



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-81
Date: January 3, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 111-123 Health Street / 34 Edgar Avenue

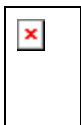
Applicant and Owner Name: Esmaeil Mahdavi
Applicant and Owner Address: 80 Fairview Ave, Belmont, MA 02478
Agent Name: Everett Mitchel
Agent Address: 448 Main Street, Medford, MA 02155
Alderman: Tony Lafuente

Legal Notice: Applicant and Owner Esmaeil Mahdavi seeks a Special Permit with Site Plan Review under SZO §7.2 to have more than one principle structure on a lot and §7.3 to have more than three dwelling units on a lot in order to construct four residential units in two semi-detached townhouses for a total of sixteen residential units on the site. Two of the sixteen units will be affordable as defined in §2.2.4. Four existing residential structures that will remain and the existing commercial structure on the site will be removed. The Applicant/Owner also seeks a Special Permit under SZO §4.4.1 to alter windows, doors and construct a dormer on 34 Edgar Ave which is a nonconforming single-family dwelling.*

Zoning District/Ward: RB Zone / Ward 4
Zoning Approval Sought: Special Permit under SZO §7.2, 7.3, 4.4.1
Date of Application: September 18, 2012
Dates of Public Hearing: Zoning Board of Appeals – January 9, 2013

*The Applicant decided to renovate the single-family structure without changing the exterior. If he chooses to make alterations in the future, he will apply for a special permit under 4.4.1 at that time.

I. PROJECT DESCRIPTION



1. Subject Property: The subject property is comprised of six parcels that together are 24,640 sf. There are five buildings on the six parcels. Three buildings are along Heath Street; one is a multi-family home and two are fourplexes divided by lot lines. There is a one-story commercial structure behind 117-119 Heath Street that is a general contractor's shop. Finally, there is a single-family home that fronts on Edgar Avenue. A 16 foot easement runs along the back of the property from Edgar Avenue to a parking lot at 125 Heath Street.

Century Street ends at the northern edge of the property and there is a few foot grade difference between the street and the property.

Clockwise: Aerial of site, commercial structure, rear yards of 111-113 Heath St, terminus of Century St, view of site from corner of Heath and Edgar Ave.



2. Proposal: The proposal is to demolish the commercial structure and build two semidetached townhouses along the easement at the back of the property. 123 Heath Street would be converted from two units to one unit.

The existing and proposed buildings are as follows:

111 Heath Street: 1 – 1 bedroom unit and 1 – 2 bedroom unit
113 Heath Street: 2 – 2 bedrooms units
117-119 Heath Street: 4 – 1 bedroom units
121 Heath Street: 2 – 1 bedroom units
123 Heath Street: 2 – 1 bedroom units will be converted to 1 – 3 bedroom unit
34 Edgar Avenue: 1 – single family dwelling
34A&B Edgar Avenue (address to be determined by Engineering): 2 – 3 bedroom units
34C&D Edgar Avenue (address to be determined by Engineering): 2 – 3 bedroom units

There will be a total of sixteen residential units. Two of the units will be affordable in perpetuity as defined in the Somerville Zoning Ordinance.

The new townhouses will be three stories on the northern side and two stories on the southern side. The top of the penthouse will be 37 feet from finished grade. They will be mirror images of each other. There will be a two-car garage on the first floor and a pedestrian entrance that are accessible from the alleyway at the back of the site. Pedestrians will also be able to enter through porches on the southern side of the buildings. The first floor will also contain utility space and a bicycle rack. The upper floors will contain an open room for living, dining and kitchen, three bedrooms and three bathrooms. There will be a roof deck on top of the building that will be accessible via a penthouse. The penthouse will also contain a space for utilities.

The existing residential units will be renovated on the interior and there will be some work done to the exterior.

There will be pervious walkways and landscaping around the site. A row of 12 - 3 inch arborvitae will be planted along the rear driveway. Four large trees on the site will be retained and the unhealthy tree near the existing parking area behind 111 and 113 Heath Street will be replaced. This parking area will be refinished with pavers. The parking spaces in the lot are currently not defined but 6 spaces will be marked in the pavers. The existing parking space behind 34 Edgar Avenue will also be refinished with pavers.

3. Nature of Application: The project requires a Special Permit with Site Plan Review (§5.2) under SZO §7.3 to allow more than three dwellings on a lot in the RB district which is permitted when 12.5% but no less than one affordable unit is provided for on-site as defined by SZO §2.2.4 and §13. In all cases minimum lot size, minimum lot area per dwelling unit, and other dimensional and parking requirements of Article 8 and Article 9 shall be met. The project complies with the lot area and lot area per dwelling unit requirements for sixteen units and is meeting all dimensional requirements of Article 8. Two affordable units will be provided on-site through an Affordable Housing Implementation Plan (AHIP). The parking requirements for the new units, two parking spaces per unit for a total of eight, will be provided in garages. The parking requirements for the existing units and the actual number of parking spaces (seven) will not change as a result of this proposal. Therefore the requirements of Article 9 are met.

4. Surrounding Neighborhood: The surrounding area is mostly comprised of one-, two- and three-family dwellings. The form of the houses are typically triple deckers or 2 ½ stories with varying roof forms.

5. Impacts of Proposal: The proposal will improve the appearance of the site, which currently has a large commercial structure and pavement that does not fit the character of the residential neighborhood. Placing the townhouses along the existing right of way at the back of the property will transform this passageway into a modern version of a mews, with a row of homes (and garages in place of stables) on a small street. This “street” will be more attractive for the neighbors than the existing site. The site plan configuration allows for landscaped outdoor space for the existing single-family house and a large shared landscaped area for the townhouse and residences on Health Street. The plan also includes private outdoor space on the roof deck and on back porches of the existing buildings.

The townhouses take a similar form to the existing buildings on the site in terms of the footprint size and shape and are similar in height to the triple deckers surrounding them. The design of the houses is contemporary but they have architectural elements that are common in the City, such as bays, stoops, balconies and brackets.

The proposal will add three new residential units to the site. The impact of having additional residences in this location is anticipated to be minimal. The truck and commercial activity will stop and will be replaced by a residential use that will likely have fewer impacts in terms of noise and traffic. The existing curb cut on Edgar Avenue will be used to access the site and the required parking will be provided and out of site in garages. The proposal will not impact Century Street or the neighbors that park at the end of this street.

6. Green Building Practices: None listed on the application form.

7. Comments:

Fire Prevention: A code compliant fire alarm system will be required.

Historic Preservation: The Applicants were originally proposing to demolish 34 Edgar Avenue. The Historic Preservation Commission deemed it to be significant because of its strong association with the period in which it was constructed, as a workers cottage in the suburbs at the time when tenements were on the rise in Boston. After this determination, the Applicants changed the plan to retain 34 Edgar Avenue.

Traffic & Parking: Traffic and Parking has no objections to this application.

Housing: An Affordable Housing Implementation Plan (AHIP) will be executed before the Zoning Board hearing on January 9.

DPW/Lights and Lines/Highway: This department has no objections to this application.

Engineering: 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.

Wiring Inspection: The utilities will be required to be located underground.

Ward Alderman: Alderman Lafuente has inquired about the project but has not provided formal comments.

Design Review Committee (DRC): The DRC reviewed the proposal at four meetings on October 25, November 26, December 10, and December 27, 2012. The Applicants made substantial alterations to the site plans and elevations based on feedback from the DRC and Planning Staff.

Recommendations/Comments from the October 25 meeting:

The proposed plans for the project seem to be a bit underdeveloped. Providing an accurate Site Plan showing the building footprints and parking layout for the project, elevations, renderings, more details, a site section drawing, and even perspectives of each of the proposed buildings would be helpful. It seems odd to create an island of a building (the three-unit building) that is encircled with pavement. It would be preferable to reclaim some of the project site as backyard and greenspace for this three-unit building. Please take a look at flipping two, if not all three, of the garage entrances to the other side of the building to have the rear of the three-unit building face the back of the buildings that front onto Edgar Court. Please also look at having one parking space as a surface level spot and pushing the three-unit building as much as possible towards Heath Street and to the west, away from Edgar Avenue. However, please also consider shifting the three-unit building slightly to the east towards Edgar Avenue in order to potentially get two surface parking spaces between the building and the property line. This would allow you to add more living space within the building on the ground floor. Adding more greenspace to the entire project would be preferable, especially to the east of the proposed three-unit building.

The next time you present the project to the Committee it would be helpful to have material and color samples for what you are proposing on the exterior of the buildings.

Organizing the parking area that is on site and buffering it with something that is planted would be helpful to the overall design of the project

Recommendations/Comments from the November 26 meeting:

The biggest issue that the Applicant has is an urban planning issue. The greenspace area is a common openspace that all of the project's residents will have access to, but there is also the alleyway where the two car garages are accessed. Each of these is important elements and therefore the proposed buildings essentially do not have distinguishable fronts and backs. These buildings really have two fronts or two sides to them that need to be treated as the front of a structure.

The location and massing of the buildings on the project site seems to work well, but the success of this site plan will rest on the landscape plan. The sides of the buildings that face the greenspace area need to be developed well, but the sides of the buildings that face the alleyway should also contain a good amount of landscaping and detailing.

The manner in which the alleyway area is treated is another critical component. This area cannot be the continuation of the asphalt from the Edgar Avenue streetscape. This space should be inviting and should contain elements such as pavers, light components, landscaping, etc. to make the vehicle feel secondary in this space.

Please take a look at doing large, elegant garage doors that face the alleyway. This may force the proposed pedestrian doors on alleyway side of the buildings around to the side of each building, but it might allow you to have more appropriate garage doors in this area.

You should determine where the “front” door of each building will be located and then ensure that the landscaping at the project site supports that entrance. The “front” of each building could be located on either end of the proposed dwellings, but it is preferable to have the garage doors access the alleyway area.

Please provide a nicely developed site plan/landscape plan, an elevation of what the project would look like from Edgar Avenue and some 3D perspectives of the project the next time you come before the Committee.

Please take another look at the Building Code to ensure that you are able to use vinyl siding on the proposed dwellings. There may or may not be enough separation between the proposed buildings to use vinyl siding

Recommendations/Comments from the December 10 meeting:

Based on the context of the surrounding neighborhood, the Design Review Committee recommends that the applicant pursue a design for the new townhouses that includes a flat roof, reflecting the character of the triple-deckers and four- and six-plexes in the area.

Due to the fact that the proposed townhouses present a “front” to two different sides (both the alley and the backs of the existing front buildings) the social character of the existing backyards of the front buildings will be changed when the project is built. As the existing front buildings have rear decks that will continue to provide outdoor space that can be “claimed”, the proposed new townhouses should provide roof decks and balconies where possible to provide the same for the new units since they will have neither front nor rear yards.

When considering the materiality of the proposed townhouses, the DRC recommends drawing inspiration from nearby examples of contemporary townhouses that exist in the immediate area. These neighboring properties provide a good example of how to properly contrast structural elements such as bays from the elevations of the buildings, the proper trimming of windows and doors using modern materials, and the complimentary use of paint color. The DRC emphasizes the need to clad the bays different from the other wall areas and that the railings of the entry stoops, balconies, and roof deck should be of the same design. The DRC appreciates effort that was made to keep the width of the proposed townhouses to a pattern that reflects other structures in the area, giving the new buildings a character that should blend seamlessly into the existing neighborhood. This, however, limits the applicant’s ability to use multiple garage doors to access the tuck-under parking of each townhouse. Consequently, the DRC recommends the applicant use a “carriage house” garage door design that features multiple panels, windows, and a complimentary color/stain to reduce the impact the garage doors will have on the appearance of the “rear” façade. Finally, because the applicant presented a menu of options to the DRC to select individual features from, the DRC does not feel the plans accurately reflect their recommendation or the final version of the proposal and requests the applicant to return for a fourth review after the plans have been updated. As it is unusual for the DRC to request a fourth review and in understanding that the nature of this project has been somewhat fluid as it was being developed, the DRC has agreed to a special meeting to be held on Thursday, December 27th 2012 where a final review of the project will take place.

Recommendations/Comments from the December 27 meeting:

The Applicants showed the detail of the pattern of the pavers for the walkways. The pavers will be pervious because their joints will be open. They highlighted that the path from the parking area to the

street between 113 and 119 Heath Street is shown on the plan so that there is a pedestrian path from the townhouses to Heath Street.

There was discussion about adding a fence in the large landscape area to have separation and ownership over this space; however, the conclusion was that since the units will be under one condominium association, the space will be maintained and there will be more flexibility in how to use the space as a large unobstructed area. The DRC did suggest that there should be a barbeque or some other programed area in this space.

The DRC made a few final recommended changes that were incorporated into the final design. They recommended that the walkway near the porches on the southern side of the townhouses be shifted slightly away from the porches to provide a sense of privacy to the porches. The spaces between the buildings on Health Street should be kept open so that people could walk from the townhouses to Health Street. There should be lattice under the porch stairs and landscaping in front of it to make the porches feel that they are incorporated into the house and not later additions.

The DRC liked the paneling for the bays and the two separate entries on the southern side of the building. They recommended separating the two balconies on the garage side to make the building look less monumental.

II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §5.2, 7.2, &7.3):

In order to grant a Special Permit with Site Plan Review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

1. Information Supplied: The Staff 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.
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 §7.3 of the SZO, the Staff finds that the use proposed would not be substantially more detrimental to the neighborhood than the existing use. SZO §7.3 states that in RB districts, where developments include a minimum of 12.5% affordable housing units on-site, the maximum dwelling units per lot can be waived through SPSR application. In all cases minimum lot size, minimum lot area per dwelling unit, and other dimensional and parking requirements of Article 8 and Article 9 shall be met. The project complies with the lot area and lot area per dwelling unit requirements for sixteen units and therefore the Applicant is meeting all dimensional requirements of Article 8 and Article 9 with this proposal. An affordable unit will be provided on-site through an Affordable Housing Implementation Plan (AHIP).

Under SZO §7.2 allows for more than one principle structure on a lot by special permit with site plan review. Looking at the site comprehensively without considering the interior lot lines makes for a better site plan. The new structures are able to front on an alleyway, parking for the existing units can be centralized, and a large landscaped area can be maintained. The entire site is under common ownership and will be managed by a condominium association.

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.”

While the proposal is not entirely 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,” it is complying with the lot area per dwelling unit requirement for the district, as well as all other dimensional and parking requirements. Additionally, the proposed use of the site is compatible with the surrounding neighborhood and the residents of the district. The new houses on the site will be duplexes, which are encouraged in the district when they are on their own lot.

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.”

Placing the townhouses along the existing right of way at the back of the property will transform this passageway into a modern version of a mews, with a row of homes (and garages in place of stables) on a small street. This “street” will be more attractive for the neighbors than the existing site. The site plan configuration allows for landscaped outdoor space for the existing single-family house and a large shared landscaped area for the townhouse and residences on Health Street. The plan also includes private outdoor space on the roof deck and on back porches of the existing buildings.

The townhouses take a similar form to the existing buildings on the site in terms of the footprint size and shape and are similar in height to the triple deckers surrounding them. The design of the houses is contemporary but they have architectural elements that incorporate elements of traditional buildings in the City, such as bays, stoops, balconies and brackets.

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 structures will be located along an existing driveway easement, creating a well-defined alley. The easement will remain open for access to the neighboring parking area. No new curb cuts will be required. The existing residential buildings will be retained so that the intact streetscape will not be impacted by the proposal. There will be pervious walkways and man doors on all sides of the building to provide pedestrian access around the townhouses and from the townhouses to Heath Street. A condition will that the areas between the buildings on Health Street will not be obstructed so to provide as much pedestrian access through the site as possible.

The rear driveway will be is an 18 feet wide and acceptable for emergency vehicle access. The garages and parking are have sufficient area for vehicles to maneuver and exit the site in a forward direction.

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 site has a large commercial structure and a lot of pavement that will be removed as part of the proposal. The new scheme will likely have less impervious coverage and different demands from replacing a commercial structure with a total of three new residential units. There may be a slight increase in the utilization of the street at night and weekend, although the change will include less intrusive residential vehicles as opposed to commercial vehicles.

Planning Staff is recommending a condition that the Applicant must show to the City Engineer that the currently proposed design is in compliance with the City's stormwater management policy to ensure that the site will be in compliance.

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."

The proposed residential use will not adversely impact the environment. 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.

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

9. Preservation of Landform and Open Space: The Applicant has to ensure that "the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood."

The site currently has a large commercial structure and a lot of paved area with little land left in its natural state. There are four large trees on the site that will be retained and the unhealthy tree near the existing parking area behind 111 and 113 Heath Street will be replaced. A row of 12 - 3 inch arborvitaes will be planted along the rear driveway that will be visible from Edgar Avenue. The available land along Edgar Avenue that is highly visible from the public right-of-way will be landscaped.

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 proposed use of the buildings will be duplexes, which is a compatible use with the surrounding residential neighborhood. The townhouses take a similar form to the existing buildings on the site in terms of the footprint size and shape and are similar in height to the triple deckers surrounding them. The

design of the houses is contemporary but they have architectural elements that are common in the City, such as bays, stoops, balconies and brackets.

The buildings are oriented so that they have a front along the alleyway and a front along the middle of the site. This allows them to be easily accessible for pedestrians. This orientation also allows the buildings to maximize the southern exposure for optimal access to sunlight. The Applicant took advantage of the slope of the site by creating a garage that will be below grade on the southern side of the building.

11. Stormwater Drainage: The Applicant must demonstrate that “special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and 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.”

The proposed project includes a large landscaped area, the installation of 12, 3-inch caliper trees and pervious walkways and parking area that will help to absorb stormwater runoff on the site. Planning Staff is recommending a condition that the Applicant must show to the City Engineer that the currently proposed design is in compliance with the City’s stormwater management policy.

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.”

The proposal does not include historically designated properties. The Applicants were originally proposing to demolish 34 Edgar Avenue. The Historic Preservation Commission deemed it to be significant because of its strong association with the period in which it was constructed, as a workers cottage in the suburbs at the time when tenements were on the rise in Boston. After this determination, the Applicants changed the plan to retain 34 Edgar Avenue.

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 nonresidential 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 overall appearance of the site will improve as a result of the proposed development. The two new buildings will be internal to the block and the existing buildings along Heath and Edgar will be retained and block some of the views of the new buildings. One of the new buildings will terminate the view at

the end of Century Street. The garage doors will contain windows and be of high quality so that the buildings are attractive, despite the large expanse of garage door along this façade. A row of arborvitae will be planted along the alleyway to screen it from the neighbors and create a sense of enclosure and definition for the alleyway.

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 located at the entrances to the houses and be residential in nature. Planning Staff is proposing a condition that 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.

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 existing units via Heath Street and Edgar Avenue and access to the new residential units through the 18 foot right of way that abuts them.

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 project will make use of the two existing curb cuts at the site. There is sufficient maneuvering space so that all vehicles can enter and exit the street in a forward direction.

17. Utility Service: The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”

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

18. Prevention of Adverse Impacts: The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development.”

Minimal negative impacts are anticipated as a result of the proposed residential use. Much of the new hard surface on the site will be pervious pavers, including the existing parking area off of Edgar Avenue. Furthermore, there will not be machinery that emits heat, vapor, light or fumes beyond those of a typical residential use.

19. Signage: The Applicant must ensure that “the size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed buildings.”

Due to the residential nature of the building, signage is not anticipated on the site. Any signage in the future would have to conform to the sign standards for residential districts as specified in SZO §12.

20. Screening of Service Facilities: The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”

The trash and recycling barrels will be stored in a small utility room in the garages of the townhouses and under and beside the rear porches of the existing structures. There will be HVAC compressors for each unit on the roof of the townhouses next to the penthouses and they will not be visible at ground level. Other machinery for utilities will be screened in the garage or enclosed on the roof. If transformers are to be located on the site a condition has been proposed which requires that transformers be fully screened and located as to not impact the landscaped areas.

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.”

The parking for the townhouses will be located in garages on the first floor of the building and therefore will not be visible from the streetscape or to abutters. The garage doors will have a window and be of high quality to improve the appearance of large garages doors along the alleyway. On the other side of the building the garage will not be visible due to the grade change. Landscaping along Edgar Avenue will help to screen the existing parking area. This parking area will be constructed of pavers to improve its appearance and make a pervious surface.

III. RECOMMENDATION

Special Permit with Site Plan Review under §5.2, §7.2, & §7.3

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT with SITE PLAN REVIEW**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	<p>Approval is for the construction of two semidetached townhouses for a total of 16 residential units and 15 parking spaces. 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>Sept 18, 2012</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>Dec 29, 2012</td> <td>Modified plans submitted to OSPCD (L-1 Site Plan/Landscape Plan, Floor plans – ground, 1st, 2nd, roof plan, Elevations, Perspectives)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	Sept 18, 2012	Initial application submitted to the City Clerk's Office	Dec 29, 2012	Modified plans submitted to OSPCD (L-1 Site Plan/Landscape Plan, Floor plans – ground, 1 st , 2 nd , roof plan, Elevations, Perspectives)	BP/CO	ISD/Png.	
Date (Stamp Date)	Submission									
Sept 18, 2012	Initial application submitted to the City Clerk's Office									
Dec 29, 2012	Modified plans submitted to OSPCD (L-1 Site Plan/Landscape Plan, Floor plans – ground, 1 st , 2 nd , roof plan, Elevations, Perspectives)									
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	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Engineering							

4	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans must be submitted to the Engineering Department for review and approval.	BP	Engineering	
5	Applicant shall provide final material samples for siding, trim, windows, and doors to the Design Review Committee for review and comment and to Planning Staff for review and approval prior to construction.	BP	Plng./DRC	
6	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	
7	The area between the buildings on Health Street should be kept open (unobstructed by fences) so that people could walk from the townhouses to Health Street.	CO & perpetual	Plng.	
8	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
9	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened.	Electrical permits & CO		
10	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the Housing Department before the issuance of a Certificate of Occupancy (C.O.).			
11	No certificate of occupancy shall be issued until the OSPCD Housing Division has confirmed that the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s).	CO	Housing	
12	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	
13	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.	CO	Wiring Inspector	
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.	CO	Plng.	

15	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	
16	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
17	Vehicles exiting this property must exit in a forward direction.	Perpetual	T&P	
18	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.	

