



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

PLANNING DIVISION

ZONING BOARD OF APPEALS MEMBERS

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Case #: ZBA # 2012-34
Site: 92-100 Properzi Way
Date of Decision: August 1, 2012
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: August 9, 2012

ZBA DECISION

Applicant Name:	Safdie Architects
Applicant Address:	100 Properzi Way, Somerville, MA 02143
Property Owner Name:	Moshe Safdie & Michal Safdie
Property Owner Address:	100 Properzi Way, Somerville, MA 02143
Agent Name:	N/A

Legal Notice: Applicant Safdie Architects and Owners Moshe Safdie and Michal Ronnen Safdie, seek a Variance under SZO §5.5 for relief from the minimum side yard setback under SZO §8.5.H and relief from the minimum rear yard setback under SZO §8.5.I for the land at 92 Properzi Way. The Applicant and Owners are also seeking Special Permits under SZO §4.4.1 to alter a nonconforming structure to construct a two story rear addition to add an additional dwelling unit and under SZO §9.13.a for relief from three additional off-street parking spaces. The applicant seeks to establish a three-family residence at 92 Properzi Way and use a portion of the structure for activity accessory to the use at 100 Properzi Way per Section 7.4 of the SZO. 92 Properzi is in the RB zone and 100 Properzi Way is in the NB zone. Ward 2.

<u>Zoning District/Ward:</u>	RB & NB zones/Ward 2
<u>Zoning Approval Sought:</u>	§5.5, §8.5.H, §8.5.I, §4.4.1 & §9.13.a
<u>Date of Application:</u>	April 17, 2012
<u>Date(s) of Public Hearing:</u>	5/16, 6/6, 6/20, 7/11 & 8/1/12
<u>Date of Decision:</u>	August 1, 2012
<u>Vote:</u>	5-0



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Appeal #ZBA 2012-34 was opened before the Zoning Board of Appeals at Somerville City Hall on May 16, 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 four hearings of deliberation, the Zoning Board of Appeals took a vote.

DESCRIPTION:

The proposed project includes the repair and restoration of the existing one-story front gable structure at 92 Properzi Way, the removal of the rear one-story structure, and the construction of a new two-story rear addition. A full basement is proposed below the entire structure (existing and proposed addition) to provide storage space for the adjacent Safdie Architects building. The use of the proposed project will remain as a residential use group, housing a 397 square foot studio apartment in the restored front gable structure and two approximately 1,200 square foot, one-bedroom residences on each of the two floors of the rear addition. Each of the one-bedroom units would have access to a small amount of private outdoor space at the rear of the property via a grade level patio and an approximately 19 foot by 7 foot balcony on the second floor. The three-family use is permitted as of right in the RB zoning district. There is also a proposed connection to the adjacent property at 100 Properzi Way, which is also owned by Moshe Safdie, via a subterranean link at the basement level. This proposed link would be temporary and would be removed when the properties are sold to different owners.

FINDINGS FOR SPECIAL PERMIT (SZO §5.1, §4.4.1, §9.13.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 §4.4.1 of the SZO, the Board finds that the modifications to the existing structure would not be substantially more detrimental to the neighborhood than the existing structure. Even though the proposed addition is a full story higher than the existing rear portion of the building, according to the Sunlight Study the Applicant has submitted, only during the time around the winter solstice from high noon into the afternoon would the proposed rear addition cast a new shadow onto the northern neighbor's home or back yard. It appears that by pulling back the rear addition away from the neighbor's property line to the conforming side yard setback line, almost all of the neighbor's existing sunlight exposure throughout the course of the year was preserved. While this proposed new addition does not relate to the architectural style of the historic structure, it does relate to the Safdie Architects building to which it is connected. Additionally, the new construction will be separated from the historic structure by a stairway and glass enclosure to clearly separate the old and new construction. Finally, even though the Applicant is requesting right side and rear yard setback Variances to construct the project, they will have a minimal impact to the immediate abutters. The rear yard setback nonconformity of the project is triggered by the extension of the storage basement deep into the lot. The side yard setback Variance is only trigger by the subterranean connection to the adjacent Safdie Architects building. The Applicant has indicated that the proposed link would be temporary and would be removed when the properties are sold to different owners.

In considering a Special Permit under §9.13.a of the SZO, the Board finds that the modifications to the parking standards by requesting the one (1) off-street parking space of relief would not be substantially more detrimental to the neighborhood than the existing parking situation. The Applicant retained Fort Hill Infrastructure Services, LLC to prepare a Parking Memorandum that analyzed the on-street parking situation in the surrounding



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neighborhood. Fort Hill's data collection indicated that on an average weeknight 32% (131.5 spaces) of the area's on-street parking supply is available and even during the busiest time period, a Saturday evening, 24% (100 spaces) of the on-street public parking supply is still available. These figures clearly indicated that the public parking supply in the surrounding neighborhood has a reserve supply. The memorandum continues on to cite other factors as to why the one (1) parking space of relief would have a negligible impact on the parking supply in the surrounding neighborhood. Somerville's typical vehicle ownership per household rate being 74%, the property's reasonable proximity to existing MBTA Red Line Stations (approximately $\frac{3}{4}$ of a mile), and the fact that over half of Somerville's resident's travel to work in something other than a single occupancy vehicle all clearly indicate that the impact of one (1) parking space of relief would be minimal to the neighborhood's parking supply.

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 provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

The proposal is consistent with the purpose of the RB 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."

The proposal is also consistent with the purpose of the NB district (6.1.4. NB - Neighborhood Business Districts), which is, "To establish and preserve areas for small-scale retail stores, services and offices which are located in close proximity to residential areas and which do not have undesirable impacts on the surrounding neighborhoods."

In considering a Special Permit under §9.13.a of the SZO, the SPGA may grant such a Special Permit only when consistent with the purposes set forth in §9.1 which establishes standards ensuring the availability and safe use of parking areas within the City. The proposal is also consistent with those purposes which are:

"To establish standards ensuring the availability and safe use of parking areas within the City of Somerville. It is intended that any use of land involving the arrival, departure, or storage of motor vehicles, and all structures and uses requiring the delivery or shipment of goods as part of their function, be designed and operated to:

- a. promote traffic safety by assuring adequate places for storing of motor vehicles off the street, and for their orderly access and egress to and from the public street;
- b. increase the traffic-carrying capacity of streets and highways in the City and obtain a more efficient utilization of on-street curbside parking;
- c. reduce hazards to pedestrians;
- d. protect adjoining lots and the general public from nuisances and hazards such as:
 - 1) noise, glare of headlights, dust and fumes resulting from the operation of motor vehicles,
 - 2) glare and heat from parking lots,
 - 3) lack of visual relief from expanses of paving,
 - 4) accelerated run-off of surface water from land covered by impervious materials; and



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- e. increase the number of locations bicycles can be safely secured in order to:
- 1) promote bicycle use throughout the City as a means to reduce motor vehicle traffic congestion, and
 - 2) encourage more active lifestyles as a means to improve public health and welfare, and
 - 3) prevent theft and vandalism of bicycles.”

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. The proposed two-story addition at the rear of the historic structure will be pulled back away from the neighbor’s property line to be even with the required left side yard setback. Most of the structures in the area are between 2½ and 3 stories in height and at 29 feet the proposed addition is still well below the 40 foot height limit in the RB district. The proposed glass link between the historic structure and the rear addition helps to separate the historic portion of the structure from the modern portion. Additionally, by placing the new addition entirely behind the historic structure on the streetscape and limiting the addition’s height to two stories, the proposed addition helps to maintain the character of the worker’s cottage. Furthermore, the design of the new addition addresses the adjacent brick building which helps to create a transitional area between the residential neighborhood and the office use at 100 Properzi Way.

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. The circulation patterns for motor vehicles and pedestrians would not change as a result of this proposal to provide one (1) space of off-street parking relief at the property. Additionally, the proposal will not likely result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area. The relationship of the existing two-family dwelling and the proposed three-family dwelling with the office building at 100 Properzi Way reduces the need for an off-street parking space at the property.

FINDINGS FOR VARIANCE (SZO §5.5, §8.5.H, §8.5.I)

In order to grant a Variance the Board must make certain findings and determinations as outlined in §5.5.3 of the SZO.

1. There are “special circumstances relating to soil conditions, shape or topography of land or structures which especially affect such land or structures but not affecting generally the zoning district in which it is located, causing substantial hardship, financial or otherwise.”

The Applicant indicated the following response to this question in their application:



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“Subterranean South Side Yard Temporary and Conditional Variance: The circumstance of the structure at 92 Properzi Way of potentially providing subterranean storage space for architectural archival materials would be eased if a particular accessibility difficulty of a subterranean connection was temporarily permitted to exist between 92 and 100 Properzi Way. The connection infringes upon the side yard setback, but would be below ground and would be conditional, to be removed when either of the two properties sold to a different owner.

Subterranean Rear East Yard Temporary and Conditional Variance: The proposed projection of the basement into the rear yard setback, between 92 and 100 Properzi Way, would be entirely below grade. Achieved by extending the subterranean structure one additional structural bay to the east, an additional 400 sf of crucial storage space is gained. This variance is sought as temporary and conditional to be removed when either of the two properties is sold to a different owner.

All sought after conditional variances occur between 92 and 100 Properzi Way. Both these properties are owned by Moshe Safdie. When either property is no longer owned by the same owner, the side yard infringement and the rear yard infringement would be removed and these dimensional conditions would be brought into compliance with the current Somerville Zoning Ordinance.”

The Applicant’s proposed project is triggering the need for rear and side yard setback Variances because the existing structure on the property at 92 Properzi Way meets the minimum setback requirements, but the proposed construction would not. However, upon further examination of the situation, the nature of how these Variances are triggered and who they are impacting is very interesting. The existing rear yard setback at the property is 44 feet 1 inch. The proposed project would technically reduce this setback to 3 feet 8 inches. However, this is only because the basement of the proposed structure is where the rear yard setback is being calculated from. In looking at the proposed addition, all of the above ground portion of the structure stops at the required 20 foot rear yard setback line and therefore, to the naked eye, it would appear that the proposed addition is actually conforming to the rear yard setback distance, when in fact it is not. This is similarly true of the triggered side yard setback Variance. The connection between the buildings would be subterranean. Again, the underground connection of the two buildings would not be identifiable to someone who did not know it was there. Therefore, the Board finds that there are special circumstances affecting the property that are causing a substantial hardship.

2. The Variance requested is the “minimum variance that will grant reasonable relief to the owner, and is necessary for a reasonable use of the building or land.”

The Applicant indicated the following response to this question in their application:

“The two (2) proposed conditional variances are the minimum approval necessary to grant reasonable relief to the owner since they both occur along internal property lines between two properties under the same ownership. The variances are proposed as temporary and conditional and would be removed when the two properties are no longer under the same ownership. The variances allow for the reasonable use of the land and structure as follows:

Subterranean South Side Yard Tunnel:

Allows for direct access to the basement level storage space of the proposed structure from the adjacent basement of 100 Properzi Way. This link allows for sensitive archive materials to be accessed directly from the interior without needing to negotiate level changes or exterior weather conditions. The link also allows for the use of the elevator at 100 Properzi Way as a means of moving stored materials about.

Subterranean East Rear Yard Storage:

Extending the basement one more structural bay, in a manner that is entirely below grade, expands the storage capacity of the proposed basement at 92 Properzi Way. We currently rent in excess of 2,000 sf of storage space from private owners and institutions. We hope to consolidate our storage to



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the basement of 92 Properzi. Without the extension into the rear yard we fall short of our needs, which is satisfied with the proposed temporary extension. Since the extension is entirely below grade and temporary – it seems to satisfy the minimal reasonable relief criteria while simultaneously satisfying reasonable use of the land and structure.”

The Applicant currently owns both the residential building at 92 Properzi Way and the office building at 100 Properzi Way. The two buildings have been functioning together for many years with the house being used as a place for visiting consultants to stay for brief periods ranging from weeks to months, depending upon the purpose of their visit. It provides free lodging for these consultants which makes it easy for Safdie Architects to supply lodging for their visitors and the residence’s proximity to the firms building is evidently convenient. The Applicant’s proposed project would expand the functionality of this use from simply a lodging space to also a storage space. Having lodging in such close proximity to the firm’s studio is clearly advantageous, and so would be having additional storage space for plans and materials. The Board agrees with the Applicant’s assessment above and, therefore, the Board finds that the request for the side and rear yard setback Variances is the minimum amount of relief necessary to make reasonable use of the property.

3. “The granting of the variance would be in harmony with the general purpose and intent of this Ordinance and would not be injurious to the neighborhood or otherwise detrimental to the public welfare.”

The Applicant indicated the following response to this question in their application:

“Since the two (2) proposed dimensional variances would be temporary and are all located on internal property lines 92 and 100 Properzi Way, property under the same ownership, the granting of the conditional variances would not be injurious to the neighborhood or detrimental to the public welfare. As previously stated the variances would be removed and the two (2) dimensional conditions would be brought into compliance with the current Somerville Zoning Ordinance, when either property is no longer owned by the same owner.”

Each of the proposed Variances are in harmony with the intent of the Ordinance and they do not appear that they would be injurious to the surrounding neighborhood. Even though the Applicant is requesting right side and rear yard setback Variances to construct the project, they will only have a minimal impact to the immediate abutters. The rear yard setback nonconformity of the project is trigger by the extension of the storage basement deep into the lot. This portion of the new addition cannot be seen because it is underground. The side yard setback Variance is only trigger by the subterranean connection to the adjacent Safdie Architects building. These two buildings are both owned by the same entity and these are the two structures that would be the most impacted by the proposal. The Applicant has indicated that the proposed link would be temporary and would be removed when the properties are sold to different owners. Therefore, the Board finds that approving the Variances will facilitate a development that meets or exceeds the expectations of the SZO and that these requested Variances would not be injurious to the neighborhood or detrimental to the public welfare.



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DECISION:

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Scott Darling and Josh Safdie with Danielle Evans recused. Upon making the above findings, Susan Fontano made a motion to approve the request for the Variances. Scott Darling seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. Upon making the above findings, Susan Fontano made a motion to approve the request for the 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 alter a nonconforming structure under SZO §4.4.1 to construct a two story rear addition to add an additional dwelling unit, for relief from one (1) additional off-street parking space under SZO §9.13.a, and for relief from the minimum side and rear yard setbacks under SZO §8.5.H and §8.5.I. 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>(April 17, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>January 12, 2004 (July 18, 2012)</td> <td>Plan of Land (Sheet No. 1 of 1)</td> </tr> <tr> <td>July 12, 2012 (July 18, 2012)</td> <td>92 Properzi Way Renovation Plan Set (Cover Sheet, Site Plans, Floor Plans, Roof Plan, Elevations, Sections, Street Views, and Sunlight Studies)</td> </tr> <tr> <td>January 26, 2009 (April 27, 2012)</td> <td>Roof Screen Details (A8.1)</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	(April 17, 2012)	Initial application submitted to the City Clerk's Office	January 12, 2004 (July 18, 2012)	Plan of Land (Sheet No. 1 of 1)	July 12, 2012 (July 18, 2012)	92 Properzi Way Renovation Plan Set (Cover Sheet, Site Plans, Floor Plans, Roof Plan, Elevations, Sections, Street Views, and Sunlight Studies)	January 26, 2009 (April 27, 2012)	Roof Screen Details (A8.1)	BP/CO	ISD/PIng.	
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2	<p>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.</p>	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	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	
6	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
7	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	
8	The Applicant shall purchase and deliver to the City four (4) Pedestrian Impact Recovery Systems.	CO	T&P	
9	Any transformers should be located as not to impact the landscaped area and shall be fully screened.	CO	Plng.	
10	The Owner shall remove the subterranean link at the basement level if the properties are ever sold to different owners.	Perpetual	ISD	
11	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	
12	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
13	If dumpsters, trash, or recycling bins are kept outside they shall be screened by fencing or vegetation that blocks any view of them.	Perpetual	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	No vehicles shall be permitted to park on the sidewalk in front of the buildings at both 92 and 100 Properzi Way.	Perpetual	T&P	



16	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.	
17	The Applicant or Owner shall install translucent glass in lieu of transparent glass at the north facing Level 1 and Level 2 bathrooms adjacent to the stairway at 92 Properzi Way.	CO	Plng.	
18	If the chain link fence between 88 and 92 Properzi Way proves to be an obstruction to the planting of the proposed closely space evergreens that will form a buffer between the two properties, the Applicant or Owner will remove the fence along the property line.	CO	Plng.	
19	The Applicant and Owner shall work with the neighbors to determine the species of the evergreen plantings along the property line discussed in Condition 18.	CO	Plng.	
20	The Applicant or Owner shall engage an acoustician to develop design strategies to minimize the noise generated by the proposed roof top mechanical unit(s).	CO	Plng.	



Attest, by the Zoning Board of Appeals:

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