loading Docks)	September 1, 2011 (January 5, 2012)	Shop Drawings (1 and 2)	July 8, 2011 (January 5, 2012)	Construction Drawing (SK-1)	July 11, 2011 (January 5, 2012)	Construction Drawings (SK-2 and SK-3)	July 11, 2011 (January 5, 2012)	Construction Drawing (Plan Key)	January 18, 2011 (January 5, 2012)	Proposed Awning (Computer Rendition of Awning around Liquid Nitrogen Tank)	May 15, 2011 (January 5, 2012)	Shop Drawings (1 and 2)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.																										



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2	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. Specifically, all driveway aprons shall be concrete.	CO	DPW	
3	Applicant shall comply with the Fire Prevention Bureau's requirements.	CO	FP	
4	A final awning color sample must be reviewed and approved by Planning Staff.	Prior to Installation	Plng.	
5	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final Sign Off	Plng.	



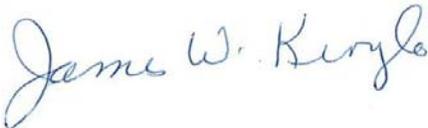
Attest, by the Planning Board:



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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